

(B) The employee's average salary as defined in paragraph (A), multiplied by the applicable percentages indicated below shall determine the amount of retirement annuity to which the employee qualifying therefor is entitled:

Years of Allowable Service	Percentages at the Rate of:
(a) First ten years	1 percent per year of service
(b) Second ten years or completed months of service less than such period	2 percent per year of service
(c) Third ten years or completed months of service less than such period	2½ percent per year of service
(d) Subsequent years or completed months of service less than such period.	3 percent per year of service

(C) The annuity of an employee who ~~qualifies for retirement~~ *retires* prior to ~~reaching~~ age 65 shall be reduced by one half of one percent for each month he is under age 65 on the last day for which he is entitled to service credit as provided in section 352.01, subdivision 11 (3) *or the date state service terminated whichever is later.*

(D) An employee may at time of making application for annuity elect to take an optional annuity authorized pursuant to section 352.116, subdivision 3, provided however, that such optional forms shall be actuarially equivalent to the normal sum provided for in this subdivision, paragraphs (A), (B) and (C).

Approved March 11, 1969.

CHAPTER 38—S. F. No. 610

An act relating to agriculture; seed labeling requirements; amending Minnesota Statutes 1967, Sections 21.48; and 21.51, Subdivision 7.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Section 21.48, is amended to read:

21.48 **Agriculture; seed labeling and testing; seed containers.** *Subdivision 1.* Each container of agricultural and tree and shrub seed which is sold, offered for sale, or exposed for sale, or transported within the state for sowing purposes shall bear thereon or have attached thereto in a conspicuous place a plainly written or printed label or tag in the English language, giving the following in-

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formation, which statement shall not be modified or denied in the labeling or on another label attached to the container:

(a) *Subd. 2.* For all seeds named and treated, as defined in section 21.47, for which a separate label may be used:

(1) A word or statement indicating that the seed has been treated.

(2) The commonly accepted, coined, chemical or abbreviated chemical (generic) name of the applied substance.

(3) If the substance in the amount present with the seed is harmful to human or other vertebrate animals a caution statement such as "Do not use for food or feed or oil purposes." The caution for mercurials and similarly toxic substances shall be a poison statement or label.

(4) The net weight of the seed, to appear either on the container or on the tag.

(b) *Subd. 3.* For agricultural seeds:

(1) Commonly accepted name of (A) kind, or (B) kind and variety, of each agricultural seed component in excess of five percent of the whole, and the percentage by weight of each in the order of its predominance.

(2) Lot number or other lot identification.

(3) Origin, if known, of alfalfa, red clover, and field corn. If the origin is unknown, that fact shall be stated.

(4) Percentage by weight of all weed seeds, which shall not exceed one percent.

(5) The name and number of each kind of restricted noxious-weed seeds. (A) Per ounce in *Agrostis* species (red top and bent grass), *Agropyron* species (wheat grass), alfalfa, Bermuda grass, brome grass, clovers (Alsike, crimson, red, sweet, ladino, birdsfoot trefoil, and white), *Dallis* grass, fescues, flax, foxtail, millet, lespedezas, orchard grass, *Poa* species (blue grass), reed canary grass, Rhodes grass, rye grass and other agricultural seeds of similar size and weight, or mixtures within this group and (B) per pound in barley, buckwheat, oats, proso, rye, sorghum, sudan grass, vetches, wheat and other agricultural seeds of a size and weight similar to or greater than those within this group, or any mixtures within this group or between members of this group and members of any other group.

(6) Percentage by weight of agricultural seeds (which may

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be designated as "other crop seeds") other than those required to be named on the label.

- (7) Percentage by weight of inert matter.
- (8) For each named agricultural seed:
 - (A) Percentage of germination, exclusive of hard seed.
 - (B) Percentage of hard seed, if present.
 - (C) The calendar month and year the test was completed to determine such percentages.
- (9) Name and address of the person who labeled the seed, or who sells the seed within this state or in lieu thereof a code number which has been registered with the commissioner.
- (10) A hybrid seed corn label shall also state:
 - (A) Whether the corn is the product of a single cross, a three-way cross, or a double cross, or a blend of these.
 - (B) The state in which it was grown.
 - (C) The variety name.
 - (D) For each grain variety of hybrid seed field corn, the zone and day classification as determined by the originator or owner. Said day classification shall approximate the number of days of growing season necessary from emergence of the corn plant of said variety above ground to maturity and shall conform to the day classification established by the director of the Minnesota agricultural experiment station for the designated zone. If recommended for other than grain production, the tag or label shall state "for forage" and carry the approximate zone classification. For the purposes of this section, silage blends shall be considered for grain production.

(e) *Subd. 4.* For tree and shrub seeds:

- (1) The common name of the kind of seed.
- (2) The scientific name of the genus and species to which the kind belongs, and, for those kinds which belong to subspecies, the name of the subspecies.
- (3) The lot number or other lot identification.
- (4) The specific locality, state and county in the United States or nearest equivalent political unit in case of foreign countries, in which seed was collected.

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(5) The elevation in feet above sea level at which the seed was collected.

(6) The calendar year in which the seed was collected.

(7) The name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within this state.

(8) For those kinds of seed for which standard testing procedures are prescribed:

(A) The percentage by weight of pure seed.

(B) The percentage of germination exclusive of hard seed.

(C) The percentage of hard seed, if present.

(D) The calendar month and year seed was tested to determine the above percentages.

(E) Each person whose name appears on the label as handling tree and shrub seeds subject to the provisions of sections 21.47 to 21.58 shall keep for a period of two years complete records of each lot of tree and shrub seeds handled and keep for one year a file sample of each lot of seed after final disposition of the lot. All such records and samples pertaining to the shipment or shipments involved shall be accessible for inspection by the commissioner of the state department of agriculture and the director of the Minnesota agricultural experiment station or their or his agents during customary business hours.

Sec. 2. Minnesota Statutes 1967, Section 21.51, Subdivision 7, is amended to read:

Subd. 7. **Purity and germination tests.** The commissioner shall provide for purity and germination tests of seeds and identification of seeds and plants for farmers, dealers and others. He may prescribe rules and regulations governing such testing and identification; and may establish and collect suitable charges for testing and identification in excess of the number of free tests and identifications allowed. Every resident of this state shall be entitled to ~~five~~ *six* free tests and identifications each year. However, no free tests and identifications shall be allowed between March 15 and June 30 of each year. *However for the calendar year 1969 free tests will be allowed up to April 16 and after June 30.*

Approved March 12, 1969.

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