

DEPARTMENT OF AGRICULTURE

PESTICIDE AND PLANT PESTICIDE MANAGEMENT DIVISION

REGULATION NO. 623. FIELD SEED CERTIFICATION

(By authority conferred on the director of the department of agriculture by section 2 of Act No. 221 of the Public Acts of 1959, as amended, and section 178 of Act No. 380 of the Public Acts of 1965, as amended, being §§286.72 and 16.278 of the Michigan Compiled Laws)

PART 1. GENERAL PROVISIONS

R 285.623.101 Designation of seed certifying agency.

Rule 101. The Michigan crop improvement association is designated an official seed-certifying agency to assist and advise the director of the department of agriculture in certifying the varietal purity, quality, vitality, and freedom from disease of seeds of field crops and turfgrass in accordance with these rules and standards.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.102 Seed origin and list of varieties.

Rule 102. (1) Certified seed shall be the progeny of foundation seed as defined in the act.
(2) Only properly named and properly described varieties and hybrids shall be eligible for certification.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.103 Production of certified seed; restrictions.

Rule 103. (1) If a kind of seed is submitted for certification for which standards have not been established in these rules, association of official seed-certifying agencies standards for that kind of seed will be used. These standards are contained in the AOSCA Certification Handbook, Publication No. 23, June, 1971. The provisions of this publication are adopted by reference in these rules. The publication may be obtained from the Association of Official Seed Certifying Agencies, P.O. Box 6311, Mississippi State, Mississippi 39759, or from the Michigan Department of Agriculture, P.O. Box 30017, Lansing, Michigan 48909, at a cost as of the time of adoption of these rules of \$30.00.

(2) The production of certified seed of more than 1 variety of a crop on the same farm shall be based upon approval by the certifying agency.

(3) Certified seed shall not be produced on land that grew any of the following plants the previous year:

(a) An inseparable species that has the same growing season, except when summer fallowing intervenes. When control measures can be applied to eliminate volunteers, this waiting period may be reduced as determined by the seed-certifying agency.

(b) Plants of another variety of the same species.

(c) Plants of the same variety unless such plants came from certified seed.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.104 Field conditions.

Rule 104. (1) A field that contains more than an occasional weed which produces seed that is not readily separable from the crop seed or that contains weed growth that will impair seed quality or prevent adequate field inspection is ineligible for certification. Field borders and weedy areas in the field may require mowing before harvest if, in the judgment of the inspector, such action is necessary.

(2) Crops that are submitted for certification shall be rogued of weeds, other varieties, and other crop plants by the grower before field inspection.

(3) Crops which show a lack of vigor, a lack of uniformity, or evidence of inadequate cultural care or which are weedy or are subject to other conditions that are detrimental to the production of high-quality seed are ineligible for certification.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.105 Inspections and final certification.

Rule 105. (1) A field inspection shall be performed by the certifying agency when all of the following can best be determined:

- (a) The identity of the variety.
- (b) Mixtures.
- (c) Weediness.
- (d) Disease infection.
- (e) Vigor.
- (f) Crop quality.
- (g) In the case of corn, factors that affect proper pollination.

The inspector shall survey the field sufficiently to evaluate accurately the factors that affect eligibility for certification.

(2) Seed that is submitted for certification shall be harvested and handled in a manner that avoids mixtures and shall be stored and conditioned in a place and in a manner approved by the certifying agency. Storage identification tags shall be affixed to each storage container of seed that is eligible for certification. The tags shall contain all of the following information:

- (a) Grower's name.
- (b) Variety.
- (c) Class.
- (d) Bin number.
- (e) Field number.

(3) Final certification by the official certifying agency shall be based upon inspection of a minimum representative sample of 5 pounds of cleaned seed. In the case of small-seeded legumes, a minimum representative sample of 1 pound of cleaned seed shall be submitted. The submitted sample of cleaned seed shall be representative of the entire lot of seed to be offered for sale.

(4) Analysis, examinations, and germination tests of seed shall be conducted in accordance with the rules of the association of official seed analysts entitled "Rules for Testing Seed", Volume 12, No. 3, 1988, revised in 1989, 1990, 1991, and 1992. The rules are adopted by reference in these rules and are available from the Michigan Department of Agriculture,

Laboratory Division, 1615 South Harrison Road, East Lansing, Michigan 48823, or from the Association of Official Seed Analysts, Nebraska Crop Improvement Association, 268 Plant Science, IANR-UNL, Lincoln, Nebraska 68583-0911, at a cost as of the time of adoption of these rules of \$30.00.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.106 Containers and tags.

Rule 106. (1) A bag of seed that is to be offered for sale or sold as certified, registered, or foundation seed shall be identified as to variety. Seed that is offered for sale or sold as certified, registered, or foundation seed shall be placed in new bags that have a 100-pound capacity or less and shall have been inspected, and approved by the certifying agency. This seed may also be placed in bulk bags that have a 50-bushel capacity or less and which may be reused if they are constructed so as to be self-cleaning to prevent contamination by any previous crop residues. Bags shall be sealed pursuant to instructions that are issued by the certifying agency. Attached to each bag shall be an official tag that is issued by the official certifying agency. Bags shall be tagged or labeled pursuant to the provisions of Act No. 329 of the Public Acts of 1965, as amended, being §286.701 et seq. of the Michigan Compiled Laws, and these rules.

(2) Certified seed containers will be identified with a blue tag which indicates that the certification standards established in these rules have been met.

(3) Certified seed of field beans, soybeans, and small grains may be identified by a yellow tag, which indicates that all of the certification standards as established in these rules have been met, except for the standards for germination. Field bean, soybean, and small grain seed may be identified with a yellow tag if the minimum germination is not more than 10 percentage points below the minimum germinations standards for certified seed established for these crop kinds. The yellow tag shall carry the following statement on the front panel of the label: "Meets all Michigan certification standards for certified seed except germination."

(4) All rules for the production, conditioning, and testing of certified seed shall apply to bulk transactions, except that the seed does not have to be in bags. All of the following additional requirements shall apply to the bulk sale of certified seed:

(a) All field and seed standards that apply to bagged seed shall also apply to bulk certified seed.

(b) Certified seed may be sold in bulk only by an approved retail seed facility or by the processor. Certification is not valid after more than 2 transfers of ownership.

(c) Bulk certified seed shall move to the consumer or approved bulk retailer by using serially numbered bulk sales certificates. The seller shall provide copies of these certificates to the buyer and the certifying agency.

(d) The director shall have the authority to audit all records related to bulk seed at any time and inspect the facilities of any processor or approved bulk retailer who sells certified seed in bulk.

(e) It is the seller's responsibility to handle seed in a manner to prevent mixtures and contamination, supply seed that has been tested and meets all certification requirements, and determine that the container, bin, or vehicle receiving the bulk certified seed is clean. If the container, bin, or vehicle is not clean, it shall be noted on the bill of sale. The seller shall also

obtain a representative sample of each load of bulk certified seed sold and keep this sample at least 1 year after final disposition of the lot.

(f) It shall be the buyer's responsibility to maintain the purity of the seed after it has been loaded into the buyer's container, bin, or vehicle.

(g) The bulk sales certificate issued by the certifying agency shall take the place of the certified seed tag. The certificate shall contain labeling information pursuant to the provisions of Act No. 329 of the Public Acts of 1965, as amended, being §286.701 et seq. of the Michigan Compiled Laws, and these rules. The buyer shall receive a certificate for each load of bulk certified seed.

(h) The processor shall be assessed certification fees for certified seed sold in bulk.

(i) Processor and bulk retail facilities shall be approved before certified seed is handled in bulk. Before approval, all procedures for receiving, storing, dispensing, and recordkeeping shall be reviewed by the certifying agency. An applicant shall demonstrate acceptable procedures for maintaining the purity and identity of bulk certified seed. Approval may be withheld if an applicant has not provided records or documentation as required by these rules.

(j) For all bulk certified seed, a separate storage bin shall be available for each variety that will be sold in bulk. All bins shall be inspected and approved before receiving any seed. Bins, augers, conveyers, and other equipment shall be cleaned before the storage or handling of certified seed. Bins shall be clearly and prominently labeled to indicate that they have been approved and to show the kind and variety of seed. All bin openings shall be closed to prevent contamination, except when seed is being put into or removed from the bin.

(k) At the completion of each season (by December 15 for winter crops and by August 1 for all other kinds), the owner or manager of each approved facility shall file a report of all movements of bulk certified seed. The report shall include the amount of seed grown or conditioned or purchased for bulk sale and the source of bulk seed, including the name of the processor, the variety, and the lot number. The report shall also include the amount of bulk certified seed sold by variety, the lot number, and the current inventory of seed remaining for each variety and lot.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.107 Grading and blending.

Rule 107. (1) Each variety shall be graded so as to conform to screen sizes as recommended by the official certifying agency and approved by the director of the department of agriculture.

(2) Two or more lots of certified seed of the same variety, strain, or hybrid may be blended if previously approved by the official certifying agency. The quality represented for the blend shall be that of the least desirable lot in the blend, unless 2 unrelated composite samples that are taken by the official certifying agency show the blend to be uniform.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.108 Seed from out of state.

Rule 108. Seed which is produced in another state or country and which is sold and delivered in this state as certified, registered, or foundation shall have been certified by a legally constituted agency of the state or country of origin in accordance with rules and standards that are equivalent to those established in these rules. Seed of such origin that is represented or

labeled as registered shall have been produced and certified in accordance with rules and standards that are equal to or better than the rules and standards that are established for Michigan certified seed.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.109 Interagency certification.

Rule 109. If the Michigan crop improvement association participates with another certifying agency in performing services that are required to certify the same lot or lots of seed, the standards for such interagency certification shall be the standards provided in these rules. Seed that is produced and field-inspected in Michigan may be shipped in bulk for conditioning and final certification by the Michigan crop improvement association or may be conditioned in Michigan to be shipped out of state for final certification by the Michigan crop improvement association. This same certification procedure may be utilized for seed that is shipped into Michigan from a cooperating state.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.110 Modification of standards.

Rule 110. The minimum quality standards for foundation and certified seed, other than the standards that affect genetic purity as established in these rules, may be modified by the director of the department of agriculture when application of a standard would threaten the continued normal propagation of a crop variety.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.111 Definitions.

Rule 111. As used in these rules:

- (a) "Act" means Act No. 221 of the Public Acts of 1959, as amended, being §286.71 et seq. of the Michigan Compiled Laws.
- (b) "Field crops" means any agricultural crop that is grown for food, feed, forage, fiber, or oil.
- (c) "Off-type" means any seed or plant that is not a part of the variety because it deviates from 1 or more of the characteristics of the variety as described and may include any of the following:
 - (i) A seed or plant of another variety.
 - (ii) A seed or plant that is not necessarily any variety.
 - (iii) A seed or plant that results from cross-pollination by another kind or variety.
 - (iv) A seed or plant that results from uncontrolled self-pollination during production of hybrid seed.
 - (v) Segregates from any seed or plant that are listed in paragraphs (i) to (iv) of this subdivision.
- (d) "Small grains" means any of the following kinds of agricultural seed:
 - (i) Wheat.
 - (ii) Oats.
 - (iii) Barley.
 - (iv) Rye.
 - (v) Spelt.

- (vi) Triticale.
- (e) "Turfgrass" means any agricultural grass that is used primarily for lawn or ornamental purposes and includes any of the following:
 - (i) Perennial ryegrasses.
 - (ii) Fescues.
 - (iii) Kentucky bluegrasses.
 - (iv) Annual ryegrasses.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.199 Rescission.

Rule 199. R 285.623.1 to R 285.623.29 of the Michigan Administrative Code, appearing on pages 1274, 1276, and 1280 to 1282 of the 1979 Michigan Administrative Code and pages 217 to 223 of the 1985 Annual Supplement to the Code, are rescinded.

History: 1994 MR 8, Eff. Aug. 30, 1994.

PART 2. FIELD CROP STANDARDS

R 285.623.201 Applications for field crop inspection and certification.

Rule 201. An application for field crop inspection and certification shall be made to the certifying agency on or before the dates specified by the certifying agency.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.202 Isolation.

Rule 202. The seed of that portion of a crop which is to be field-inspected and which is less than 6 feet from an inseparable species, a variety of the same species, or the same variety grown from noncertified seed shall not be harvested for certification. An open-pollinated crop shall be in compliance with the isolations prescribed in this part.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.203 Field beans; field and seed standards.

Rule 203. (1) Field standards for field bean seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Other varieties or off-types (maximum)	.01%	.01%
Inseparable other crops	none	none
Bacterial bean blight—percent of plants infected (maximum)	0.001%	0.005%
Anthraco-nose or common bean mosaic	0.001%	0.005%

(2) Seed standards for field bean seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	99.0%	99.0%
Inert matter (maximum)	1.0%	1.0%
Weeds (maximum)	none	none
Other crops (maximum)	2 per 100 pounds	5 per 100 pounds
Other varieties or off-types (maximum)	(20/cwt) ¹	(20/cwt) ¹
Contrasting colored varieties/off-types (maximum)	(2/cwt)	(2/cwt)
Germination (minimum)		85.0%
Badly damaged seed (maximum) ²		1.0%
Common bean mosaic virus (maximum)	3.0%	5.0%
Anthraxnose or bacterial blight-infected Seed (maximum)	none	none

¹Represents .01% for navy beans

²"Badly damaged" refers to beans that are seriously injured or badly discolored by frost, weather, disease, insects, or other causes which seriously affect the seed lot.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.204 Soybeans; field and seed standards.

Rule 204. (1) Field standards for soybean seed are as follows:

Factor	Maximum Each Class	
	Foundation	Certified
Other varieties or off-types	.05%	.1%
Inseparable seed plants:		
Corn (with kernels) and others	none	none

(2) Seed standards for soybean seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	98.5%	98.5%
Inert matter (maximum)	1.5%	1.5%
Weeds (maximum)	none	none
Other crops (maximum)	1 per 3 pounds	1 per pound
Other varieties or off-types (maximum)	0.1%	0.5%
Germination (minimum)		80.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.205 Small grains and buckwheat; field and seed standards.

Rule 205. (1) Field standards for small grain seed and buckwheat are as follows:

Factor	Maximum Each Class	
	Foundation	Certified
Other varieties or off-types	.02%	.05%
Inseparable other crops ¹	1 per acre	5 per acre
Bunt	none	none
Other smuts ²	.5%	2.0%

¹Rye, spelt, vetch, and winter barley are not permitted in wheat.

²Seed from fields that have more than 0.5% other smuts shall be treated with a fungicide that is approved by the director.

(2) Rye shall be 650 feet from fields that could be a source of contamination.

(3) Seed standards for small grain seed and buckwheat are as follows:

Factor	Maximum Each Class	
	Foundation	Certified
Pure seed (minimum) ¹	99.0%	99.0%
Inert matter (maximum) ¹	1.0%	1.0%
Weeds (maximum)	2 per pound	2 per pound
Corn cockle, chess, and noxious weeds (maximum)	none	none
Other crops – no rye or vetch allowed (maximum)	1 per 2 pounds	2 per pound
Other varieties or off-types same crop (maximum)	.02%	.05%
Germination (minimum) wheat, oats, Barley, or triticale		90.0%
Germination (minimum) rye, spelt, or Buckwheat		80.0%

¹Minimum pure seed percentage of rye or spelt is 98.0%; with inert matter at a maximum of 2.0%.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.206 Red clover and alfalfa; field and seed standards.

Rule 206. (1) Red clover or alfalfa seed shall be planted on land on which the same crop has not been previously grown for a minimum of 5 years for producing foundation seed and 2 years for producing certified seed. During the year immediately before seeding, the land shall be in a cultivated crop or fallow and shall be free of volunteer red clover or alfalfa plants as determined by field inspection. Manure or other contaminating amendments shall not be applied during the established and productive life of this stand.

- (2) Any portion of a field that is not to be inspected shall be mowed before flowering.
- (3) Limitations on the age of stand and pedigree classes of seed through which a variety may be multiplied shall be specified by the originator, but shall not exceed the limitations that are established by the certifying agency.
- (4) Field standards for red clover and alfalfa seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Other varieties or off-types (maximum)	none	0.2%
Other crops (maximum)	none	1 plant per acre
Isolation (from other red clover or Alfalfa fields respectively)(minimum)	900 ft.	165 ft.

- (5) Seed standards for red clover and alfalfa seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	99.0%	99.0%
Inert matter (maximum)	1.0%	1.0%
Weeds (maximum)	0.15%	0.2%
Prohibited noxious weed (maximum)	none	none
Docks, sheep sorrel, and restricted Noxious (maximum)	9 per pound	45 per pound
Other crops (maximum)	18 per pound	0.2%
Sweet clover (maximum)	9 per pound	45 per pound
Other varieties or off-types (maximum)	0.1%	1.0%
Germination and hard seed (minimum)		85.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.207 Birdsfoot trefoil.

Rule 207. (1) Birdsfoot trefoil seed shall be planted on land on which the same crop has not been previously grown for a minimum of 5 years for producing foundation seed and 2 years for producing certified seed. During the year immediately before seeding, the land shall have been in a cultivated crop or fallow and shall be free of volunteer birdsfoot trefoil plants as determined by field inspection. Manure or other contaminating amendments shall not be applied during the established and productive life of the stand.

- (2) Any portion of a field that is not to be inspected shall be mowed before flowering.
- (3) Limitations on the age of stand and pedigree classes of seed through which a variety may be multiplied shall be specified by the originator, but shall not exceed the limitations that are established by the certifying agency.

(4) Field standards for birdsfoot trefoil seed are as follows:

Factor	Classes of Seed			
	<u>Foundation</u>		<u>Certified</u>	
	Less than 5 acres	5 acres or more	Less than 5 acres	5 acres or more
Other varieties or off-types (maximum)	0.1%	0.1%	0.2%	0.2%
Sweet clover (maximum)	none	none	1 plant per acre	1 plant per acre
Isolation from flowering plants of other varieties or uninspected plants (minimum)	900 feet	600 feet	330 feet	165 feet
Isolation between different seed classes of the same variety (minimum)	225 feet	150 feet	85 feet	45 feet

(5) Seed standards for birdsfoot trefoil seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	98.0%	98.0%
Inert matter (maximum)	2.0%	2.0%
Weeds (maximum)	0.1%	0.2%
Prohibited noxious (maximum)	none	none
Docks, sheep sorrel, and restricted noxious (maximum)	30 per pound	45 per pound
Other crops (maximum)	0.2%	1.0%
Other varieties or off-types (maximum)	0.1%	1.0%
Sweet clover (maximum)	15 per pound	45 per pound
Germination (minimum)		80.0%
Germination less hard seed (minimum)		45.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.208 Crownvetch.

Rule 208. (1) Crownvetch seed shall be planted on land on which the same crop has not been previously grown for a minimum of 5 years for producing foundation seed and 2 years for producing certified seed. During the year immediately before seeding, the land shall have been in a cultivated crop or fallow and shall be free of volunteer crownvetch plants as determined by field inspection. Manure or other contaminating amendments shall not be applied during the established and productive life of the stand.

(2) Any portion of a field that is not to be inspected shall be mowed before flowering.

(3) Limitations on the age of stand and pedigree classes of seed through which a variety may be multiplied shall be specified by the originator, but shall not exceed the limitations that are established by the certifying agency.

(4) Field standards for crownvetch seed are as follows:

Factor	Classes of Seed			
	Foundation		Certified	
	Less than 5 acres	5 acres or more	Less than 5 acres	5 acres or more
Other varieties or off-types (maximum)	1 plant per acre	1 plant per acre	5 plants per acre	5 plants per acre
Sweet clover (maximum)	none	none	1 plant per acre	1 plant per acre
Isolation from flowering plants of other varieties or uninspected plants (minimum)	900 feet	600 feet	330 feet	165 feet
Isolation between different seed classes of the same variety (minimum)	225 feet	150 feet	85 feet	45 feet

(5) Seed standards for crownvetch seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	98.0%	98.0%
Inert matter (maximum)	2.0%	2.0%
Weeds (maximum)	0.1%	0.5%
Prohibited noxious (maximum)	none	none
Restricted noxious (maximum)	27 per pound	45 per pound
Other crops (maximum)	0.2%	1.0%
Sweet clover (maximum)	9 per pound	45 per pound
Other varieties or off-types (maximum)	0.1%	1.0%
Germination (minimum)		65.0%
Germination less hard seed (minimum)		35.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.209 Perennial cross-pollinated grasses (timothy, reed canarygrass, and orchardgrass).

Rule 209. (1) Timothy, reed canarygrass, and orchardgrass seed for the production of foundation seed shall be planted where the same species has not been seeded or grown for at least 5 years.

(2) To be eligible for the production of timothy, reed canarygrass, and orchardgrass certified seed, a field shall not have grown or been seeded to the same species during the previous 2 calendar years unless either the crop was of the same variety and the same or a higher seed class and passed field inspection for certification or had been summer fallowed for 2 full seasons before seeding to another variety. Fall seeding is permitted in the second year.

(3) The certifying agency will determine the length of time that fields will be eligible for certification.

(4) Fields shall be rogued before harvest to remove off-type plants and other grasses or weeds which have seed that cannot be removed by mechanical means.

(5) Field standards for timothy, reed canarygrass, and orchardgrass seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Other varieties ¹	none	1:50
Isolation (feet) ²	1,320	165 ³

¹Maximum permitted ratio of plants.

²When different classes of seed of the same variety are being grown on the same or adjacent farms, the isolation requirements may be reduced to 25.0% of these distances.

³(a) For fields that are certifiable except for isolation, the field boundary may be established by placing permanent 5-foot posts, 90 feet from the offending field, on either edge of the field. The crop between the newly established boundary lines and the offending field may be removed after flowering as a separate field. The crop may be harvested as uncertified seed.

(b) When 2 fields are separated by a natural or permanent barrier, such as a township, county, state, or federal highway, drainage ditch, or tree or shrub row, the isolation may consist of a 15-foot strip next to the barrier that can be either destroyed by mowing after bloom, but before harvest, or harvested as uncertified seed. The barrier shall be free of headed plants of the crop being inspected.

(6) Seed standards for timothy seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	99.0%	99.0%
Total weed seeds (maximum)	0.2%	0.5%
Other crop seeds (maximum)	0.2%	0.5%
Other varieties (maximum)	01.0%	0.5%
Other grasses (maximum)	0.1%	0.2%
Inert matter (maximum)	1.0%	1.0%
Prohibited weed seeds	none	none
Restricted weed seeds (maximum)	9 per pound	9 per pound
Germination (minimum)		80.0%

(7) Seed standards for reed canarygrass seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	96.0%	96.0%
Total weed seeds (maximum)	0.3%	0.5%
Other varieties (maximum)	0.1%	2.0%
Other crop seeds (maximum)	0.2%	2.0%
Inert matter (maximum)	4.0%	4.0%
Prohibited weed seeds	none	none
Restricted weed seeds (maximum)	9 per pound	9 per pound
Germination (minimum)		75.0%

(8) Seed standards for orchardgrass seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	90.0%	90.0%
Total weed seed (maximum)	0.3%	0.5%
Other varieties (maximum)	0.1%	2.0%
Other crop seeds (maximum)	0.2%	1.0%
Inert matter (maximum)	10.0%	10.0%
Prohibited weed seeds	none	none
Restricted weed seeds (maximum)	9 per pound	9 per pound
Germination (minimum)		85.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.210 Rape.

Rule 210. (1) Rape shall be planted on land on which the same crop has not been previously grown for a minimum of 4 years for producing foundation seed and 3 years for producing certified seed.

(2) Fields that produce foundation seed shall have a minimum isolation distance of 1,320 feet from fields of any other variety of the same kind with similar erucic acid levels or from a noncertified field of the same variety.

(3) Fields that produce certified seed shall have a minimum isolation distance of 660 feet from fields of any other variety of the same kind with similar erucic acid levels or from a noncertified field of the same variety.

(4) Fields that produce foundation or certified low erucic acid types of rape seed shall have a minimum isolation distance of 2 miles from high erucic acid types. Likewise, fields that produce foundation or certified high erucic acid types of rape seed shall have a minimum isolation distance of 2 miles from low erucic acid types. Low erucic acid types of rape seed shall have an erucic acid level of 2.0% or less. The required isolation distance between fields of different classes of the same variety shall be 10 feet.

(5) Field inspections shall be made when the crop is in the flower stage and at any other time as deemed necessary by the seed-certifying agency.

(6) Field standards for rape seed are as follows:

Factor	Maximum Each Class	
	Foundation	Certified
Other varieties or off-types	0.05%	0.2%
Inseparable other crops, <i>Brassicaceae spp.</i>	1 plant per acre	5 plants per acre
Inseparable other, <i>Brassicaceae spp.</i>	none	1 plant per acre
Blackleg, <i>Leptosphaeria maculans</i>	.001%	.005%

(7) Seed standards for rape seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	99.0%	99.0%
Inert matter (maximum)	1.0%	1.0%
Prohibited noxious weeds	none	none
Restricted noxious weeds and other, <i>Brassicaceae spp.</i> (maximum)	1 per pound	5 per pound
Other weeds (maximum)	5 per pound	15 per pound
Total other crop seed (maximum)	0.05%	0.25%
Other varieties and off-types (maximum)	0.05%	0.25%
Germination (minimum)		85.0%

(8) All foundation and certified rape seed that is sold in Michigan is required to be tested by a method which is approved by the director of the department of agriculture and which is found to be free of virulent strains of blackleg, *Leptosphaeria maculans*. These test results shall be stated on the seed label.

(9) The certifying agency shall have the authority to request laboratory results from the producer for each lot of seed that is eligible for certification. These results shall be from an approved laboratory and shall indicate the erucic acid and glucosinolate content of the seed.

(10) All foundation and certified rape seed that is sold in Michigan shall be treated with an approved fungicide which is effective against seed-borne blackleg, *Leptosphaeria maculans*.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.211 Lupine.

Rule 211. (1) A field shall not be eligible for certification if lupines were grown in the same field the previous year, unless the previous crop was grown from certified or foundation seed of the same variety.

(2) Field inspections shall be made when the field is in full bloom.

(3) Lupine fields that produce certified seed shall be isolated by a distance of not less than 660 feet from fields of any other variety of lupines or fields of the same variety that are not in compliance with the varietal purity requirements for certification.

(4) Field standards for lupine seed are as follows:

Factor	Maximum Each Class	
	Foundation	Certified
Other varieties of off-types	0.02%	0.1%

(5) Seed standards for lupine seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	98.0%	98.0%
Other varieties or off-types (maximum)	0.1%	0.5%
Other crop seeds (maximum)	none	1 per pound
Inert matter (maximum)	2.0%	2.0%
Weed seeds	none	none
Germination (minimum)		85.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.212 Adzuki beans.

Rule 212. (1) One field inspection will be made before harvest on all fields of adzuki beans that are eligible for certification.

(2) Stage of inspection - the field inspection shall be made at the time of leaf drop, just before harvest.

(3) Field standards for adzuki bean seed are as follows:

Factor	Maximum Each Class	
	Foundation	Certified
Other variety or off-types (maximum)	.05%	.5%
Other inseparable crops	none	none

(4) Seed standards for adzuki bean seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	99.0%	99.0%
Inert matter (maximum)	1.0%	1.0%
Weeds (maximum)	none	none
Other crops (maximum)	1 per 3 pounds	1 per pound
Other varieties or off-types (maximum)	.05%	.5%
Germination (minimum)		90.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.213 Perennial pea.

Rule 213. (1) Perennial pea seed shall be planted on land on which the same crop has not been previously grown for a minimum of 5 years for producing foundation seed and 2 years for producing certified seed. During the year immediately before seeding, the land shall have been in a cultivated crop or fallow and shall be free of volunteer perennial pea plants as determined by field inspection. Manure or other contaminating amendments shall not be applied during the established and productive life of the stand.

(2) Any portion of a field that is not to be inspected shall be mowed before flowering.

(3) Limitations on the age of stand and pedigree classes of seed through which a variety may be multiplied shall be specified by the originator, but shall not exceed the limitations that are established by the certifying agency.

(4) Field standards for perennial pea seed are as follows:

Factor	Classes of Seed			
	Foundation		Certified	
	Less than 5 acres	5 acres or more	Less than 5 acres	5 acres or more
Other varieties or off-types (maximum)	1 plant per acre	1 plant per acre	5 plants per acre	5 plants per acre
Vetch, <i>Vicia spp.</i> (maximum)	none	none	1 plant per acre	1 plant per acre
Isolation from flowering plants of other Varieties or uninspected plants (minimum)	900 feet	600 feet	330 feet	165 feet
Isolation between different seed classes of the same variety (minimum)	225 feet	150 feet	85 feet	45 feet

(5) Seed standards for perennial pea seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	97.0%	97.0%
Inert matter (maximum)	3.0%	3.0%
Weeds (maximum)	0.1%	0.5%
Prohibited noxious	none	none
Restricted noxious	27 per pound	45 per pound
Other crops (maximum)	0.1%	0.1%
Vetch, <i>Vicia spp.</i> (maximum)	10 per pound	45 per pound
Other varieties or off-types (maximum)	0.1%	0.1%
Germination (minimum)		60.0%
Germination less hard seed (minimum)		30.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.214 Foundation corn; inbred lines.

Rule 214. (1) An inbred line is a relatively true breeding strain of corn that results from not less than 5 successive generations of controlled self-fertilization with selection.

(2) Inbred increase fields shall be isolated by a distance of not less than 825 feet from other corn of like color or texture and by a distance of not less than 1,320 feet from corn of a different color or texture. However, the isolation distances shall not apply when increase is by hand-pollination.

(3) Inbred lines are eligible for certification when used in the production of certified hybrids.

(4) Germplasm used in the production of inbred lines shall be obtained from the Michigan agricultural experiment station and other state agricultural experiment stations, the United States department of agriculture, and such other sources that are acceptable to the official certifying agency and that are approved by the Michigan state university agricultural experiment station and the director of the department of agriculture.

(5) Fields shall be inspected by the certifying agency not less than 4 times during the pollinating period. Roguing for off-type plants shall be performed before any pollen discharge. An inbred field that has more than 0.1% definitely off-type plants or more than 1.0% of doubtful-type plants shall not be certified.

(6) A seed lot of an inbred line shall not have more than 0.1% definitely off-type ears or more than 0.2% ears with off-color kernels as determined by an ear inspection or winter grow out test.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.215 Foundation corn; single cross hybrids.

Rule 215. (1) A single cross hybrid shall consist of the first generation of a cross between 2 certified inbred lines.

(2) A single cross crossing field shall be isolated by a distance of not less than 825 feet from other corn of like color or texture and 1,320 feet from corn of a different color or texture.

(3) All of the following field inspection standards shall be complied with:

(a) Fields shall be inspected by the certifying agency not less than 4 times during the pollinating period.

(b) Seed parent plants that are capable of producing viable pollen shall be detasseled.

(c) When 5.0% or more of the seed parent plants in a crossing field have apparently receptive silks, the field is ineligible for certification if shedders comprise more than 0.5% of the seed parent plants on any 1 inspection or exceed an accumulative total of more than 1.0% for any 3 consecutive inspections.

(d) A shedder is a seed parent plant that has more than 1 lineal inch of tassel area with anthers shedding pollen.

(e) One or more seed parent lines growing in the same isolation and having more than 5.0% apparently receptive silks are ineligible for certification if 1 or more of the seed parent lines have more than 0.5% shedders, unless the plants in the area that have excess receptive silks are destroyed.

(f) Roguing for off-type plants shall be performed before the time of pollen discharge.

(g) A crossing field in which more than 0.1% definitely off-type plants or more than 1.0% doubtful-type plants in the pollen parent have shed pollen shall not be certified.

(h) At the time of the last inspection, the seed parent in a crossing field shall not contain more than 0.1% definitely off-type plants or 1.0% of doubtful-type plants.

(4) A seed lot of a single cross hybrid shall not have more than 0.1% definitely off-type ears or more than 0.2% ears with off-color kernels as determined by an ear inspection or winter grow out test.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.216 Certified single cross, double cross, and 3-way hybrids.

Rule 216. (1) A double cross hybrid is the first generation of a cross between 2 single cross hybrids. A 3-way cross hybrid is the first generation of a cross between a single cross hybrid and an inbred line.

(2) A certified double cross or 3-way corn hybrid shall be produced from foundation seed (single cross or inbreds or both) that has been produced under the inspection of the official seed-certifying agency or a seed-producing agency which is recommended by the Michigan state university agricultural experiment station and the official certifying agency and which is approved by the director of the department of agriculture.

(3) All of the following isolation standards shall be complied with:

(a) A crossing field shall be so located that the seed parent is not less than 660 feet from corn of a different color or texture. When the contaminating source is the same color or texture of corn, the distance can be modified by the size of the crossing field and by planting border rows of pollen parent in accordance with the following table:

	Field Size in Acres					
	9 or less	10-19	20-29	30-39	40 or more	Minimum Border Rows
Distance (in feet) of seed rows from other corn	660	627	594	561	545	2
	577	544	511	478	462	4
	495	462	429	396	330	6
	412	379	346	313	290	8
	330	297	264	231	214	10
	247	214	181	165	165	12
	165	148	115	66	66	14

(b) Border rows to offset a lack of isolation distance shall be planted adjacent to the exposed side or sides of the crossing field and shall produce an abundance of viable pollen at the time the seed parent silks are receptive.

(c) Insufficient isolation distance can be offset by destroying a portion of the seed parent in a manner and at a time specified by the official certifying agency.

(d) Two or more hybrids may be produced in the same field if the same pollen parent is used.

(4) All of the following field inspection standards shall be complied with:

(a) The standards in this rule apply only when 5.0% or more of the seed parent plants have apparently receptive silks.

(b) Crossing fields shall be inspected by the official certifying agency not less than 3 times during the pollinating period.

(c) A crossing field is ineligible if shedders, as defined in R 285.623.215(3)(d), are more than 1.0% of the seed parent plants at any 1 inspection or if an accumulative total of more than 2.0% shedders is found on any 3 consecutive inspections.

(d) Off-type plants shall be removed before pollen discharge.

(e) Corn that is harvested from crossing fields which are found to be ineligible for certification shall not be sold for seed purposes.

(5) Both of the following seed inspection standards shall be complied with:

(a) Samples for moisture and germination determination shall be furnished to the official certifying agency after the seed has been dried and shelled by the producer.

(b) Seed shall have a minimum germination of 90.0% and a minimum purity of 99.0%.

History: 1994 MR 8, Eff. Aug. 30, 1994.

PART 3. TURFGRASS SEED STANDARDS

R 285.623.301 Application for inspection and certification.

Rule 301. (1) An application for inspection and certification of turfgrass seed shall be made to the seed-certifying agency by May 1 of each year in which seed is produced.

(2) If a field, other than an annual ryegrass field, is not inspected by the seed-certifying agency for 2 consecutive years, it is ineligible for production of foundation or certified seed.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.302 Isolation.

Rule 302. (1) A field that is used for the production of certified seed shall be in compliance with the minimum specified isolation distances from fields of any other variety of the same species or closely related species, unless the field is used to produce seed of the same variety and generation and is certified. A field that produces seed of the same variety, but of a different generation, shall be isolated by a distance of 25.0% of the specified distance between varieties. This standard is to apply to all turfgrass crops unless otherwise noted in the specific crop standards. An adequate distance between seed crops shall be maintained to prevent mechanical mixture.

(2) If a bluegrass variety is less than 80.0% apomictic, then a 900-foot isolation distance from other varieties is required if a field is used to produce foundation seed and a 165-foot isolation distance is required if a field is used to produce seed of a certified class.

(3) An isolation strip may be used for any of the following purposes:

(a) To produce a crop of another species.

(b) To grow the same species, but the strip shall be cut to prevent seed production.

(c) To grow the same species, but seed from the isolation strip shall be harvested separately and conditioned as uncertified. Reinspections in the field and warehouse will be made to insure that this identity is maintained.

(4) For a certified class of grass seed only, varieties that are 95.0% or more apomictic, as defined by the originating breeder, shall have the isolation distance reduced to a mechanical separation only.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.303 Perennial ryegrass (*Lolium perenne* and *Lolium hybridum*).

Rule 303. (1) Land shall not have grown, or have been seeded to, any other variety of perennial ryegrass during the previous 5 years to be eligible to produce foundation seed. Land shall not have grown, or have been seeded to, any other variety of perennial ryegrass during the previous 2 years to produce certified seed unless the seed is of the same variety and class and is certified.

(2) Perennial ryegrass shall be planted in distinct rows.

(3) Limitations on the age of stand and pedigree classes of seed through which a variety may be multiplied shall be specified by the originator, but shall not exceed the limitations that are established by the certifying agency.

(4) Field standards for perennial ryegrass seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Other varieties (maximum)	none	1.0%
Isolation ^{1,2,3}		
Less than 5 acres (minimum)	2,640 feet	330 feet
More than 5 acres (minimum)	900 feet	165 feet

¹This distance shall be maintained from all varieties of ryegrass. Diploid ryegrass varieties need not be isolated from tetraploid ryegrass varieties, except for a distance of 15 feet to prevent mechanical mixture.

²Fields that are used to produce foundation perennial ryegrass seed shall be isolated a minimum distance of 330 feet from tall fescue.

³See R 285.623.302 - Isolation.

(5) Seed standards for perennial ryegrass seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Total ryegrass (minimum)	97.0%	97.0%
Other ryegrass (maximum)	0.1%	3.0%
Crop other than ryegrass (maximum)	0.1%	0.5%
Total other crop including other ryegrass (maximum)	0.2%	3.5%
Inert matter (maximum)	3.0%	3.0%
Weed seed (maximum)	0.15%	0.5%
Prohibited noxious weeds (maximum)	none	none
Restricted noxious weeds and St. Johnswart, docks, sheep sorrel, bedstraw (maximum)	27 per pound	45 per pound
Germination (minimum)		85.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.304 Annual ryegrass (*Lolium multiflorum* and *Lolium rigidum*).

Rule 304. (1) Land shall not have grown, or have been seeded to annual ryegrass during the previous 5 years, unless the land was used to produce annual ryegrass seed that is of the same variety and class and is certified. Land shall not have grown, or have been seeded to perennial ryegrass during the previous 5 years to produce foundation seed, and the previous 2 years to produce certified seed.

(2) Annual ryegrass shall be planted in distinct rows.

(3) Field standards for annual ryegrass seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Other varieties (maximum)	none	1.0%
Isolation ^{1,2}		
Less than 5 acres (minimum)	2,640 feet	330 feet
More than 5 acres (minimum)	900 feet	165 feet

¹This distance shall be maintained from all varieties of ryegrass, either annual or perennial. Diploid ryegrass varieties need not be isolated from tetraploid ryegrass varieties, except for a distance of 15 feet to prevent mechanical mixture.

²See R 285.623.302 - Isolation.

(4) Seed standards for annual ryegrass seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Total ryegrass (minimum)	97.0%	97.0%
Other ryegrass (maximum)	0.1%	3.0%
Crop other than ryegrass (maximum)	0.1%	0.5%
Total other crop including other ryegrass (maximum)	3.0%	3.0%
Inert matter (maximum)	3.0%	3.0%
Weed seed (maximum)	0.15%	0.3%
Prohibited noxious weeds (maximum)	none	none
Restricted noxious weeds and St. Johnswart, docks, sheep sorrel, bedstraw (maximum)	27 per pound	45 per pound
Germination (minimum)		90.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.305 Bluegrass (*Poa spp.*).

Rule 305. (1) The standards of this rule for bluegrass include Kentucky, rough, and big bluegrasses.

(2) To be eligible to produce bluegrass certified seed, land shall not have grown, or have been seeded to, bluegrass during the previous 3 years, unless the previous crop was of the same variety and class and was certified. To produce foundation seed, land shall have been free of bluegrass for 5 years.

(3) Bluegrass shall be planted in distinct rows.

(4) Limitations on the age of stand and pedigree classes of seed through which a variety may be multiplied shall be specified by the originator, but shall not exceed the limitations that are established by the certifying agency.

(5) Field standards for bluegrass seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Other varieties (maximum) ¹	none	none
Isolation (minimum) ^{2,3}	165 feet	165 feet

¹Includes off-type plants as may be designated by the varietal description.

²See R 285.623.302 - Isolation.

³Mechanical isolation is required between rough bluegrass and Kentucky bluegrass.

(6) Seed standards for bluegrass seed are as follows:

Factor	Foundation	Other Varieties Certified	American Merion Certified
Pure seed (minimum)	95.0%	95.0%	92.0%
Other crop (maximum)	0.1%	0.25% ¹	0.25% ¹
Inert matter (maximum)	5.0%	5.0%	8.0%
Weed seed (maximum) ²	0.1%	0.3%	0.3%
Prohibited noxious weeds (maximum)	none	none	none
Restricted noxious weeds and St. Johnswart, docks, sheep sorrel, bedstraw (maximum)	27 per pound	45 per pound	45 per pound
Germination (minimum)		75.0%	75.0%

¹Common Kentucky bluegrass is limited to 3.0% in merion, sabre, and colt rough bluegrass and 2.0% in all other varieties.

²Annual bluegrass is not allowed in foundation seed.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.306 Fine fescue (*Festuca rubra*, Sub var *rubra*, *Fallax*, *Ovina* var *duruiscula*).

Rule 306. (1) The standards of this rule for fine fescue include chewings, red, and hard fescues.

(2) To be eligible to produce fine fescue foundation seed, land shall not have grown, or have been seeded to, this species during the previous 5 years. Land shall not have grown, or have been seeded to, fine fescue grasses during the previous 18 months to produce certified seed, unless the previous crop was of the same variety and class and was certified.

(3) Fine fescue shall be planted in distinct rows.

(4) Limitations on the age of stand and pedigree classes of seed through which a variety may be multiplied shall be specified by the originator, but shall not exceed the limitations that are established by the certifying agency.

(5) Field standards for fine fescue seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Other varieties (maximum) ¹	none	1.0%
Isolation ^{2,3}		
Less than 5 acres (minimum)	1,320 feet	330 feet
More than 5 acres (minimum)	900 feet	165 feet

¹Includes off-type plants.

²Hard fescue need not be isolated from red or chewings fescue.

³See R 285.623.302 - Isolation.

(6) Seed standards for fine fescue seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (mainimum)	98.0%	97.0%
Other crop (maximum)	0.1%	0.25%
Inert matter (maximum)	2.0%	3.0%
Weed seed (maximum)	0.1%	0.3%
Prohibited noxious weeds (maximum)	none	none
Restricted noxious weeds and St. Johnswart, docks, sheep sorrel, bedstraw (maximum)	27 per pound	45 per pound
Germination (minimum)		85.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.307 Tall fescues (*Festuca arundinacea*).

Rule 307. (1) Land shall not have grown, or have been seeded to, tall fescue during the previous 5 years to be eligible to produce foundation seed. Land shall not have grown, or been seeded to, tall fescue grasses during the previous 2 years to produce certified seed, unless the previous crop was of the same variety and class and was certified.

(2) Tall fescue shall be planted in distinct rows.

(3) Limitations on the age of stand and pedigree classes of seed through which a variety may be multiplied shall be specified by the originator, but shall not exceed the limitations that are established by the certifying agency.

(4) Field standards for tall fescue seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Other varieties (maximum) ¹	none	1.0%
Isolation ^{2,3}		
Less than 5 acres (minimum)	1,320 feet	330 feet
More than 5 acres (minimum)	900 feet	165 feet

¹Includes off-type plants.

²See R 285.623.302 - Isolation.

³Fields that are used for the production of foundation tall fescue seed shall be isolated a minimum distance of 330 feet from perennial ryegrass.

(5) Seed standards for tall fescue seed are as follows:

Factor	Classes of Seed	
	Foundation	Certified
Pure seed (minimum)	98.0%	98.0%
Other crops (maximum)	0.1%	0.5%
Inert matter (maximum)	2.0%	2.0%
Weed seed (maximum)	0.3%	0.3%
Prohibited noxious weeds (maximum)	none	none
Restricted noxious weeds and St. Johnswart, docks, sheep sorrel, bedstraw (maximum)	27 per pound	45 per pound
Germination (minimum)		90.0%

History: 1994 MR 8, Eff. Aug. 30, 1994.

PART 4. SOD QUALITY SEED STANDARDS

R 285.623.401 Labeling of sod quality for varieties of turfgrass seed.

Rule 401. In addition to the labeling requirements of Act No. 329 of the Public Acts of 1965, as amended, being §286.701 et seq. of the Michigan Compiled Laws and Act No. 221 of the Public Acts of 1959, as amended, being §286.71 et seq. of the Michigan Compiled Laws, and the rules promulgated thereunder, if seed is found to meet the sod quality standards established in R 285.623.404, the seed kinds or kinds and varieties may be labeled with the words "Michigan sod quality seed" by permanently attaching a tag to the container, as prescribed in R 285.623.402.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.402 Description and use of tags for sod quality seed.

Rule 402. (1) The official Michigan sod quality seed tag that is referred to in R 285.623.401 shall be prepared and issued by the director, be numerically identified, and set forth the kind and variety, lot number, test date, and date of issuance. Duplicate sod quality tags shall be attached to each container of the lot of seed that qualifies as sod quality. A person shall not attach a sod quality seed tag to any container or lot of seed that is not qualified as set forth on the tag and shall not remove a sod quality seed tag before delivery of the seed to the ultimate purchaser.

(2) An official tag shall be of a size, color, and format as determined by the director of the department of agriculture.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.403 Application, fees, and procedure for sod quality qualifications.

Rule 403. A person who desires to have his or her seed qualify as Michigan sod quality seed shall request, in writing, that the official seed-certifying agency obtain seed samples for this purpose. If the sampling and analysis is apart from, and in addition to, the sampling and analysis that is performed by the official seed-certifying agency in its other certification activities, the person who requests the sampling and analysis shall pay, to the certifying agency, any fees as authorized by section 3 of Act No. 221 of the Public Acts of 1959, as amended, being §286.71 et seq. of the Michigan Compiled Laws. The analysis of seed samples shall be performed by authorized personnel of the official seed-certifying agency in accordance with the standards prescribed in R 285.623.404. If the sample that is subject to analysis for Michigan sod quality seed qualification is from a regularly certified seed lot, only part of which is to be qualified as Michigan sod quality seed, then a separate sample shall be required from that part of the lot to be so qualified.

History: 1994 MR 8, Eff. Aug. 30, 1994.

R 285.623.404 Standards for sod quality certification.

Rule 404. (1) The seed lots that are submitted for sod quality certification shall be in compliance with all of the standards established by these rules and with standards that are established in cooperation with the seed-certifying agency.

(2) Noxious weed and crop and weed analyses shall be based on a 25-gram sample for bluegrass, except that a 10-gram sample is required for a *Poa annua* search, a 30-gram sample for fine fescue, and a 50-gram sample for ryegrass and tall fescue. Testing shall be discontinued when results of the tests exceed the maximum limits set forth in subrule (3) of this rule.

(3) Seed standards for Michigan sod quality seed for Kentucky bluegrass, red fescue, chewings fescue, perennial ryegrass, and tall fescue are as follows:

Kind	Minimum Purity	Minimum Germination	Maximum ¹ Other Crop	Maximum ⁴ Weed
Perennial ryegrass	98%	90%	0.1% ²	.02%
Merion Kentucky Bluegrass	95%	80%	0.1% ³	.02%
Other varieties of Kentucky bluegrass	97%	80%	0.1% ³	.02%
Red fescue	98%	90%	0.1%	.02%
Chewings fescue	98%	90%	0.1%	.02%
Tall fescue	98.5%	90%	0.1%	.02%

¹Shall be free of ryegrass, orchardgrass, timothy, bentgrass, big bluegrass, poa trivialis, smooth brome grass, reed canary grass, tall fescue, and clover. When the base sample is one of these kinds, the species will not be considered a contaminant; for example, ryegrass in ryegrass.

²Certification fluorescence levels and appropriate calculations will be applied when determining levels of other crops.

³The maximum other varieties of Kentucky bluegrass allowed is 2.0%; the maximum allowed Canada bluegrass is .02%.

⁴Shall be free of all of the following:

- (a) Dock, *Rumex spp.*
- (b) Chickweed, *Cerastium spp.* and *Stellaria media*.
- (c) Crabgrass, *Digitaria spp.*
- (d) Plantain, *Plantago spp.*
- (e) Black medic, *Medicago lupulina*.
- (f) Annual bluegrass, *Poa annua*.
- (g) Velvetgrass, *Holcus spp.*
- (h) Prohibited noxious weed seeds.

History: 1994 MR 8, Eff. Aug. 30, 1994.