

2018 Regular Session

SENATE BILL NO. 169

BY SENATOR THOMPSON

AGRICULTURAL COMMODITIES. Provides relative to seed testing and labeling. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 3:1431(19), 1435(5), 1436(4)(d) and (5)(e), and 1444(10) and
3 to repeal R.S. 3:1431(23), relative to seeds; to provide for the authority of the
4 commissioner of agriculture; to require seed test confidentiality; to provide relative
5 to seed labeling; to provide for definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 3:1431(19), 1435(5), 1436(4)(d) and (5)(e), and 1444(10) are hereby
8 amended and reenacted to read as follows:

9 §1431. Terms defined

10 As used in this Part, the following terms have the meanings given:

11 * * *

12 (19) "Noxious weeds" are weeds that are ~~highly destructive~~ **injurious to the**
13 **environment, agricultural fields, lawns, or gardens** and difficult to control by
14 good cultural practices and the use of herbicides.

15 * * *

16 §1435. Authority of the commissioner

17 The commissioner may:

* * *

(5) Make purity, ~~and germination,~~ **and additional** tests of seeds for persons ~~on~~ **upon** request. The analyses shown by ~~this test~~ **these tests** shall be for the information of the person requesting the test only and shall not be made the basis of the guaranteed analysis of the seeds required by R.S. 3:1436 **confidential and shall be made available only to the requestor, unless otherwise specifically authorized by the requestor.**

* * *

§1436. Labeling of seeds

Each container of agricultural, vegetable, or flower seeds, or other propagating stock that is sold or offered for sale in Louisiana for planting purposes shall bear thereon or have attached thereto in a conspicuous place a label plainly written or printed in the English language. The label shall give the following information:

* * *

(4) On vegetable seeds in containers of one pound or less which germinate equal to or above the standards established by the commission under the provisions of R.S. 3:1433(3)(a):

* * *

(d) The calendar month and year of the germination test **or the year for which the seeds were packed for sale.**

(5) On vegetable seeds in containers of one pound or less that germinate less than the standards established by the commission under the provisions of R.S. 3:1433(3)(a):

* * *

(e) The calendar month and year the germination tests were completed **or the year for which the seeds were packed for sale.**

* * *

§1444. Prohibitions

1 No person shall:

2 * * *

3 (10) Use relabeling stickers without having both the calendar, month, and
 4 year the germination test was completed and the lot number that matches the
 5 existing, original lot number.

6 Section 2. R.S. 3:1431(23) is hereby repealed in its entirety.

7 Section 3. This Act shall become effective upon signature by the governor or, if not
 8 signed by the governor, upon expiration of the time for bills to become law without signature
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 11 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Curry Lann.

DIGEST

SB 169 Reengrossed 2018 Regular Session Thompson

Present law defines "noxious weeds" as weeds that are highly destructive and difficult to control by good cultural practices and the use of herbicides.

Proposed law defines "noxious weeds" as weeds that are injurious to the environment, agricultural fields, lawns, or gardens and difficult to control by good cultural practices and the use of herbicides.

Present law defines "prohibited noxious weed seeds" as any weed seeds that are prohibited from being present in agricultural, vegetable, flower, tree, or shrub seed.

Proposed law repeals present law.

Present law authorizes the commissioner to make purity and germination tests of seeds for persons upon request.

Proposed law retains present law and further authorizes the commissioner to make additional tests of seeds for persons upon request.

Present law provides that test analyses are for the information of the person requesting the test only and such testing is not the basis of the guaranteed analysis of the seeds required by present law.

Proposed law clarifies that test analyses are confidential and made available only to the requestor, unless otherwise specifically authorized by the requestor. To prevent duplicate testing, proposed law removes provision providing that such testing is not the basis of the guaranteed analysis of the seeds required by present law.

Present law requires vegetable seeds in containers of one pound or less to be labeled with the calendar month and year of the germination test.

Proposed law requires vegetable seeds in containers of one pound or less to be labeled with the calendar month and year of the germination test or the year for which the seeds were packed for sale.

Proposed law provides for technical corrections.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 3:1431(19), 1435(5), 1436(4)(d) and (5)(e), and 1444(10); repeals R.S. 3:1431(23))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to the original bill

1. Requires vegetable seeds in containers of one pound or less to be labeled with the calendar month and year of the germination test or the year for which the seeds were packed for sale.

Senate Floor Amendments to engrossed bill

1. Makes legislative bureau technical change.