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IDAPA 02
TITLE 06
CHAPTER 01

02.06.01 - RULES GOVERNING THE PURE SEED LAW

000. LEGAL AUTHORITY.
This chapter is adopted under the legal authority of Title 22, Chapter 4, Idaho Code, Sections 22-418(4) and 22-418(11). (3-30-06)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is "Rules Governing the Pure Seed Law." (3-20-97)

02. Scope. This chapter has the following scope: These rules shall govern procedures for sale or distribution of seed in Idaho. These rules will also establish seed service testing fees for purity, germination, tetrazolium and special tests. The official citation of this chapter is IDAPA 02.06.01.000 et. seq. For example, this section's citation is IDAPA 02.06.01.001. (3-20-97)

002. WRITTEN INTERPRETATIONS.
There are no written interpretations of these rules. (3-30-06)

003. ADMINISTRATIVE APPEAL.
There is no provision for administrative appeals before the Department of Agriculture under this chapter. Hearing and appeal rights are pursuant to Title 67, Chapter 52, Idaho Code. (3-20-97)

004. INCORPORATION BY REFERENCE.
There are no documents incorporated by reference in this chapter. (3-30-06)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.

01. Office Hours. Office hours are 8 a.m. to 5 p.m. Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (3-30-06)

02. Mailing Address. The mailing address for the central office is Idaho State Department of Agriculture, P. O. Box 790, Boise, Idaho 83701. (3-30-06)

03. Street Address. The central office is located at 2270 Old Penitentiary Road, Boise, Idaho 83712. (3-30-06)

006. PUBLIC RECORDS ACT COMPLIANCE.
These rules are public records available for inspection and copying at the Department and the State Law Library. (3-30-06)

007. -- 009. (RESERVED)

010. DEFINITIONS.
In addition to the definitions set forth in Section 22-414, Idaho Code, the Department adopts the following definition: "Condition" means drying, cleaning, scarifying and other operations which could change the purity or germination of the seed and require the seed lot to be retested to determine the label information. (4-2-08)

011. (RESERVED)

012. METHODS OF SAMPLING -- GENERAL PROCEDURE.

01. Sample. In order to secure a representative sample, equal portions shall be taken from evenly distributed parts of the quantity of seed or screenings to be sampled. Access shall be had to all parts of that quantity. When more than one (1) trierful of seed is drawn from a bag, different paths shall be followed. When more than one

(1) handful is taken from a bag, the handfuls shall be taken from well-separated points. (7-1-93)

02. **Free Flowing Seed**. For free-flowing seed in bags or bulk, a probe or trier shall be used. For small free-flowing seed in bags a probe or trier long enough to sample all portions of the bag shall be used. (7-1-93)

03. **Non-Free Flowing Seed**. Non-free-flowing seed, such as certain grass seed, uncleaned seed or screenings difficult to sample with a probe or trier, shall be sampled by thrusting the hand into the bulk and withdrawing representative portions. The hand is inserted in an open position and the fingers are held closely together while the hand is being inserted and the portion withdrawn. (7-1-93)

04. **Composite Samples**. Composite samples shall be obtained to determine the quality of a lot of seed (i.e., percentages of pure seed, other crop seed, weed seed, inert matter and germination). Individual bag samples may be obtained to determine if the lot of seed is uniform. (7-1-93)

a. To determine if there is an obvious lack of uniformity of seed from which a composite sample is being obtained, each portion shall be examined and the portions shall then be combined to form a composite sample or samples. (7-1-93)

b. If the lot is found not to be uniform when obtaining a composite sample to determine its quality then additional individual bag samples shall be taken for the purpose of testing for uniformity. (7-1-93)

c. Such individual bag samples may also be taken for the purpose of testing for uniformity even though a composite sample has not previously been obtained. The identity of each individual bag sample must be maintained. (7-1-93)

05. **Bulk**. Bulk seed or screenings shall be sampled by inserting a long probe or thrusting the hand into the bulk, as circumstances require, in at least seven uniformly distributed parts of the quantity being sampled. At least as many trierfuls or handfuls shall be taken as the minimum which would be required for the same quantity of seed or screenings in bags of a size customarily used for such seed or screenings. (7-1-93)

06. **Bags**. (7-1-93)

a. For lots of six (6) bags or less, each bag shall be sampled. A total of at least five (5) trierfuls shall be taken. (7-1-93)

b. For lots of more than six (6) bags, five (5) bags plus at least ten percent (10%) of the number of bags in the lots shall be sampled. (Round off numbers with decimals to the nearest whole number, raising five tenths (.5) to the next whole number.) Regardless of the lot size it is not necessary that more than thirty (30) bags be sampled. (7-1-93)

c. Samples shall be drawn from unopened bags except under circumstances where the identity of the seed has been preserved. (7-1-93)

07. **Packets**. In sampling seed in packets, entire unopened packets shall be taken. (7-1-93)

08. **Size of Sample**. (7-1-93)

a. For composite sample to test for quality, the following are minimum weights for samples of seed to be submitted for analysis, test or examination (7-1-93)

i. Two (2) ounces (approximately fifty five (55) grams) of grass seed not otherwise mentioned, white or alsike clover, or seeds not larger than these. (7-1-93)

ii. Five (5) ounces (approximately one hundred fifty (150) grams) of red or crimson clover, alfalfa, lespedezas, ryegrasses, bromegrasses, millet, flax, rape, or seeds of similar size. (7-1-93)

iii. One (1) pound of Sudangrass, sorghum, proso, hemp seed, or seeds of similar size. (7-1-93)

iv. Two (2) pounds (approximately one thousand (1,000) grams) of cereals, vetches, or seeds of similar or larger size. (7-1-93)

b. For individual bag samples to test for uniformity. (7-1-93)

i. The size of any individual bag sample to determine uniformity in a lot of seed shall be not less than the quantities set out in the "Rules and Regulations, under the Federal Seed Act" (53 Statute 1275) (Subsection 201.46). (7-1-93)

ii. If the sample drawn is larger than desired, it shall be thoroughly mixed before it is divided to the desired size. (7-1-93)

09. Forwarding and Receipt of Official Samples. Before being forwarded for analysis test or examination, the containers of official samples shall be properly sealed and identified. The containers of official samples shall be initialed and dated and the sample weighed by the person who breaks the seals. (7-1-93)

113. -- 049. (RESERVED)

050. GERMINATION STANDARDS -- TABLE.
Germination Standards for Vegetable Seeds, which shall be construed to include hard seed.

	Percent
Artichoke	60
Asparagus	70
Asparagusbean	75
Bean, garden	70
Bean, lima	70
Bean, runner	75
Beet	65
Broadbean	75
Broccoli	75
Brussels sprouts	70
Burdock, great	60
Cabbage	75
Cabbage, tronchuda	75
Cantaloupe (See muskmelon)	
Cardoon	60
Carrot	55
Cauliflower	75
Celeriac	55
Celery	55
Chard, Swiss	65

	Percent
Eggplant	60
Endive	70
Kale	75
Kale, Chinese	75
Kohlrabi	75
Leek	60
Lettuce	80
Muskmelon	75
Mustard, India	75
Mustard, spinach	75
Okra	50
Onion	70
Onion, Welsh	70
Pak-choi	75
Parsley	60
Parsnip	60
Pea	80
Pepper	55
Pumpkin	75
Radish	75

	Percent
Chicory	65
Chinese Cabbage	75
Chives	50
Citron	65
Collards	80
Corn, sweet	75
Cornsalad	70
Cowpea	75
Cress, garden	75
Cress, upland	60
Cress, water	40
Cucumber	80
Dandelion	60

	Percent
Rhubarb	60
Rutabaga	75
Salsify	75
Sorrel	65
Soybean	75
Spinach	60
Spinach, New Zealand	40
Squash	75
Tomato	75
Tomato, husk	50
Turnip	80
Watermelon	70

(7-1-93)

051. -- 099. (RESERVED)

100. GERMINATION STANDARDS FOR FLOWER SEEDS.
The kinds of flower seeds listed below are those for which standard testing procedures have been prescribed by the Association of Official Seed Analysts (AOSA) and which are required by the labeling provisions of Section 22-415, Idaho Code. The percentage listed opposite each kind is the germination standard for that kind. For the kinds marked with an asterisk, the percentage is arrived at by totaling the percent germination and percent hard seed. (7-1-93)

01. Table 1.

Kind	Percent
Achillea (The Pearl) - Achillea ptarmica	50
African Daisy - Dimorphotheca aurantiaca	55
African Violet - Saintpaulia spp.	30
Ageratum - Ageratum mexicanum	60
Agrostemma (rose champion) - Agrostemma coronaria	65
Alyssum - Alyssum campactum, A. maritimum, A. procumbens, A. saxatile	60
Amaranthus - Amaranthus spp.	65
Anagalis (pimpernel) - Anagalis arvensis, Anagalis coerulia, Anagalis grandiflora	60
Anemone - Anemone coronaria, A. pulsatilla	55
Angel's Trumpet - Datura arborea	60
Arabis - Arabis alpina	60

Kind	Percent
Arctotis (African lilac daisy) - Arctotis grandis	45
Armeria - Armeria formosa	55
Asparagus, fern - Asparagus plumosus	50
Asparagus, sprenger - Asparagus sprengeri	55
Aster, China - Callistephus chinensis; except Pompon, Powderpuff, and Princess types	55
Aster, China - Callistephus chinensis; Pompon, Powderpuff, and Princess types	50
Aubretia - Aubretia deltoides	45
Baby Smilax - Asparagus asparagoides	25
Balsam - Impatiens balsamina	70
Begonia - Begonia fibrous rooted	60
Begonia - Begonia tuberous rooted	50
Bells of Ireland - Molucella laevis	60
Brachycome (swan river daisy) - Brachycome iberidifolia	60
Browallia - Browallia elata and B. speciosa	65
Buphthalum (sunwheel) - Buphthalum salicifolium	60
Calceolaria - Calceolaria spp.	60
Calendula - Calendula officinalis	65
California Poppy - Eschscholtzia californica	60
Calliopsis - Coreopsis bicolor, C. drummondi, C. elegans	65
Campanula:	
Canterbury Bells - Campanula medium	60
Cup and Saucer Bellflower - Campanula medium calycanthema	60
Carpathian Bellflower - Campanula carpatica	50
Peach Bellflower - Campanula persicifolia	50
Candytuft, Annual - Iberis amara, I. umbellata	65
Candytuft, Perennial - Iberis gibraltarica, I. sempervirens	55
*Castor Bean - Ricinus communis	60
Cathedral Bells - Cobaea scandens	65
Celosia - Celosia argentea	65

Kind	Percent
Centaurea: Basket Flower - Centaurea americana, Cornflower - C. cyanus, Dusty Miller - C. candidissima, Royal Centaurea - C. imperialis, Sweet Sultan - C. moschata, Velvet Centaurea - C. gymnocarpa	60
Cerastium (snow-in-summer) - Cerastium biebersteini and C. tomentosum	65
Chinese Forget-me-not - Cynoglossum amabile	55
Chrysanthemum, Annual - Chrysanthemum carinatum, C. coronarium, C. segetum	40
Cineraria - Senecio cruentus	60
Clarkia - Clarkia elegans	65
Cleome - Cleome gigantea	65
Coleus - Coleus blumei	65
Columbine - Aquilegia spp.	50
Coral Bells - Heuchera sanguinea	55
Coreopsis, Perennial - Coreopsis lanceolata	40
Corn, ornamental - Zea mays	75
Cosmos: Sensation, Mammoth and Crested types - Cosmos bipinnatus; Klondyke type - C. sulhureus	65
Crossandra - (Crossandra infundibuliformis)	50
Dahlia - Dahlia spp.	55
Daylily - Hemerocallis spp.	45
Delphinium, Perennial: Belladonna and Bellamosum types; Cardinal Larkspur - Delphinium cardinale; Chinensis types; Pacific Giant, Gold Medal and other hybrids of D. elatum	55
Dianthus: Carnation - Dianthus caryophyllus China Pinks - Dianthus chinensis, heddewigi, heddensis Grass Pinks - Dianthus plumarius Maiden Pinks - Dianthus deltoides Sweet William - Dianthus barbatus Sweet Wivelsfield - Dianthus allwoodi	 60 70 60 60 70 60
Didiscus - (blue lace flower) - Didiscus coerulea	65
Doronicum (leopard's bane) - Doronicum caucasicum	60
Dracaena - Dracaena indivisa	55

Kind	Percent
Dragon Tree - Dracaena draco	40
English Daisy - Bellis perennis	55
Flax - Golden flax (Linum flavum); Flowering flax L. grandiflorum; Perennial flax, L. perenne	60
Flowering Maple - Abutilon spp.	35
Foxglove - Digitalis spp.	60
Gaillardia, Annual - Gaillardia pulchella; G. picta; Perennial - G. grandiflora	45
Gerbera (transvaal daisy) - Gerbera jamesoni	60
Geum - Geum spp.	55
Gilia - Gilia spp.	65
Gloriosa daisy (rudbeckia) - Echinacea purpurea and Rudbeckia hirta	60
Gloxinia - (Sinningia speciosa)	40
Godetia - Godetia amoena, G. grandiflora	65
Gourds: Yellow Flowered - Cucurbita pepo; White Flowered - Lagenaria sisceraria; Dishcloth - Luffa cylindrica	70
Gypsophila: Annual Baby's Breath - Gypsophila elegans; Perennial Baby's Breath - G. paniculata, G. pacifica, G. repens	70
Helenium - Helenium autumnale	40
Helichrysum - Helichrysum monstrosum	60
Heliopsis - Heliopsis scabra	55
Heliotrope - Heliotropium spp.	35
Helipterum (Acroclinium) - Helipterum roseum	60
Hesperis (sweet rocket) - Hesperis matronalis	65
*Hollyhock - Althea rosea	65
Hunnemania (mexican tulip poppy) - Hunnemania fumariaefolia	60
*Hyacinth bean - Dolichos lablab	70
Impatiens - Impatiens holstii, I. sultani	55
*Ipomea - Cypress Vine - Ipomea quamoclit; Moonflower - I. noctiflora; Morning Glories, Cardinal Climber, Hearts and Honey Vine - Ipomea spp.	75

Kind	Percent
Jerusulem cross (maltese cross) - Lychnis chalcedonica	70
Job's Tears - Coix lacrymajobi	70
Kochia - Kochia childsi	55
Larkspur, Annual - Delphinium ajacis	60
Lantana - Lantana camara, L. hybrida	35
Lilium (regal lily) - Lilium regale	50
Linaria - Linaria spp.	65
Lobelia, Annual - Lobelia erinus	65
Lunaria, Annual - Lunaria annua	65
*Lupine - Lupinus spp.	65
Marigold - Tagetes spp.	65
Marvel of Peru - Mirabilis jalapa	60
Matricaria (feverfew) - Matricaria spp.	60
Mignonette - Reseda odorata	55
Myosotis - Myosotis alpestris, M. oblongata, M. palustris	50
Nasturtium - Tropaeolum spp.	60
Nemesia - Nemesia spp.	65
Nemophila - Nemophila insignis	70
Nemophila, spotted - Nemophila maculata	60
Nicotiana - Nicotiana affinis, N. sanderae, N. sylvestris	65
Nierembergia - Nierembergia spp.	55
Nigella - Nigella damascena	55
Pansy - Viola tricolor	60
Penstemon - Penstemon barbatus, P. grandiflorus, P. laevigatus, P. pubescens	60
Petunia - Petunia spp.	45
Phacelia - Phacelia campanularia, P. minor, P. tanacetifolia	65
Phlox, Annual - Phlox drummondi all types and varieties	55
Physalis - Physalis spp.	60
Platycodon (balloon flower) - Platycodon grandiflorum	60
Plumbago, cape - Plumbago capensis	50
Ponytail - Beaucarnea recurvata	40

Kind	Percent
Poppy: Shirley Poppy - Papaver rhoeas; Iceland Poppy - P. nudicaule; Oriental Poppy - P. orientale; Tulip Poppy - P. glaucum	60
Portulace - Portulace grandiflora	55
Primula (Primrose) - Primula spp.	50
Pyrethrum (painted daisy) - Pyrethrum coccineum	60
Salpiglossis - Salpiglossis gloxinaeflora, S. sinuata	60
Salvia: Scarlet Sage - Salvia splendens; Mealycup Sage (blue bedder) - Salvia farinacea	50
Saponaria - Saponaria ocymoides, S. vaccaria	60
Scabiosa, Annual - Scabiosa atropurpurea	50
Scabiosa, Perennial - Scabiosa caucasica	40
Schizanthus - Schizanthus spp.	60
*Sensitive plant (mimosa) - Mimosa pudica	65
Shasta Daisy - Chrysanthemum maximum, C. leucanthemum	65
Silk Oak - Grevillea robusta	25
Snapdragon - Antirrhinum spp.	55
Solanum - Solanum spp.	60
Statice - Statice sinuata, S. suworonii (flower heads)	50
Stocks: Common - Mathiola incana; Evening Scented - Mathiola bicornis	65
Sunflower - Helianthus spp.	70
Sunrose - Helianthemum spp.	30
*Sweet Pea, Annual and Perennial other than dwarf bush - Lathyrus odoratus, L. latifolius	75
*Sweet Pea, dwarf bush - Lathyrus odoratus	65
Tahoka daisy - Machaeanthera tanacetifolia	60
Thunbergia - Thunbergia alata	60
Torch Flower - Tithonia speciosa	70
Torenia (wishbone flower) - Torenia fournieri	70
Tritoma Kniphofia spp.	65
Verbena, Annual - Verbena hybrida	35
Vinca - Vinca rosea	60

Kind	Percent
Viola - Viola cornuta	55
Virginian stocks - Malcolmia maritima	65
Wallflower - Cheiranthus allioni	65
Yucca (Adam's needle) - Yucca filamentosa	50
Zinnia (except Linearis and Creeping) - Zinnia angustifolia, Z. elegans, Z. grandiflora, Z. gracillima, Z. haegeana, Z. multiflora, Z. pumila	65
Zinnia, Linearis and Creeping - Zinnia linearis, Sanvitalia procumbens	50
All other kinds	50

(7-1-93)

02. Below Standard. A mixture of kinds of flower seeds will be considered to be below standard if the germination of any kind or combination of kinds constituting twenty-five percent (25%) or more of the mixture by number is below standard for the kind or kinds involved. (7-1-93)

101. -- 149. (RESERVED)

150. GERMINATION STANDARDS FOR SEED IN HERMETICALLY SEALED CONTAINERS. The period of validity of germination tests is extended to the following period for seed packaged in hermetically sealed containers under conditions and label requirements set forth in this section. (7-1-93)

01. Germination Tests. The germination test for agricultural and vegetable seed shall have been completed within the following period, exclusive of the calendar month in which the test was completed, immediately prior to shipment, delivery, transportation or sales: (7-1-93)

a. In the case of agricultural or vegetable seeds shipped, delivered, transported or sold to a dealer for resale, eighteen (18) months; (7-1-93)

b. In the case of agricultural or vegetable seeds for sale or sold at retail, thirty-six (36) months. (7-1-93)

02. Conditions of Packaging. The following standards, requirements, conditions must be met before seed is considered to be hermetically sealed under the provisions of this Act: (7-1-93)

a. The seed was packaged within nine months after harvest. (7-1-93)

b. The container used does not allow water vapor penetration through any wall, including the seals, greater than five hundreths (0.05) gram of water per twenty-four (24) hours per one hundred (100) square inches of surface at one hundred degrees F. (100F) with a relative humidity on one side of ninety percent (90%) and on the other of zero percent (0%). Water vapor penetration or WVP is measured by the standards of the U.S. Bureau of Standards as-gm. H2O/24 hr./100 sq. in./100 F/ 90% RHV. 0% RH. (7-1-93)

03. Moisture. The seed in the container does not exceed the percentage of moisture, on a wet weight basis, as listed below: (7-1-93)

a. Table 1.

Agricultural Seeds	Percent
Beet, field	7.5
Beet, sugar	7.5
Bluegrass, Kentucky	6.0
Clover, crimson	8.0
Fescue, red	8.0
Ryegrass, annual	8.0
Ryegrass, perennial	8.0
All other agricultural seeds	6.0
Mixtures of above	8.0

(7-1-93)

b. **Table 2**.

Vegetable Seeds	Percent
Bean, garden	7.0
Bean, lima	7.0
Beet	7.5
Broccoli	5.0
Brussels sprouts	5.0
Cabbage	5.0
Carrot	7.0
Cauliflower	5.0
Celeriac	7.0
Celery	7.0
Chard, Swiss	7.5
Chinese cabbage	5.0
Chives	6.5
Collards	5.0
Corn, sweet	8.0
Cucumber	6.0
Eggplant	6.0
Kale	5.0
Kohlrabi	5.0
Leek	6.5

Vegetable Seeds	Percent
Lettuce	5.5
Muskmelon	6.0
Mustard, India	5.0
Onion	6.5
Onion, Welsh	6.5
Parsley	6.5
Parsnip	6.0
Pea	7.0
Pepper	4.5
Pumpkin	6.0
Radish	5.0
Rutabaga	5.0
Spinach	8.0
Squash	6.0
Tomato	5.5
Turnip	5.0
Watermelon	6.5
All other vegetable seeds	6.0

(7-1-93)

04. Labeling. The container is conspicuously labeled in not less than eight (8) point type to indicate that the container is hermetically sealed, that the seed has been preconditioned as to moisture content, and the calendar month and year in which the germination test was completed. (7-1-93)

05. Germination. The percentage of germination of seed at the time of packaging was equal to or above the standards specified elsewhere in these rules. (7-1-93)

151. -- 199. (RESERVED)

200. NOXIOUS WEEDS.

01. Prohibited Noxious Weed Seeds -- Table 1.

Common Name	Scientific Name
1. Beancaper, Syrian	**1.** Zygophyllum fabago L.
2. Bindweed, Field	**2.** Convolvulvus arvensis L.
3. Buffalobur	**3.** Solanum rostratum Dun.
4. Bursage, Skeleton leaf	**4.** Ambrosia tomentosa Nutt.
5. Camelthorn	**5.** Alhagi camelorum Fisch.

Common Name	Scientific Name
6. Carrot, Wild	**6.** Daucus carota L.
7. Cress, Hoary	**7.** Cardaria draba (L.) Desv.
8. Crupina, Common	**8.** Crupina vulgaris Cass.
9. Fieldcress, Austrian	**9.** Rorippa austriaca (Crantz) Bess.
10. Goatgrass	**10.** Aegilops cylindrica Host
11. Groundcherry, Smooth	**11.** Physalis subglabrata Mackenz. & Bush
12. Henbane, Black	**12.** Hyoscyamus niger L.
13. Johnsongrass	**13.** Sorghum halepense L.
14. Knapweed, Diffuse	**14.** Centaurea diffusa Lam.
15. Knapweed, Russian	**15.** Centaurea repens L.
16. Knapweed, Spotted	**16.** Centaurea maculosa Lam.
17. Lythrum, Purple	**17.** Lythrum salicaria L.
18. Nightshade, Silverleaf	**18.** Solanum elaeagnifolium Cav.
19. Pepperweed, Perennial	**19.** Lepidium latifolium L.
20. Poison-Hemlock	**20.** Conium maculatum L.
21. Puncturevine	**21.** Tribulus terrestris L.
22. Quackgrass	**22.** Elytrigia repens; Agropyron repens (L.) Beauv.
23. Ragwort, Tansy	**23.** Senecio jacobaea L.
24. Skeletonweed, Rush	**24.** Chondrilla juncea L.
25. Sowthistle, Perennial	**25.** Sonchus arvensis L.
26. Spurge, Leafy	**26.** Euphorbia esula L.
27. St. Johnswort, Common	**27.** Hypericum perforatum L.
28. Starthistle, Yellow	**28.** Centaurea solstitialis L.
29. Swainsonpea	**29.** Sphaerophys salsula (Pall.) DC; Swainsona salsula (Pallas) Taubert
30. Thistle, Canada	**30.** Cirsium arvense (L.) Scop.
31. Thistle, Musk	**31.** Carduus nutans L.
32. Thistle, Scotch	**32.** Onopordum acanthium L.
33. Toadflax, Dalmatian	**33.** Linaria genistifolia spp. dalmatica (L.) Maire & Petitmengin
34. Toadflax, Yellow	**34.** Linaria vulgaris Mill.
35. Woad, Dyers	**35.** Isatis tinctoria L.

(7-1-93)

02. Restricted Noxious Weed Seeds -- Table 2.

Common Name	Scientific Name
1. Dodder	**1.** Cuscuta spp.
2. Halogeton	**2.** Halogeton glomeratus (Stephen ex Bieb.) C.A. Mey
3. Lettuce, Blue	**3.** Lactuca pulchella (Pursch) DC.
4. Oats, Wild	**4.** Avena fatua L.
5. Plantain, Buckhorn	**5.** Plantago lanceolata L.
6. Ragweed, Western and Perennial	**6.** Ambrosia psilostachya DC., (T. & G.) Farw.
7. Rye, Medusahead	**7.** Taeniatherum caput-medusae (L.) Nevski; Elymus caput-medusae (L.)
8. Sumpweed, Poverty	**8.** Iva axillaris Pursh

(7-1-93)

03. Restricted Noxious Weed Tolerances. (7-1-93)

a. Seven (7) seeds in fifty (50) grams of Agrotis species, Poa species, Rhodes grass, Bermudagrass, timothy, celery, and other agricultural or vegetable seeds of similar size and weight, within this group. (7-1-93)

b. Seven (7) seeds in each fifty (50) grams of Dallisgrass, ryegrass, fescue species, foxtail millets, alfalfa, red clover, sweetclover, lespedeza, bromegrass, Brassica species, carrot, onion, and other agricultural or vegetable seeds of similar size and weight or mixtures within this group, or mixtures of this group with those in group A. (7-1-93)

c. Seven (7) seeds in fifty (50) grams of alsike clover, white clover, and other agricultural or vegetable seeds of similar size and weight or mixtures within this group, with those in group A or group B. (7-1-93)

d. Eight (8) seeds in one hundred fifty (150) grams of Proso millet, Sudangrass, and seeds of similar size and weight, or mixtures of seed within this group. (7-1-93)

e. Forty-five (45) seeds in each pound for all wheatgrass species. (7-1-93)

f. Four (4) seeds in each five hundred (500) grams of wheat, oats, rye, barley, buckwheat, sorghums, vetches, field peas, and other seeds of a size and weight similar to or greater than those within this group, or any mixtures within this group. (7-1-93)

g. Containing more than one percent (1%) by weight of weed seeds including restricted noxious weed seeds referred to in Section 22-414(17)(b), Idaho Code, provided, that three percent (3%) of cheat, chess, or downy brome shall be allowed in grass seed in which these weeds are found. (7-1-93)

201. -- 249. (RESERVED)

250. LABEL REQUIREMENTS OF SEEDS FOR SPROUTING.
The following information shall be indicated on all labels of seeds sold for sprouting in health food stores or other outlets: (7-1-93)

01. Name. Commonly accepted name of kind. (7-1-93)

02. Lot. Lot number. (7-1-93)

03. **Percentage**. Percentage by weight of the pure seed, crop seeds, inert matter, and weed seeds if required. (7-1-93)

04. **Germination Percentage**. Percentage of germination. (7-1-93)

05. **Date**. The calendar month and year the test was completed to determine such percentage. (7-1-93)

251. -- 299. **(RESERVED)**

300. VIABILITY BY TZ%.
A TZ (tetrazolium) test may be used in lieu of germination for the following species. The label shall read "viability by TZ%." (7-1-93)

01. **Bitterbrush**. (7-1-93)

02. **Saltbush**. (7-1-93)

03. **Sagebrush**. (7-1-93)

04. **Indian Ricegrass**. (7-1-93)

05. **Winterfat**. (7-1-93)

301. -- 399. **(RESERVED)**

400. METHODS OF TESTING.
All methods used in testing and analyzing seed subject to this Act and the tolerances used in the enforcement of this Act shall conform as nearly as practicable to the current "Rules for Testing Seed adopted by the Association of Official Seed Analysts" (AOSA) file at the Idaho Department of Agriculture, State Seed Lab located at 2240 Kellogg Lane, Boise, Idaho 83712 and through the Department of Administration, Office of Administrative Rules, located at 650 West State Street, Room 100, Boise, Idaho 83720. (7-1-93)

401. -- 499. **(RESERVED)**

500. SERVICE TESTING FEES -- PURITY, GERMINATION AND TETRAZOLIUM FEES.

Purity, Germination, and Tetrazolium Fees			
Kind of Seeds	**Purity* $/Unit**	**Germination $/Unit**	**Tetrazolium** $/Unit**
AGRICULTURAL GRASS SEED			
Bluegrasses	$45.00	$25.00	$40.00
Bromegrasses	$38.00	$24.00	$40.00
Fescues	$35.00	$22.00	$40.00
Orchardgrass	$38.00	$25.00	$40.00
Ryegrasses	$38.00	$23.00 ***	$40.00
Timothy	$28.00	$23.00	$40.00
For all others the hourly rate will apply			
FIELD SEED			

Purity, Germination, and Tetrazolium Fees			
Kind of Seeds	**Purity* $/Unit**	**Germination $/Unit**	**Tetrazolium** $/Unit**
Alfalfa, clovers and trefoils	$20.00	$17.00	$40.00
Cereals (Barley, Oats, Rice, Rye, Triticale and Wheat	$25.00	$17.00	$40.00
Beans	$18.00	$16.00	$40.00
Corn (all types)	$20.00	$17.00	$40.00
Peas, and Lentils	$18.00	$17.50	$40.00
For all others the hourly rate will apply			
VEGETABLES, FLOWERS AND HERB SEED			
Brassica (Canola, Cauliflower, Broccoli, Radish, etc.)	$40.00	$17.00	$50.00
Beets and Swiss chard	$29.00	$32.00	$40.00
Carrots, celery, dill and parsley	$27.00	$20.00	$40.00
Curcurbits (Squash, melons, etc.)	$25.00	$20.00	$40.00
Flowers (Bachelors button, poppy, etc.)	$40.00	$25.00	$50.00
Lettuce, tomato, and pepper	$25.00	$20.00	$40.00
Onion and Chives	$25.00	$20.00	$40.00
For all others the hourly rate will apply			
TREE AND SHRUB SEED			
Bitterbrush	$40.00	$30.00	$50.00
Saltbush	$60.00	$30.00	$50.00
Chokecherry and Woods' rose	$25.00	$60.00	$60.00
Serviceberry, cliff-rose and mahogany	$30.00	$30.00	$40.00
Trees (Firs, pines, spruces, etc.)	$25.00	$30.00	$40.00
For all others the hourly rate will apply			
RANGE AND NATIVE SEED			
Bluestems and grammas	Hourly Rate	$30.00	$50.00
Globemallow and penstemons	$40.00	$30.00	$50.00
Kochia and forage Kochia	$30.00	$30.00	$40.00
Rushes and Sedges	Hourly Rate	$30.00	$50.00
Sagebrush and Rabbitbrush	Hourly Rate	$30.00	$40.00
Wheatgrasses, wildryes, and squirreltail	$40.00	$25.00	$40.00

Purity, Germination, and Tetrazolium Fees			
Kind of Seeds	**Purity* $/Unit**	**Germination $/Unit**	**Tetrazolium** $/Unit**
Winterfat	Hourly Rate	$30.00	Hourly Rate
For all others the hourly rate will apply			

* Samples with high levels of impurities (i.e. other crops, weeds, multiple florets, inert materials) requiring more than one (1) hour analyst time for purity testing will be charged the standard hourly rate of forty dollars ($40) for each additional hour.

** For all samples submitted for a TZ or Germination test requiring more than one (1) hour for cleaning and/or preparing will be charged at the standard hourly rate of forty dollars ($40) for each additional hour.

*** With germination fluorescence testing thirty dollars ($30). (3-30-06)

501. SERVICE TESTING FEES -- SPECIAL TESTS.

Special Testing Fees	
Test Procedures:	**Fees $/Unit**
All States Noxious	25.00
Ammonia Test	33.00
Canada: Purity Germination	 13.00 Added to purity fee 2.50 Added to germination fee
Cold Test	23.50
Crop & Weed Check	24.50
Cut Test	22.00
Dormancy Percentage	10.00 Minimum or Dormant % found x germination fee
E.C. Norms	20.00
Foreign Material	12.00
Grading (beans)	18.00
Hay Pellet Germination	18.00
Identification	5.00 Minimum or hourly if necessary
Inventory Germinations (For Carryover Seed Only, when requested)	20% Discount of listed germination fee; Available only for the months of March through July.
ISTA: Purity Germination	 13.00 Added to purity fee 2.50 Added to germination fee

Special Testing Fees	
Test Procedures:	**Fees $/Unit**
Mixtures:	
Purity	12.50 Added per kind exceeding 5%
Germination	12.50 Added per kind exceeding 5%
Tetrazolium	18.00 Added per kind exceeding 5%
Moisture Test	14.00
Seed Count	13.50
Pest, Disease, Soil & Ergot Check	13.50
Sod Quality:	
Bentgrass	66.00
Bermudagrass	64.00
Bluegrass	64.00
Soil Germination	23.50
Species Exam	24.50
Undesirable Grass Species	25.50

(3-30-06)

502. SERVICE TESTING FEES -- MISCELLANEOUS FEES.

Miscellaneous Fees	
Type of Service:	**Fees $/Unit**
Administrative Charge per Test for Internet Access and Data Processing.	Not to exceed $2.00 per test
FAX	$ 3.00 per sheet
Hourly Charge	$40.00
Reports:	
Copies	$ 1.50
Merge Records	$ 4.00
Revised	$ 7.00
Rush Service	$25.00

(3-30-06)

503. -- 599. (RESERVED)

600. SEED DEALER'S LICENSE FEES.
Seed dealers shall obtain a seed dealer's license for each location in Idaho before they can sell, offer for sale, expose for sale or deliver agricultural seeds in packages of eight (8) ounces or more or bulk under contract within the state of Idaho. Seed dealers shall pay only for the service or services they render according to the following fee schedule:

(3-18-99)

01. In-State Seed Dealer's License Fees: (4-2-03)

a. License to condition or clean agricultural seeds in Idaho - one-hundred dollars ($100). (4-2-03)

b. License to label container or bulk agricultural seeds for sale in Idaho - fifty dollars ($50). (4-2-03)

c. License to sell, offer for sale, expose for sale, or deliver agricultural seeds in packages of eight (8) ounces or more or in bulk under a contract in Idaho: (4-2-03)

i. For annual gross sales of five hundred dollars ($500) or more, but less than one thousand dollars ($1,000) - fifty dollars ($50). (4-2-03)

ii. For annual gross sales of one thousand dollars ($1,000) or more - one hundred dollars ($100). (4-2-03)

02. Out-of-State Seed Dealer's License Fee. Three hundred fifty dollars ($350). (3-30-06)

03. Exemptions. (3-24-05)

a. Any person selling seed who has total annual gross seed sales not exceeding five hundred dollars ($500) is exempt from Section 600. (3-24-05)

b. An in-state dealer or out-of-state dealer who sells, offers for sale, exposes for sale or delivers seed only in packages of less than eight (8) ounces is exempt from Section 600. (3-24-05)

601. FINDINGS.
The adoption of IDAPA 02.06.01, "Rules Governing the Pure Seed Law," Section 600, will comply with the deadline established by HB 739 to provide that service and license fees be established by rule. It is necessary to make the fee structure effective concurrently with the amendments to the law in order to provide consistent operating funds for the state seed laboratory pursuant to Section 22-418(4), Idaho Code. (3-18-99)

602. -- 999. (RESERVED)

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