

**ARTICLE 74-02
SEED**

Chapter	
74-02-01	Seed Representation and Labeling
74-02-02	Seed Sale

**CHAPTER 74-02-01
SEED REPRESENTATION AND LABELING**

Section	
74-02-01-01	Seed Testing Fees - Sample Size [Repealed]
74-02-01-02	Hermetically Sealed Containers
74-02-01-03	Flower Seed Labeling Requirements
74-02-01-04	Sale and Exchange of Seed
74-02-01-05	Labeling of Registered and Certified Seed Brought Into North Dakota [Repealed]
74-02-01-06	Clarification of Pure Live Seed and How it Pertains to Germination
74-02-01-07	Rules for Affidavit of Analysis for Bagged Agricultural Seed

74-02-01-01. Seed testing fees - Sample size. NO CHANGES, THIS SECTION

74-02-01-02. Hermetically sealed containers. NO CHANGES THIS SECTION

74-02-01-03. Flower seed labeling requirements. NO CHANGES, THIS SECTION

74-02-01-04. Sale and exchange of seed. NOCHANGES THIS SECTION

74-02-01-05. Labeling of registered and certified seed brought into North Dakota.
Repealed effective December 18, 1989.

**74-02-01-06. Clarification of pure live seed and how it pertains to germination. NO CHANGES,
THIS SECTION**

**74-02-01-07. Rules for affidavit of analysis for bagged agricultural seed. NO CHANGES, THIS
SECTION**

**CHAPTER 74-02-02
SEED SALE**

Section

74-02-02-01	Definitions
74-02-02-02	Nonresident Seed Dealer - License Application
74-02-02-03	Identification Cards
74-02-02-04	State Grain Grade Standards [Repealed]

74-02-02-01. Definitions. NO CHANGES, THIS SECTION

74-02-02-02. Nonresident seed dealer - License application. NO CHANGES, THIS SECTION

74-02-02-03. Identification cards. NO CHANGES, THIS SECTION

74-02-02-04. State grain grade standards. Repealed as the result of S.L. 1979, ch. 95, § 6.

ARTICLE 74-03

SEED CERTIFICATION STANDARDS

Chapter	
74-03-00.1	Definitions
74-03-01	General Seed Certification Requirements
74-03-02	Specific Crop Requirements - Small Grains and Flax
74-03-03	Specific Crop Requirements - Alfalfa
74-03-04	Specific Crop Requirements - Birdsfoot Trefoil [Repealed]
74-03-05	Specific Crop Requirements - Red Clover [Repealed]
74-03-06	Specific Crop Requirements - Sweetclover [Repealed]
74-03-07	Specific Crop Requirements - Grasses
74-03-07.1	Specific Crop Requirements - Buckwheat
74-03-08	Specific Crop Requirements - Millet - Self-Pollinating
74-03-09	Specific Crop Requirements - Mustard, Crambe, and Rape
74-03-10	Specific Crop Requirements - Safflower
74-03-11	Specific Crop Requirements - Sunflower
74-03-12	Specific Crop Requirements - Soybean and Field Peas
74-03-13	Specific Crop Requirements - Dry Field Beans

CHAPTER 74-03-00.1 DEFINITIONS

Section

74-03-00.1-01 Definitions

74-03-00.1-01 Definitions. As used in this article, unless the context or subject matter otherwise requires:

1. "Bulk seed" shall mean seed stored in bins and may mean seed stored in containers larger than 160 lbs. (72.72 kilograms)

12. "Conditioning" includes all activities performed on seed between harvest and marketing. Other terms associated with conditioning could include cleaning, processing, sizing, grading, storing, and seed treating.
23. "Field inspection" means physical examination or observation of a field by an authorized state seed employee.
34. "Grower" means any person that is complying with all the certification rules and regulations in the production of field inspected seed.
45. "None" means none found during the normal inspection process (both field and seed standards). None is not a guarantee to mean the lot inspected or analyzed is free of the factor.
56. "Other varieties and off-types" means plants or seeds which do not conform to the characteristics of a variety as described by the breeder. They do not include variations which are characteristic of the variety.

7. "Variant" shall mean any seed or plant that: a) is distinct but occurs naturally within a variety. b) is stable and predictable with a degree of reliability comparable to other varieties of the same kind, within

recognized tolerances, when the variety is reproduced or reconstituted, and c) was originally a part of the variety as released. A variant is not an off-type.

78. "Variety" means a subdivision of a kind characterized by growth, yield, plant, fruit, seed, or other characteristic by which it can be differentiated from other plants of the same kind and a subdivision of a kind which is distinct, uniform, and stable; "distinct" in the sense that the variety can be differentiated by one or more identifiable morphological, physiological, or other characteristics which are describable, and "stable" in the sense that the variety will remain unchanged to a reasonable degree of reliability in its essential and distinctive characteristics and its uniformity when reproduced or reconstituted as required by the different categories or varieties.

History: Effective May 1, 1986.

General Authority: NDCC 4-09-03, 4-09-05, 4-09-16

Law Implemented: NDCC 4-09-16, 4-09-17, 4-09-18