

FEDERAL SEED ACT CASES SETTLED

The Federal Seed Act (FSA) regulates the interstate shipment of agricultural and vegetable seeds. The FSA requires that seed shipped in interstate commerce be labeled with certain information necessary for the seed buyer to make an informed choice. The labeling information and any advertisements pertaining to the seed must be truthful. The FSA helps promote uniformity among the state laws and fair competition within the seed trade.

The following cases were settled administratively under the FSA between September 3, 2014, and September 1, 2015. Under the administrative settlement procedure, the Seed Regulatory and Testing Division and the firms agreed to settle the cases, for the amount specified, with the firms neither admitting nor denying the charges.

Agroseed Marketing, Inc., Albany, OR, has paid \$350 for a case involving a seed shipment to Georgia. Seed regulatory officials in Georgia cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of pure seed and weed seed percentages.

Allied Seed LLC, Nampa, ID, has paid \$2,600 for a case involving one seed shipment to West Virginia and two seed shipments to Virginia. Seed regulatory officials in Virginia and West Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of variety name; and
- Failure to keep or supply records.

Arkansas County Seed Company, Inc., Plano, TX, has paid \$1,050 for a case involving three seed shipments to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling as to germination.

Bamert Seed Company, Muleshoe, TX, has paid \$350 for a case involving a seed shipment to Indiana. Seed regulatory officials in Indiana cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of germination percentage.

Barenbrug USA, Tangent, OR, has paid \$7,800 for cases involving one seed shipment each to Pennsylvania, and Texas, two shipments to Indiana, and three shipments to Missouri. Seed regulatory officials in Indiana, Missouri, Pennsylvania, and Texas cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of pure seed and weed seed percentages, germination and test date;
- False labeling as to variety name,
- Failure to label the presence of undesirable grass seeds and noxious-weed seeds,
- Failure to label as a mixture, and
- Failure to keep or supply required records.

Bayer Cropscience LP, Dewitt, AR, has paid \$350 for a case involving a seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of germination percentage.

Beachner Seed Company, St. Paul, KS, has paid \$1,300 for a case involving one seed shipment to Arkansas and one seed shipment to Missouri. Seed regulatory officials in Arkansas and Missouri cooperated in the initial sampling and inspections. The alleged violation was:

- False labeling of noxious-weed seeds rate of occurrence.

BWI Companies, Nash, TX, has paid \$350 for a case involving one seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of germination percentage.

CHS, Inc., Tangent, OR, has paid \$825 for a case involving a seed shipment to Missouri. Seed regulatory officials in Missouri cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of germination percentage and test date.

Columbia Seeds LLC, Corvallis, OR, has paid \$1,925 for cases involving one seed shipment to Indiana and two seed shipments to Kentucky. Seed regulatory officials in Indiana and Kentucky cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of pure seed, other crop seed, inert matter, and germination percentages;
- Failure to keep or supply required records.

Columbia Seeds LLC, Corvallis, OR, has paid \$450 for a case involving one seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of germination percentages.

Columbia Grain, Clarkston, WA, has paid \$1,050 for cases involving one seed shipment to Texas and one seed shipment to Oregon which was subsequently re-shipped to Indiana. Seed regulatory officials in Texas and Indiana cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of pure seed and inert matter percentages;
- False labeling of noxious-weed seeds rate of occurrence,
- False labeling as to variety name,
- Failure to keep or supply required records.

Crosman Seed, East Rochester, NY, has paid \$350 for a case involving a seed shipment to Indiana. Seed regulatory officials in Indiana cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of germination percentage; and
- Failure to keep or supply required records.

Deer Creek Seed, Ashland, WI, has paid \$675 for a case involving a seed shipment to Indiana. Seed regulatory officials in Indiana cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of pure seed and test date, and
- Failure to label the interstate shippers name and address or code designation.

Discount Seeds, Inc., Watertown, SD, has paid \$1,650 for cases involving one seed shipment to Arkansas and one seed shipment to Missouri. Seed regulatory officials in Arkansas and Missouri cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of other crop seed percentage;
- Failure to label the presence of noxious-weed seeds; and
- Failure to keep required records.

DLF Pickseed USA, Inc., Halsey, OR, has paid \$7,425 for cases involving one seed shipment to Tennessee which was consequently re-shipped to Arkansas, two seed shipments to Kentucky, and four seed shipments to Texas. Seed regulatory officials in Arkansas, Kentucky, and Texas cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of pure seed, other crop seed, and germination percentages;
- False labeling as to variety name and test date,
- Failure to label as a mixture, and
- Failure to keep or supply required records.

DLF Pickseed USA, Inc., Halsey, OR, has paid \$7,150 for cases involving one seed shipment to Tennessee which was consequently re-shipped to Kentucky, one shipment to Minnesota which was subsequently re-shipped to Ohio, one shipment to New Jersey which was subsequently re-shipped to Kentucky, one shipment each to Kentucky and Texas, and two shipments to Indiana. Seed regulatory officials in Indiana, Kentucky, Ohio, and Texas cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of pure seed and germination percentages;
- False labeling of noxious-weed seeds rate of occurrence,
- False labeling as to variety name and test date,
- Failure to label as a mixture, and
- Failure to keep or supply required records.

Domestic Seed & Supply/Mustang Seeds, Madison, SD, has paid \$525 for a case involving a seed shipment to Nebraska. Seed regulatory officials in Nebraska cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of germination percentage; and
- Failure to keep or supply required records.

Farmers Ag Center, Mountain Grove, MO, has paid \$650 for a case involving a seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of pure seed percentage.

Grassland Oregon, Salem, OR, has paid \$1,800 for cases involving one seed shipment to Illinois and three shipments to Missouri. Seed regulatory officials in Illinois and Missouri cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of weed seed and germination percentages, and
- False labeling as to variety name.

Green Thumb Commodities, Inc., Oldham, SD, has paid \$1,375 for a case involving a seed shipment to Texas. Seed regulatory officials in Texas cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of pure seed and other crop seed percentages, and
- False labeling of noxious-weed seed rate of occurrence.

La Crosse Forage & Turf Seed LLC, La Crosse, WI, has paid \$1,400 for a case involving one seed shipment to Missouri and two shipments to Indiana. Seed regulatory officials in Indiana and Missouri cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of germination percentage; and
- Failure to keep or supply required records.

Lake Valley Seed, Boulder, CO, has paid \$525 for a case involving a seed shipment to New York. Seed regulatory officials in New York cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling as to variety name, and
- Failure to keep or supply required records.

Lewis Seed Company, Louisville, KY, has paid \$1,750 for cases involving four seed shipments to Indiana. Seed regulatory officials in Indiana cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of germination percentage, test date, and
- Failure to keep or supply required records.

Loveland Products, Inc., Loveland, CO, has paid \$525 for a case involving a seed shipment to Indiana. Seed regulatory officials in Indiana cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of germination percentage, and
- Failure to keep or supply required records.

Mountain View Seeds, Salem, OR, has paid \$675 for a case involving a seed shipment to Ohio which was subsequently re-shipped to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of pure seed percentages and test date.

Pennington Seed, Inc., Madison, GA, has paid \$8,125 for cases involving one shipment each to California and Kentucky, two shipments each to Georgia, Indiana, and Missouri, and three shipments to Virginia. Seed regulatory officials in California, Georgia, Indiana, Kentucky, Missouri, and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of pure seed and other crop seed percentages;
- False labeling of germination percentage and date of test,
- False labeling as to variety name, and
- Failure to label as a mixture.

Pioneer Hi-Bred International, Johnston, IA, has paid \$1,750 for cases involving one seed shipment to Georgia and four shipments to Arkansas. Seed regulatory officials in Arkansas and Georgia cooperated in the initial sampling and inspections. The alleged violation was:

- False labeling as to variety name.

Plantation Products, Inc., Norton, MA, has paid \$2,475 for cases involving one seed shipment each to Illinois and Indiana and three shipments to Missouri. Seed regulatory officials in Illinois, Indiana, and Missouri cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of germination percentage, and
- Failure to keep or supply required records.

Porter Seed House, Bolivar, MO, has paid \$675 for a case involving a seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of other crop seed percentage, and
- False labeling of germination percentage.

Rose Agri-Seed, Inc., Hubbard, OR, has paid \$525 for a case involving a seed shipment to Indiana. Seed regulatory officials in Indiana cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of pure seed percentages and test date.

Saddle Butte Ag, Inc., Shedd, OR, has paid \$350 for a case involving a seed shipment to Georgia. Seed regulatory officials in Georgia cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of weed seed percentage.

Seeds By Design, Maxwell, CA, has paid \$350 for a case involving a seed shipment to Colorado which was subsequently re-shipped to New Mexico. Seed regulatory officials in New Mexico cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling as to variety name.

Smith Seed Services, Halsey, OR, has paid \$3,825 for cases involving one seed shipment each to Illinois, Missouri, and Texas, one seed shipment to Louisiana which was subsequently re-shipped to Maryland, one shipment to Kentucky which was subsequently re-shipped to Indiana, and two shipments each to Georgia and Kentucky. Seed regulatory officials in Georgia, Illinois, Indiana, Kentucky, Maryland, Missouri, and Texas cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of pure seed, inert matter, and weed seed percentages;
- False labeling of noxious-weed seeds rate of occurrence,
- False labeling as to variety name and test date,
- Failure to label the interstate shippers name and address or code designation, and
- Failure to keep or supply required records.

Southern Seed & Feed, LLC, Macon, MS, has paid \$700 for a case involving a seed shipment to Georgia. Seed regulatory officials in Georgia cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of germination and variety name, and
- Failure to keep or supply required records.

Southern States Cooperative, Richmond, VA, has paid \$550 for a case involving a seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of germination percentage.

Swanson Seed, Ltd, Sherwood, OR, has paid \$875 for a case involving three seed shipments to Kansas which were subsequently re-shipped to Missouri. Seed regulatory officials in Missouri cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of germination percentage, and
- Failure to label the interstate shippers name and address or code designation.

The Scotts Company, LLC, Marysville, OH, has paid \$1,650 for a case involving two seed shipments to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of germination percentage, and
- Failure to keep or supply required records.

The Scotts Company, LLC, Marysville, OH, has paid \$1,300 for a case involving a seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of germination percentage and test date, and
- Failure to keep or supply required records.

Thomas Ag Services, LLC, Crabtree, OR, has paid \$350 for a case involving a seed shipment to Minnesota which was subsequently re-shipped to Ohio. Seed regulatory officials in Ohio cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling as to variety name.

Turner Seed, Inc., Antioch, TN, has paid \$2,025 for a case involving three seed shipments to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of pure seed and germination percentages;
- False labeling of noxious-weed seeds rate of occurrence,
- False labeling as to variety name, and
- Failure to keep or supply required records.

Turner Seed, Inc., Antioch, TN, has paid \$3,575 for a case involving one seed shipment to West Virginia and four shipments to Kentucky. Seed regulatory officials in Kentucky and West Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of germination percentage;
- False labeling of noxious-weed seeds rate of occurrence,
- False labeling as to variety name, and
- Failure to keep or supply required records.

Tri-Star Seed Company, Spring Hill, KS, has paid \$1,225 for a case involving three seed shipments to Missouri. Seed regulatory officials in Missouri cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of germination percentage;
- False labeling of noxious-weed seeds rate of occurrence, and
- Failure to keep or supply required records.

Warner Brothers Seed Company, Lawton, OK, has paid \$700 for a case involving one seed shipment to Texas. Seed regulatory officials in Texas cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of germination and pure live seed (PLS) percentages, and
- Failure to keep or supply required records.