

1 Department of Agriculture

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3 Adopted Rule Relating to Seed Variety Labels

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5 Rule as Adopted

6 1510.0011 LABELING VARIETY, VARIETY NOT STATED, AND BRAND;

7 EXAMPLES.

8 Subpart 1. Definition; brand. As used in this part,
9 "brand" means a word, mark, or picture representing a trademark
10 or a term taken from a trademark which indicates the owner,
11 originator, or labeler of the seed and does not indicate the
12 genetic identity of the seed.

13 Subp. 2. Labeling variety. In accordance with Minnesota
14 Statutes, section 21.82, subdivision 2, paragraph (a), the
15 commissioner designates that all kinds of agricultural and
16 vegetable seed must be labeled to show the variety name unless
17 otherwise specified in subpart 3.

18 Subp. 3. Labeling variety not stated. Unless otherwise
19 specified in this subpart, the words "variety not stated" must
20 be shown on agricultural seed labels if any of the following
21 circumstances exist:

22 A. the variety name is not known for a nonhybrid seed
23 and it cannot be determined by examining the seed and records of
24 the seed lot;

25 B. the variety name is known for a nonhybrid biennial
26 or perennial seed, in which case the variety name may be omitted
27 from the seed label but only when written permission to do so is
28 signed by the owner or originator and is part of the record for
29 the seed lot;

30 C. two or more varieties are combined to form a
31 blend, in which case the variety names and the percentages by
32 weight of the components together may be omitted from the seed
33 label but only when information concerning the varieties used
34 and the proportion of each in the blend is part of the record
35 for the seed lot; or

36 D. lawn and turf grass seeds are sold in mixtures, in

1 which case the variety name and the words "variety not stated"
2 may be omitted from the seed label if none of the components are
3 listed and sold by brand name.

4 Subp. 4. Labeling brands. When agricultural seed is
5 labeled with a brand, trademark, or term taken from a brand or
6 trademark, the seed label must clearly identify the term with
7 the word "brand" and as being other than part of the variety
8 name.

9 Subp. 5. Examples. The examples in this subpart indicate
10 the required arrangements of terms used to label variety,
11 variety not stated, and brand. The size type used to indicate
12 the kind name on the seed label must also be used for all other
13 terms specified in the examples.

14 A. When the variety name is stated, the terms
15 designating the kind and variety may appear in any order but
16 must be in close proximity to each other.

17 B. When both a brand and variety name are stated, the
18 terms must be shown in the following order from left to right or
19 top to bottom: the brand name, the word "brand," the variety
20 name, and the kind name.

21 C. When a brand name but no variety name is stated,
22 the terms must be shown on the seed label in the following order
23 from left to right or top to bottom: the brand name, the word
24 "brand," the kind name, and the words "variety not stated." If
25 the seed offered for sale is a blend, the word "blend" must be
26 inserted between the kind name and the words "varieties not
27 stated."

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29 EFFECTIVE DATE. Part 1510.0011 is effective July 1, 1987.