



ADMINISTRATIVE RULES OF MONTANA



4.12.3111 VEGETABLE SEEDS

- (1) All vegetable seeds shall be labeled with the:
 - (a) name and mailing address of the seed labeler;
 - (b) lot number or other lot identification mark; and
 - (c) name of each kind and variety present in excess of 5% and the percentage by weight of each in order of its predominance.
- (2) Vegetable seeds in packets of generally one pound or less as prepared for use in home gardens or household plantings or vegetable seeds in pre-planted containers, mats, tapes, or other planting devices shall also be labeled with the:
 - (a) year for which the seed was packed for sale, the sell by date or the percentage germination and the calendar month and year the test was completed to determine such percentage; and
 - (b) viability information for seeds which germinate less than the standard last established in the Federal Seed Act:
 - (i) percentage of germination, exclusive of hard or dormant seed;
 - (ii) percentage of hard seeds may be stated, if present;
 - (iii) percentage of dormant seed may be stated, if present, and the test used to determine dormancy;
 - (iv) following (2) (b) (i) , (ii) and (iii) , the terms "total germination and hard and/or dormant seed," or "total viable" may be used in accordance with this subsection; and
 - (v) the words "Below Standard Germination" in not less than 8-point type.
- (3) For seeds placed in a germination medium, mat, tape, or other device in such a way as to make it difficult to determine the quantity of seed without removing the seeds from the medium, mat, tape or device, the label shall carry a statement to indicate the minimum number of seeds in the container.
- (4) Vegetable seeds in containers, other than packets of generally one pound or less prepared for use in home gardens or household plantings and other than pre-planted containers, mats, tapes, or other planting devices, shall also be labeled with the viability information for each named vegetable seed:
 - (a) percentage of germination, exclusive of hard or dormant seed;

- (b) percentage of hard seeds may be stated, if present;
 - (c) percentage of dormant seed may be stated, if present, and the test used to determine dormancy;
 - (d) following (4) (a) , (b) and (c) , the terms "total germination and hard and/or dormant seed" or "total viable" may be used in accordance with this subsection; and
 - (e) calendar month and year the test was completed to determine such percentages, the year for which the seed was packed for sale, or the sell by date.
- (5) The labeling requirements for vegetable seeds shall be deemed to have been met if the seed is weighed from a properly labeled container in the presence of the purchaser.

Authorizing statute(s): Sec. 80-5-139, MCA

Implementing statute(s): Sec. 80-5-123, MCA

History: NEW, 2000 MAR p. 3334, Eff. 12/8/00.