

**Agricultural Marketing Service, USDA**

**§ 201.25**

**§ 201.21 Hard seed or dormant seed.**

The label shall show the percentage of hard seed or dormant seed, as defined in §201.57 or §201.57a, if any is present. The percentages of hard seed and dormant seed shall not be included as part of the germination percentage.

[85 FR 40579, July 7, 2020]

**§ 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 test date among the test conducted on all the kinds or varieties or types of agricultural seed contained in such mixture.

(c) The following kinds shall be tested within the indicated time before interstate shipment:

Agricultural seeds and mixtures thereof	Months from test date to shipment
Bentgrass, Colonial .....	15
Bentgrass, Creeping .....	15
Bluegrass, Kentucky .....	15
Fescue, Chewings .....	15
Fescue, Hard .....	15
Fescue, Red .....	15
Fescue, Tall .....	15
Ryegrass, Annual .....	15
Ryegrass, Perennial .....	15

[5 FR 31, Jan. 4, 1940, as amended at 32 FR 12779, Sept. 6, 1967; 49 FR 1172, Jan. 10, 1984; 59 FR 64491, Dec. 14, 1994]

**§ 201.23 Seller and buyer information.**

Consumer packages or containers of agricultural seed for interstate shipment must be labeled as follows:

(a) The full name and address of the interstate shipper or a code designation identifying the interstate shipper, pursuant to §201.24, must be printed on the label.

(b) If pursuant to paragraph (a) only a code is used to identify the interstate shipper, the full name and address of the consignee must appear on the label.

(c) For purposes of this section and §201.24, the term *shipper* means the seller or consignor who puts the seed into interstate commerce, and the term *consignee* means the buyer or recipient of the seed shipment.

[85 FR 40579, July 7, 2020]

**§ 201.24 Code designation.**

The code designation used in lieu of the full name and address of the interstate shipper pursuant to §201.23(a) shall be approved by the Administrator of the Agricultural Marketing Service (AMS) or such other person designated by the Administrator for the purpose. When used, the AMS code designation shall appear on the label in a clear and legible manner, along with the full name and address of the consignee.

[85 FR 40580, July 7, 2020]

**§ 201.24a Inoculated seed.**

Seed claimed to be inoculated shall be labeled to show the month and year beyond which the inoculant on the seed is no longer claimed to be effective by a statement such as, "Inoculant not claimed to be effective after \_\_\_ (Month and year)."

[32 FR 12779, Sept. 6, 1967]

**LABELING VEGETABLE SEEDS**

**§ 201.25 Contents of the label.**

Vegetable seed in packets and in larger containers shall be labeled with the required information in any form that is clearly legible. Any tag used shall be securely attached to the container. The label may contain information in addition to that required by the

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Act, provided such information is not misleading.

[5 FR 31, Jan. 4, 1940, as amended at 85 FR 40580, July 7, 2020]

### § 201.26 Kind, variety, and hybrid.

The label shall bear the name of each kind and variety present as determined in accordance with § 201.34. The name shall not have affixed thereto words or terms that create a misleading impression as to the history or characteristics of kind or variety. If two or more kinds or varieties are present, the percentage of each shall be shown. If any one kind or variety named on the label is “hybrid” seed, it shall be so designated on the label. If two or more kinds or varieties are named on the label, each that is hybrid shall be shown as “hybrid” on the label. Any kind or variety that is less than 95 percent but more than 75 percent hybrid seed as a result of incompletely controlled pollination in a cross shall be labeled to show (a) the percentage that is hybrid seed or (b) a statement such as “Contains from 75 percent to 95 percent hybrid seed.” No one kind or variety of seed shall be labeled as hybrid if it contains less than 75 percent hybrid seed.

[33 FR 10841, July 31, 1968, as amended at 59 FR 64491, Dec. 14, 1994]

### § 201.26a Vegetable seed mixtures.

Vegetable seed mixtures for seeding/planting purposes shall be designated as a mixture on the label, and each seed component shall be listed on the label in the order of predominance.

[85 FR 40580, July 7, 2020]

### § 201.27 Seller and buyer information.

Consumer packages or containers of vegetable seed for interstate shipment must be labeled as follows:

(a) The full name and address of the interstate shipper or a code designation identifying the interstate shipper, pursuant to § 201.28, must be printed on the label.

(b) If pursuant to paragraph (a) only a code is used to identify the interstate shipper, the full name and address of the consignee must appear on the label.

(c) For purposes of this section and § 201.28, the term *shipper* means the

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seller or consignor who puts the seed into interstate commerce, and the term *consignee* means the buyer or recipient of the seed shipment.

[85 FR 40580, July 7, 2020]

### § 201.28 Code designation.

The code designation used in lieu of the full name and address of the interstate shipper pursuant to § 201.27(a) shall be approved by the Administrator of the Agricultural Marketing Service (AMS) or such other person designated by the Administrator for the purpose. When used, the AMS code designation shall appear on the label in a clear and legible manner, along with the full name and address of the consignee.

[85 FR 40580, July 7, 2020]

### § 201.29 Germination of vegetable seed in containers of 1 pound or less.

Vegetable seeds in containers of 1 pound or less which have a germination percentage equal to or better than the standard set forth in § 201.31 need not be labeled to show the percentage of germination and date of test. Each variety of vegetable seed which has a germination percentage less than the standard set forth in § 201.31 shall have the words “Below Standard” clearly shown in a conspicuous place on the label or on the face of the container in type no smaller than 8 points. Each variety which germinates less than the standard shall also be labeled to show the percentage of germination and the percentage of hard seed (if any).

[85 FR 40580, July 7, 2020]

### § 201.29a Germination of vegetable seed in containers of more than 1 pound.

Each variety of vegetable seeds in containers of more than 1 pound shall be labeled to show the percentage of germination and the percentage of hard seed (if any).

[32 FR 12779, Sept. 6, 1967]

### § 201.30 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