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 seed laws and fair competition within the seed trade.

The following cases were settled administratively under the FSA between September 1, 2020, and August 31, 2021. 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.

Andrews Farm and Seed, Inc., Carthage, Missouri, has paid $350 for a case involving one seed shipment to Tennessee in which was subsequently reshipped to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of noxious-weed seeds in excess of State limit.

Antler King Trophy Products, Inc., Black River Falls, Wisconsin, has paid $700 for a case involving one seed shipment to Pennsylvania. Seed regulatory officials in Pennsylvania cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling as to kind name, and
- False labeling of germination percentage and test date.

Athens Seed Company, Inc., Watkinsville, Georgia, has paid $2,800 for a case involving three seed shipments. There was one seed shipment to Tennessee in which was subsequently reshipped to Virginia. There were also two seed shipments to Georgia in which was subsequently reshipped to Virginia. Seed regulatory officials in Virginia cooperated in the initial sampling and inspections. The alleged violations were:

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

Beachner Seed Company, LLC, St. Paul, Kansas, has paid $7,150 for a case involving eleven seed shipments. There was one shipment to Missouri. There were two seed shipments to Maryland. There were four seed shipments to Kentucky. There was one seed shipment to Georgia in which was subsequently reshipped to Florida. There were three seed shipments to Maryland in which were subsequently reshipped to Virginia. Seed regulatory officials in Florida, Kentucky, Maryland, Missouri, and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling as to variety names.

Bennett Seed, Jennings, Florida, has paid $450 for a case involving one seed shipment to Alabama in which was subsequently reshipped to Georgia. Seed regulatory officials in Georgia cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of germination percentage and dormant seed.

BFG Supply Company, Burton, Ohio, has paid $675 for a case involving one seed shipment to Virginia. Seed regulatory officials in Virginia cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling as to kind name, and
- False labeling of noxious-weed seeds rate of occurrence.
BWI Companies, Inc., Nash, Texas, has paid $1,650 for a case involving two seed shipments to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling as to kind name;
- False labeling as to variety name;
- False labeling of germination percentages and test date, and
- False labeling of noxious-weed seeds in excess of State limit.

Byron Seeds, LLC, Rockville, Indiana, has paid $525 for a case involving one seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violations were:

- Failure to keep or supply records, and
- Failure to label as a mixture.

Clemmons and Hamner Seed, Inc., Killen, Alabama, has paid $700 for a case involving two seed shipments. There was one seed shipment to Florida and one seed shipment to Tennessee in which was subsequently reshipped to Virginia. Seed regulatory officials in Florida and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of germination percentage, and
- False labeling of noxious-weed seeds rate of occurrence.

Deer Creek Seed, Inc., Ashland, Wisconsin, has paid $1,950 for a case involving one seed shipment to Indiana. Seed regulatory officials in Indiana cooperated in the initial sampling and inspection. The alleged violations were:

- Failure to keep or supply records;
- False labeling as to variety name;
- False labeling of pure seed, and
- False labeling of germination percentage.

Domestic Seed and Supply, Inc., Madison, South Dakota, has paid $900 for a case involving one seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violations were:

- Failure to label as a mixture, and
- False labeling of pure seed and inert matter percentages.

Dynamic Seed Source, Stayton, Oregon, has paid $3,575 for a case involving three seed shipments. There was one seed shipment each to Georgia and Maryland. There was one seed shipment to Tennessee in which subsequently reshipped to Georgia. Seed regulatory officials in Georgia and Maryland cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to label as a mixture;
- Failure to keep or supply records, and
- False labeling as to variety names.

Eddie Mercer Agri-Services, Frederick, Maryland, has paid $2,925 for a case involving four seed shipments to Virginia. Seed regulatory officials in Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to keep or supply records;
- False labeling as to incorrect labeling;
- False labeling of germination test date, and
- False labeling of noxious-weed seeds rate of occurrence.
Florida Hardware, LLC, Jacksonville, Florida, has paid $900 for a case involving one seed shipment to Virginia. Seed regulatory officials in Virginia cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of pure seed, and
- False labeling of germination percentage.

Gainey Grain, Inc., Laurel Hill, North Carolina, has paid $3,025 for a case involving five seed shipments. There were three seed shipments to Georgia and one shipment to Virginia. There was one seed shipment to South Carolina in which subsequently reshipped to Georgia. Seed regulatory officials in Georgia and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of germination percentages and test date.

Grassland Oregon, Salem, Oregon, has paid $675 for a case involving one seed shipment to Tennessee in which was subsequently reshipped to Virginia. Seed regulatory officials in Virginia cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of pure seed, and
- False labeling of germination test date.

Green Thumb Commodities, Oldham, South Dakota, has paid $1,125 for a case involving two seed shipments. There was one seed shipment each to Florida and Mississippi. Seed regulatory officials in Florida and Mississippi cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of pure seed;
- False labeling as to kind name, and
- False labeling of germination percentage.

Haas Seed House, Albers, Illinois, has paid $1,925 for a case involving four seed shipments. There was one seed shipment to Kentucky and two seed shipments to Virginia. There was one seed shipment to Mississippi in which was subsequently reshipped to Louisiana. Seed regulatory officials in Kentucky, Louisiana, and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to keep or supply records;
- False labeling as to kind name;
- False labeling as to variety names;
- False labeling of germination percentages and test date.

J & J Bagging, Yazoo City, Mississippi, has paid $2,800 for a case involving six seed shipments to Louisiana. Seed regulatory officials in Louisiana cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to keep or supply records;
- False labeling as to kind name;
- False labeling as to incorrect labeling;
- False labeling of germination percentage, and
- Failure to label the interstate shippers name and address or code designation.

Kelly Seed Company, Inc., Hartford, Alabama, has paid $2,600 for a case involving two seed shipments. There was one seed shipment to Florida and one seed shipment to Georgia in which was subsequently reshipped to Florida. Seed regulatory officials in Florida cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling as to incorrect labeling;
- False labeling of pure seed and inert matter, and
- False labeling of germination percentages and test date.
Oregro Seeds, Inc., Albany, Oregon, has paid $450 for a case involving one seed shipment to Tennessee in which was subsequently reshipped to Virginia. Seed regulatory officials in Virginia cooperated in the initial sampling and inspection. The alleged violations were:
- False labeling of pure seed and other crop seed.

Pennington Seed, Inc., Madison, Georgia, has paid $9,425 for a case involving ten seed shipments. There was one seed shipment to Virginia and five seed shipments to Kentucky. There was one seed shipment each to Indiana and Tennessee in which were subsequently reshipped to Kentucky. There were also two seed shipments to Ohio in which was subsequently reshipped to Kentucky. Seed regulatory officials in Kentucky and Virginia cooperated in the initial sampling and inspections. The alleged violations were:
- False labeling as to variety name;
- False labeling of pure seed and other crop seed, and
- False labeling of germination percentages and test date.

Proseeds Marketing, Inc., Jefferson, Oregon, has paid $3,900 for a case involving four seed shipments. There was one seed shipment each to Kentucky and New York. There were two seed shipments to Illinois in which were subsequently reshipped to Indiana and Kentucky. Seed regulatory officials in Indiana, Kentucky, and New York cooperated in the initial sampling and inspections. The alleged violations were:
- False labeling of germination test date;
- False labeling of pure seed and other crop seed, and
- False labeling of noxious-weed seeds rate of occurrence.

Seedway, Inc., Hall, New York, has paid $2,750 for a case involving three seed shipments. There was one seed shipment to South Carolina in which was subsequently reshipped to Florida. There were also two seed shipments to Virginia. Seed regulatory officials in Florida and Virginia cooperated in the initial sampling and inspections. The alleged violations were:
- False labeling as to kind name;
- False labeling as to incorrect labeling;
- False labeling of germination percentages, and
- False labeling of noxious-weed seeds in excess of State limit.

SiteOne Landscape Supply, Cleveland, Ohio, has paid $650 for a case involving one seed shipment to New York. Seed regulatory officials in New York cooperated in the initial sampling and inspection. The alleged violations were:
- False labeling of pure seed and other crop seed.

SiteOne Landscape Supply, Cleveland, Ohio, has paid $650 for a case involving one seed shipment to Virginia. Seed regulatory officials in Virginia cooperated in the initial sampling and inspection. The alleged violation was:
- False labeling of germination percentage.

Smith Seed Services, Halsey, Oregon, has paid $650 for a case involving one seed shipment to Maryland. Seed regulatory officials in Maryland cooperated in the initial sampling and inspection. The alleged violation was:
- False labeling as to variety name.

Southern States, Cooperative, Richmond, Virginia, $1,100 has paid for a case involving two seed shipments. There was one shipment each to Kentucky and Virginia. Seed regulatory officials in Kentucky and Virginia cooperated in the initial sampling and inspections. The alleged violations were:
- False labeling of pure seed and inert matter, and
- False labeling of noxious-weed seeds rate of occurrence.
The Scotts Company, LLC, Marysville, Ohio, has paid $2,925 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:
- Failure to keep or supply records;
- False labeling as to lot number, and
- False labeling of germination percentages.

Thunderbird Commodities, Inc., Mahnomen, Minnesota, has paid $350 for a case involving one seed shipment to Kentucky in which was subsequently reshipped to Indiana. Seed regulatory officials in Indiana cooperated in the initial sampling and inspection. The alleged violations were:
- False labeling of pure seed and other crop seed.

Tri-Star Seed Company, Inc., Spring Hill, Kansas, has paid $1,375 for a case involving two seed shipments to Missouri in which one seed shipment was subsequently reshipped to Illinois. Seed regulatory officials in Illinois and Missouri cooperated in the initial sampling and inspections. The alleged violations were:
- False labeling as to variety name;
- False labeling of pure seed, inert matter, and other crop seed, and
- Failure to label the interstate shippers name and address or code designation.

Tucker Seed Company, Inc., McRae, Georgia, has paid $1,100 for a case involving two seed shipments to Florida. Seed regulatory officials in Florida cooperated in the initial sampling and inspections. The alleged violations were:
- False labeling of germination percentages.

Turner Seed, Inc., Antioch, Tennessee, has paid $1,625 for a case involving two seed shipments. There was one seed shipment each to Kentucky and Virginia. Seed regulatory officials in Kentucky and Virginia cooperated in the initial sampling and inspections. The alleged violations were:
- Failure to label as a mixture;
- Failure to keep or supply records;
- False labeling as to kind name;
- False labeling as to incorrect labeling, and
- False labeling of noxious-weed seeds rate of occurrence.

Van Dyke Seed Company, Inc., Forest Grove, Oregon, has paid $700 for a case involving one seed shipment to Tennessee in which was subsequently reshipped to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violations were:
- False labeling of pure seed, and
- False labeling as to variety name.