

1 Department of Agriculture

2

3 Adopted Permanent Rules Relating to Seed Fees

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5 Rules as Adopted

6 1510.0281 CHARGES UNDER MINNESOTA SEED LAW.

7 Subpart 1. and 2. [Unchanged.]

8 Subp. 3. Seed fee permits. An initial labeler who wishes
9 to sell seed in Minnesota must comply with Minnesota Statutes,
10 section 21.89, subdivisions 1 and 2, and the procedures in this
11 subpart.

12 A. Each initial labeler who wishes to sell seed in
13 Minnesota must apply to the commissioner to obtain a permit.
14 The application must contain the name and address of the
15 applicant, the application date, and the name and title of the
16 applicant's contact person. The application must be accompanied
17 by an application fee of \$10. Initial labelers holding seed fee
18 permits on the effective date of this subpart need not apply for
19 a new permit or pay the application fee.

20 (1) If, for reasons beyond the control and
21 knowledge of the initial labeler, seed is shipped into Minnesota
22 by a person other than the initial labeler, the responsibility
23 for the seed fees is transferred to the shipper. An application
24 for a transfer of this responsibility must be made to the
25 commissioner. Upon approval by the commissioner of the
26 transfer, the shipper is responsible for payment of the seed
27 permit fees.

28 (2) [Unchanged.]

29 B. All seed fee permit holders must file semiannual
30 reports with the commissioner, even if no seed was sold during
31 the reporting period. Each semiannual report must be submitted
32 within 30 days of the end of each reporting period. The
33 reporting periods are October 1 to March 31 and April 1 to
34 September 30 of each year or July 1 to December 31, and January
35 1 to June 30 of each year. Permit holders may change their

1 reporting periods with approval of the commissioner.

2 C. The holder of a seed fee permit must pay fees on
3 all seed for which the permit holder is the initial labeler and
4 which are covered by Minnesota Statutes, sections 21.80 to 21.92
5 and sold during the reporting period.

6 (1) For the following kinds of agricultural seed
7 sold either in bulk or containers, the fees are:

8 (a) oats, wheat, barley, 4.5 cents per cwt.;

9 (b) rye, field beans, soybeans, 6 cents per
10 cwt.;

11 (c) buckwheat, flax, 8 cents per cwt.;

12 (d) field corn, 21 cents per cwt.;

13 (e) forage, lawn and turf grasses, and
14 legumes, 35 cents per cwt.;

15 (f) sunflower, \$1 per cwt.;

16 (g) sugar beet, \$2.35 per cwt.; and

17 (h) other agricultural seeds except
18 vegetables grown for processing, 20 cents per cwt.

19 (2) For vegetable and flower seeds packed in
20 small containers or in bulk for use by home gardeners, the fee
21 is 30 cents per \$100 of net sales of these seeds.

22 D. If a seed fee permit holder fails to submit a
23 semiannual report and pay the seed fee within 30 days after the
24 end of each reporting period, the commissioner shall assess a
25 penalty of \$10 or eight percent, calculated on an annual basis,
26 of the fee due, whichever is greater, but no more than \$100 for
27 each late semiannual report. A \$10 penalty will be charged when
28 the semiannual report is late, even if no fee is due for the
29 reporting period. Seed fee permits may be revoked for failure
30 to comply with the applicable provisions of this part or the
31 Minnesota seed law.

32 Subp. 4. Hybrid seed corn variety registration fee. In
33 accordance with Minnesota Statutes, section 21.90, subdivision
34 2, the annual fee for the registration of each hybrid seed corn
35 variety or blend is \$30, which must be paid at the time of
36 registration. Hybrid seed corn variety registrations received

1 after February 1 of each year will have an annual registration
2 fee of \$35 per variety.

3 Subp. 5. Service testing and identification. The fees in
4 items A to D for purity, germination, identification, or other
5 related tests of seeds or plants for farmers, dealers, and
6 others are established pursuant to Minnesota Statutes, section
7 21.85, subdivision 12.

8 A. General crops, including corn, cereals, soybeans,
9 sorghum, millet, sunflowers, clovers, alfalfa, ryegrass,
10 timothy, flax, rape, vegetable, and other similar seeds:

11 (1) Purity, ~~\$12~~ \$10 (includes a Minnesota noxious
12 weed seed test);

13 (2) Germination, ~~\$7.50~~ \$6.50;

14 (3) United States noxious weed seed only, \$8;

15 (4) Minnesota noxious weed seed only, \$6; and

16 (5) Tetrazolium, \$15 (includes germination test).

17 B. Grasses, including bromes, fescues, orchardgrass,
18 reed canary, wheat grasses, bluegrasses, bentgrasses, redtop,
19 green needle grass, weeping lovegrass, sandlove, sanddrop seed,
20 flower, and other similar seeds:

21 (1) Purity, ~~\$18~~ \$15 (includes a Minnesota noxious
22 weed seed test);

23 (2) Germination, ~~\$10.50~~ \$9;

24 (3) United States noxious weed seed only, \$11;

25 (4) Minnesota noxious weed seed only, \$9; and

26 (5) Tetrazolium, \$18 (includes germination test).

27 C. Chaffy range grasses, including big bluestem,
28 Indiangrass, side oats grama, gramagrass, little bluestem,
29 meadow foxtail, and similar seeds:

30 (1) Purity, ~~\$30~~ \$25 (includes a Minnesota noxious
31 weed seed test);

32 (2) Germination, ~~\$15~~ \$13;

33 (3) United States noxious weed seed only, \$17;

34 (4) Minnesota noxious weed seed only, \$15; and

35 (5) Tetrazolium, \$24 (includes germination test).

36 D. Mixtures. "A" means the full price of the

1 highest-priced species plus one-half the price of each
2 additional species. "B" means one-half of the price of the
3 purity test on the highest-priced species in the mixture. "C"
4 means the full price of the purity test on the highest priced
5 species in the mixture.

6 (1) Purity, A (includes a Minnesota noxious weed
7 seed test);

8 (2) Germination, A;

9 (3) United States noxious weed seed only, C;

10 (4) Minnesota noxious weed seed only, B; and

11 (5) Tetrazolium, A (includes germination test).

12 E. A fee of \$20 per hour will be charged for tests
13 which are specially requested but not included in items A to D,
14 or which require excess time due to abnormal sample conditions,
15 such as unusual amounts of dirt or foreign material.

16 F. An additional fee of \$10 per sample will be
17 charged for any sample for which special handling is requested,
18 such as samples marked "RUSH."

19 G. and H. [Unchanged.]