

FEDERAL SEED ACT CASES SETTLED

The Federal Seed Act (FSA) regulates the interstate shipment of agricultural and vegetable seeds. The FSA requires that seed shipped in interstate commerce be labeled with certain information necessary for the seed buyer to make an informed choice. The labeling information and any advertisements pertaining to the seed must be truthful. The FSA helps promote uniformity among the state seed laws and fair competition within the seed trade.

The following cases were settled administratively under the FSA between September 1, 2017, and August 31, 2018. Under the administrative settlement procedure, the Seed Regulatory and Testing Division and the firms agreed to settle the cases, for the amount specified, with the firms neither admitting nor denying the charges.

Allied Seed, LLC, Nampa, Idaho, has paid \$3,575 for a case involving three seed shipments to Tennessee. Seed regulatory officials in Tennessee cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to keep or supply records;
- False labeling of pure seed percentages;
- False labeling of germination percentage, and
- False labeling of noxious-weed seeds rate of occurrence.

Beachner Seed Company, LLC, St. Paul, Kansas, has paid \$12,675 for a case involving sixteen seed shipments. One seed shipment to Missouri and five seed shipments to Tennessee which there were two seed shipments subsequently re-shipped to Arkansas and Kentucky. There were five seed shipments from Missouri to Kentucky, in which two seed shipments were subsequently re-shipped to Tennessee, and five seed shipments from Missouri to Maryland which were subsequently re-shipped to Maryland. Seed regulatory officials in Arkansas, Kentucky, Missouri, Tennessee, and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of other crop percentage;
- False labeling of germination percentage, and
- False labeling of noxious-weed seeds rate of occurrence.

BWI Companies, Inc., Nash, Texas, has paid \$3,025 for a case involving four seed shipments. One seed shipment to Tennessee and three seed shipments to Arkansas and. Seed regulatory officials in Arkansas and Tennessee cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to keep or supply records;
- False labeling of pure seed, inert matter, and other crop percentages;
- False labeling of noxious-weed seeds rate of occurrence, and
- False labeling of noxious-weed seeds in excess of State limit.

Columbia Seeds, LLC, Albany, Oregon, has paid \$2,200 for a case involving two seed shipments to Tennessee. Seed regulatory officials in Tennessee cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling as to variety names;
- False labeling of pure seed and other crop percentages, and
- False labeling of noxious-weed seeds rate of occurrence.

Deer Creek Seed, Inc., Dieterich, Illinois, has paid \$1,100 for a case involving two seed shipments. One seed shipment to Indiana and one seed shipment to Missouri. Seed regulatory officials in Indiana and Missouri cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of pure seed percentage, and
- False labeling of germination percentage.

Dick's Seed Cleaning & Harvesting, Lake City, Florida, has paid \$3,150 for a case involving four seed shipments to Georgia. Seed regulatory officials in Georgia cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to keep or supply records;
- False labeling as to variety name;
- False labeling as to incorrect labeling;
- False labeling of germination percentage, and
- False labeling of pure seed, inert matter, and other crop percentages.

Farmers Ag Center, Mountain Grove, Missouri, has paid \$5,850 for a cases involving six seed shipments. One seed shipment to Virginia and five seed shipments to Tennessee. Seed regulatory officials in Tennessee and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to label as a mixture;
- False labeling as to kind and variety names;
- False labeling of germination percentage;
- False labeling of noxious-weed seeds rate of occurrence, and
- False labeling of pure seed, inert matter, and weed seed percentages.

Farmers Elevator Company, Ames, Oklahoma, has paid \$2,800 for a case involving six seed shipments. One seed shipment to Virginia, one seed shipment to Kentucky, one seed shipment to Tennessee which was subsequently re-shipped to Kentucky, and three seed shipments to Georgia. Seed regulatory officials in Georgia, Kentucky, and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling as to variety name;
- False labeling of germination percentages;
- False labeling of noxious-weed seeds rate of occurrences, and
- Failure to label the interstate shippers name and address or code designation.

Gainey Grain, Inc., Laurel Hill, North Carolina, has paid \$675 for a case involving one seed shipment to Virginia. Seed regulatory officials in Virginia cooperated in the initial sampling and inspection. The alleged violations were:

- Failure to keep or supply records, and
- False labeling of germination percentage.

Grassland Oregon, Salem, Oregon, has paid \$550 for a case involving one seed shipment to Missouri. Seed regulatory officials in Missouri cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of pure seed and other crop percentages.

Jacklin Seed by Simplot, Othello, Washington, has paid \$350 for a case involving one seed shipment to Indiana. Seed regulatory officials in Indiana cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of pure seed percentage.

Kelly Seed Company, Inc., Hartford, Alabama, has paid \$1,650 for a case involving two seed shipments to Florida. Seed regulatory officials in Florida cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to label new lot numbers after coating, and
- False labeling of germination percentages.

La Crosse Seed, La Crosse, Wisconsin, has paid \$975 for a case involving one seed shipment to Indiana. Seed regulatory officials in Indiana cooperated in the initial sampling and inspection. The alleged violations were:

- Failure to keep or supply records, and
- False labeling of germination percentage.

Lewis Seed Company, Shedd, Oregon, has paid \$450 for a case involving one seed shipment from Texas to Arkansas. Seed regulatory officials in Arkansas cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of noxious-weed seeds rate of occurrence.

Olean Seed Company, Olean, Missouri, has paid \$1,225 for a case involving one seed shipment to Tennessee. Seed regulatory officials in Tennessee cooperated in the initial sampling and inspection. The alleged violations were:

- Failure to keep or supply records;
- False labeling as to variety name;
- False labeling of germination percentage, and
- False labeling of noxious-weed seeds rate of occurrence.

Pennington Seed, Inc., Madison, Georgia, has paid \$10,075 for a case involving eleven seed shipments. One seed shipment to Tennessee, one seed shipment to Virginia, and seven seed shipments to Kentucky, one shipment to Kansas and Indiana which was subsequently re-shipped to Kentucky, and one shipment to North Carolina and Texas which was subsequently re-shipped to Kentucky. Seed regulatory officials in Kentucky, Tennessee, and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to keep or supply records;
- False labeling as to the mixture name;
- False labeling of germination percentages and test date;
- False labeling of pure seed and inert matter percentages, and
- False labeling of noxious-weed seeds rate of occurrence.

Pennington Seed, Inc., Madison, Georgia, has paid \$6,175 for a case involving seven seed shipments. One seed shipment to Missouri, one seed shipment to Virginia, two seed shipments to Kentucky, one seed shipment to Georgia which was subsequently re-shipped to Kentucky, one seed shipment to Indiana which was subsequently re-shipped to Kentucky, and one seed shipment to Alabama and Georgia which was subsequently re-shipped to Virginia. Seed regulatory officials in Kentucky, Missouri, and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to label new lot number after coating;
- False labeling of pure seed and inert matter percentages;
- False labeling of germination percentages and test date, and
- False labeling of noxious-weed seeds in excess of State limit.

Performance Seed Company, St. Cloud, Minnesota, has paid \$1,375 for a case involving one seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violations were:

- Failure to keep or supply records;
- False labeling as to the mixture components, and
- False labeling of pure seed percentage.

Porter Seed House, Bolivar, Missouri, has paid \$1,300 for a case involving two seed shipments. One seed shipment to Georgia and one seed shipment to Tennessee. Seed regulatory officials in Georgia and Tennessee cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of noxious-weed seed rate of occurrences.

ProSeeds Marketing, Inc., Jefferson, Oregon, has paid \$12,025 for a case involving eleven seed shipments. One seed shipment to Tennessee, one seed shipment to Virginia, two seed shipments each to Indiana, Kentucky, and Pennsylvania. One seed shipment to Ohio was subsequently re-shipped to Indiana, one seed shipment to Maryland which was subsequently re-shipped to Virginia, and one seed shipment to Illinois which was subsequently re-shipped to Kentucky. Seed regulatory officials in Indiana, Kentucky, Missouri, Pennsylvania, Tennessee, and Virginia cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling as to kind and variety names;
- False labeling as to the mixture name and components;
- False labeling of noxious-weed seeds rate of occurrences;
- False labeling of germination percentages and test dates;
- False labeling of pure seed, inert matter, and other crop percentages, and
- Failure to label the interstate shippers name and address or code designation.

Saddle Butte Ag., Inc., Shedd, Oregon, has paid \$1,800 for a case involving two seed shipments. One seed shipment each was shipped to Virginia which was subsequently re-shipped to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to keep or supply records;
- False labeling as to variety names, and
- False labeling of germination percentage.

The Scotts Company, LLC, Maryville, Ohio, has paid \$825 for a case involving one seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to keep or supply records, and
- False labeling of germination percentage.

Segrest Feed & Seed Company, Inc., Slocomb, Alabama, has paid \$450 for a case involving one seed shipment to Florida. Seed regulatory officials in Florida cooperated in the initial sampling and inspection. The alleged violation was:

- False labeling of germination percentage.

Smith Seed Services, Halsey, Oregon, has paid \$6,600 for a case involving eight seed shipments. One seed shipment to Texas, two seed shipments to Virginia in which were subsequently re-shipped to Tennessee and West Virginia, and five seed shipments to Tennessee in which one was subsequently re-shipped to Virginia. Seed regulatory officials in Indiana, Tennessee, Texas, Virginia, and West Virginia cooperated in the initial sampling and inspection. The alleged violations were:

- Failure to label as a mixture;
- Failure to keep or supply records;
- False labeling as to kind name;
- False labeling as to incorrect labeling;
- False labeling of germination percentage;
- False labeling of pure seed and other crop percentages, and
- False labeling of noxious-weed seeds rate of occurrences.

Southern States Cooperative, Inc., Richmond, Virginia, has paid \$1,375 for one case involving two seed shipments. One seed shipment to Pennsylvania and one seed shipment to Virginia. Seed regulatory officials in Pennsylvania and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of germination percentages and test date.

Stockton Seed House, Stockton, Missouri, has paid \$525 for one case involving one seed shipment to Kentucky which was subsequently re-shipped to Tennessee. Seed regulatory officials in Tennessee cooperated in the initial sampling and inspection. The alleged violations were:

- Failure to keep or supply records, and
- False labeling of noxious-weed seeds rate of occurrence.

Swanson Seed, LTD, Sherwood, Oregon, has paid \$3,900 for one case involving five seed shipments to Tennessee. Seed regulatory officials in Tennessee cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling of germination test date;
- False labeling of pure seed and other crop percentages, and
- False labeling of noxious-weed seeds rate of occurrence.

Tennessee Farmers' Cooperative, Lavergne, Tennessee, has paid \$875 for one case involving one seed shipment to Kentucky. Seed regulatory officials in Kentucky cooperated in the initial sampling and inspection. The alleged violations were:

- False labeling of germination percentage, and
- False labeling of noxious-weed seeds rate of occurrence.

Tractor Supply Company, Brentwood, Tennessee, has paid \$675 for one case involving one seed shipment from Kentucky to Tennessee. Seed regulatory officials in Tennessee cooperated in the initial sampling and inspection. The alleged violations were:

- Failure to keep or supply records, and
- False labeling of noxious-weed seeds rate of occurrence.

Turner Seed, Inc., Antioch, Tennessee, has paid \$4,550 for one case involving four seed shipments. One seed shipment to Virginia and three seed shipments to Kentucky. Seed regulatory officials in Kentucky and Virginia cooperated in the initial sampling and inspections. The alleged violations were:

- False labeling as to variety name;
- False labeling of germination percentages and test date;
- False labeling of pure seed and other crop percentages, and
- False labeling of noxious-weed seeds rate of occurrences.

W. Atlee Burpee Company, Inc., Warminster, Pennsylvania, has paid \$1,225 for a case involving three seed shipments to Missouri. Seed regulatory officials in Missouri cooperated in the initial sampling and inspections. The alleged violations were:

- Failure to keep or supply records, and
- False labeling of germination percentages.