

## § 201.15

(c) Reasonable precautions to insure that the origin of seed is known shall include the maintaining of a record as described in § 201.5. The examination of the seed and any pertinent facts may be taken into consideration in determining whether reasonable precautions have been taken to insure the origin to be that which is represented.

[5 FR 31, Jan. 4, 1940, as amended at 20 FR 7929, Oct. 21, 1955; 32 FR 12779, Sept. 6, 1967]

### § 201.15 Weed seeds.

The percentage of weed seeds shall include seeds of plants considered weeds in the State into which the seed is offered for transportation or transported and shall include noxious weed seeds.

[5 FR 31, Jan. 4, 1940]

### § 201.16 Noxious-weed seeds.

(a) Except for those kinds of noxious-weed seeds shown in paragraph (b) of this section, the names of the kinds of noxious-weed seeds and the rate of occurrence of each shall be expressed in the label in accordance with, and the rate of occurrence shall not exceed the rate permitted by, the law and regulations of the state into which the seed is offered for transportation or is transported. If in the course of such transportation, or thereafter, the seed is diverted to another State of destination, the person or persons responsible for such diversion shall cause the seed to be relabeled with respect to the noxious-weed seed content, if necessary to conform to the laws and regulations of the State into which the seed is diverted.

(b) Seeds or bulblets of the following plants shall be considered noxious-weed seeds in agricultural and vegetable seeds transported or delivered for transportation in interstate commerce (including Puerto Rico, Guam, and the District of Columbia). Agricultural or vegetable seed containing seeds or bulblets of these kinds shall not be transported or delivered for transportation in interstate commerce. Noxious-weed seeds include the following species on which no tolerance will be applied:

*Aeginetia* spp.

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*Ageratina adenophora* (Spreng.) King and H.E. Robins.  
*Alectra* spp.  
*Alternanthera sessilis* (L.) DC.  
*Asphodelus fistulosus* L.  
*Avena sterilis* L. (including *Avena ludoviciana* Dur.)  
*Azolla pinnata* R. Br.  
*Borreria alata* (Aubl.) DC.  
*Carthamus oxyacantha* M. Bieb.  
*Chrysopogon aciculatus* (Retz.) Trin.  
*Commelina benghalensis* L.  
*Crupina vulgaris* Cass.  
*Digitaria abyssinica* Stapf. (= *D. scalarum* (Schweinf.) Chiov.)  
*Digitaria velutina* (Forsk.) Beauv.  
*Drymaria arenarioides* Roem. and Schult.  
*Eichornia azurea* (Sw.) Kunth  
*Emex australis* Steinh.  
*Emex spinosa* (L.) Campd.  
*Galega officinalis* L.  
*Heraclium mantegazzianum* Sommier & Levier  
*Hydrilla verticillata* (L. f.) Royle  
*Hygrophila polysperma* T. Anders.  
*Imperata brasiliensis* Trin.  
*Imperata cylindrica* (L.) Raeusch.  
*Ipomoea aquatica* Forsk.  
*Ipomoea triloba* L.  
*Ischaemum rugosum* Salisb.  
*Lagarosiphon major* (Ridley) Moss  
*Leptochloa chinensis* (L.) Nees  
*Limnophila sessiliflora* (Vahl) Blume  
*Lycium ferocissimum* Miers  
*Melaleuca quinquenervia* (Cav.) Blake  
*Melastoma malabathricum* L.  
*Mikania cordata* (Burm. f.) B.L. Robins.  
*Mikania micrantha* H.B.K.  
*Mimosa invisa* Mart.  
*Mimosa pigra* L. var. *pigra*  
*Monochoria hastata* (L.) Sloms-Laub.  
*Monochoria vaginalis* (Burm. f.) K.B. Presl  
*Nassella trichotoma* (Nees) Arechavaleta  
*Opuntia aurantiaca* Lindl.  
*Orobanche* spp.  
*Oryza longistaminata* A. Cheval. and Roehr.  
*Oryza punctata* Steud.  
*Oryza rufipogon* Griff.  
*Ottelia alismoides* (L.) Pers.  
*Paspalum scrobiculatum* L.  
*Pennisetum clandestinum* Chiov.  
*Pennisetum macrourum* Trin.  
*Pennisetum pedicellatum* Trin.  
*Pennisetum polystachion* (L.) Schult.  
*Prosopis alapataco* R.A. Philippi  
*Prosopis argentina* Burkart  
*Prosopis articulata* S. Watson  
*Prosopis burkartii* Munoz  
*Prosopis caldenia* Burkart  
*Prosopis calingastana* Burkart  
*Prosopis campestris* Griseb.  
*Prosopis castellanosi* Burkart  
*Prosopis denudans* Benth.  
*Prosopis elata* (Burkart) Burkart  
*Prosopis farcta* (Russell) Macbride  
*Prosopis ferox* Griseb.  
*Prosopis fiebrigii* Harms  
*Prosopis hassleri* Harms

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*Prosopis humilis* Hook. and Arn.  
*Prosopis kuntzei* Harms  
*Prosopis pallida* (Willd.) H.B.K.  
*Prosopis palmeri* S. Watson  
*Prosopis reptans* Benth. var. *reptans*  
*Prosopis rojasiana* Burkart  
*Prosopis ruizlealii* Burkart  
*Prosopis ruscifolia* Griseb.  
*Prosopis sericantha* Hook. and Arn.  
*Prosopis strombulifera* (Lam.) Benth.  
*Prosopis torquata* (Lagasca) DC.  
*Rottboellia cochinchinensis* (Lour.) Clayton  
(=*R. exaltata* (L.) L.f.)  
*Rubus fruticosus* L. (complex)  
*Rubus moluccanus* L.  
*Saccharum spontaneum* L.  
*Sagittaria sagittifolia* L.  
*Salsola vermiculata* L.  
*Salvinia auriculata* Aubl.  
*Salvinia biloba* Raddi  
*Salvinia herzogii* de la Sota  
*Salvinia molesta* D.S. Mitchell  
*Setaria pallide-fusca* (Schumach.) Stapf and  
Hubb.  
*Solanum torvum* Sw.  
*Solanum viarum* Dunal  
*Sparaganium erectum* L.  
*Striga* spp.  
*Tridax procumbens* L.  
*Urochloa panicoides* Beauv.  
[65 FR 1706, Jan. 11, 2000]

**§ 201.17 Noxious-weed seeds in the District of Columbia.**

(a) Noxious-weed seeds in the District of Columbia are: Quackgrass (*Elytrigia repens*), Canada thistle (*Cirsium arvense*), field bindweed (*Convolvulus arvensis*), bermudagrass (*Cynodon dactylon*), giant bermudagrass (*Cynodon dactylon* var. *aridus*), annual bluegrass (*Poa annua*), and wild garlic or wild onion (*Allium canadense* or *Allium vineale*). The name and number per pound of each kind of such noxious-weed seeds present shall be stated on the label.

(b) [Reserved]

[65 FR 1707, Jan. 11, 2000]

**§ 201.18 Other agricultural seeds (crop seeds).**

Agricultural seeds other than those included in the percentage or percentages of kind, variety, or type may be expressed as “crop seeds” or “other crop seeds,” but the percentage shall include collectively all kinds, varieties, or types not named upon the label.

[5 FR 31, Jan. 4, 1940]

**§ 201.19 Inert matter.**

The label shall show the percentage by weight of inert matter.

[5 FR 31, Jan. 4, 1940]

**§ 201.20 Germination.**

The label shall show the percentage of germination each kind, or kind and variety, or kind and type, or kind and hybrid of agricultural seed present in excess of 5 percent or shown in the labeling to be present in a proportion of 5 percent or less: *Provided*, That this shall not apply to freshly harvested Kentucky bluegrass or sugar beet seed transported or delivered for transportation during the months of July, August, and September for seeding during the year in which the seed is produced.

[24 FR 3953, May 15, 1959, as amended at 32 FR 12779, Sept. 6, 1967; 59 FR 64491, Dec. 14, 1994]

**§ 201.21 Hard seed.**

The label shall show the percentage of hard seed, if any is present, for any seed required to be labeled as to the percentage of germination, and the percentage of hard seed shall not be included as part of the germination percentage.

[24 FR 3953, May 15, 1959]

**§ 201.22 Date of test.**

(a) The label shall show the month and year in which the germination test was completed. No more than 5 calendar months shall have elapsed between the last day of the month in which the germination test was completed and the date of transportation or delivery for transportation in interstate commerce, except for seed in hermetically sealed containers as provided in § 201.36c in which case no more than 24 calendar months shall have elapsed between the last day of the month in which the germination test was completed prior to packaging and the date of transportation or delivery for transportation in interstate commerce.

(b) In the case of a seed mixture, it is only necessary to state the calendar month and year of such test for the kind or variety or type of agricultural seed contained in such mixture which has the oldest calendar month and year