

Connecticut  
CHAPTER 424

AGRICULTURAL AND VEGETABLE SEEDS

Sec. 22-55. Definitions. When used in this chapter:

- (a) "Person" includes a partnership, corporation, limited liability company, company, society or association;
- (b) "Agricultural seeds" includes the seeds of grass, forage, cereal, mangel beets and fiber crops and any other kinds of seeds commonly recognized within this state as agricultural seeds, lawn seeds, and mixtures of such seeds;
- (c) "Vegetable seeds" includes the seeds of those crops which are grown in gardens or on truck farms and are generally known and sold under the name of vegetable seeds in this state;
- (d) "Weed seeds" includes the seeds of all plants generally recognized as weeds within this state and includes noxious-weed seeds;
- (e) Noxious-weed seeds shall be divided into two classes, "prohibited noxious-weed seeds" and "restricted noxious-weed seeds", which are defined in subdivisions (1) and (2) of this subsection; (1) "prohibited noxious-weed seeds" means the seeds of perennial weeds such as not only reproduce by seed, but also spread by underground roots, stems and other reproductive parts, and which, when well established, are highly destructive and difficult to control in this state by ordinary good cultural practice; (2) "restricted noxious-weed seeds" means the seeds of such weeds as are objectionable in fields, lawns or gardens, but can be controlled by good cultural practice;
- (f) "Labeling" includes all labels, and other written, printed or graphic representations, in any form whatsoever, accompanying or pertaining to any seed whether in bulk or in containers, and includes representations on invoices;
- (g) "Advertisement" means all representations, other than those on the label, disseminated in any manner or by any means, relating to seed within the scope of this chapter;
- (h) "Treated" means that the seed has received an effective application of an approved substance, or has been treated by a method, designed to control or repel disease organisms, insects or other pests, or has received other treatment to improve plant development;
- (i) "Record" includes all information relating to the shipment or shipments involved, and includes a file sample of each lot of seed;
- (j) "Stop-sale" means an administrative order provided by law restricting the sale use, disposition and movement of a definite amount of seed;
- (k) "Kind" means one or more related species or subspecies which, singly or collectively, are known by one common name: For example, corn, oats, alfalfa and timothy;

(l) "Variety" means a subdivision of a kind characterized by growth, yield, plant, fruit, seed or other characteristics, by which it can be differentiated from other plants of the same kind;  
(m) "Lot" means a definite quantity of seed identified by a lot number or other mark, every portion or bag of which is uniform within recognized tolerances for the factors which appear in the labeling;

(n) "Hybrid" means the first generation seed of a cross produced by controlling the pollination and by combining (1) two or more inbred lines, (2) one inbred or a single cross with an open-pollinated variety or (3) two varieties or species, except open-pollinated varieties of corn *Zea mays*. The second generation and subsequent generations from such crosses shall not be regarded as hybrids. Hybrid designations shall be treated as variety names;

(o) "Pure seed, germination" and other seed labeling and testing terms in common usage shall be defined as in the rules for seed testing published by the Association of Official Seed Analysts, effective July 1, 1955, and as subsequently amended;

(p) "Type" means a group of varieties so nearly similar that the individual varieties cannot be clearly differentiated except under special considerations;

(q) A "private hearing" may consist of a discussion of facts between the person charged and the enforcement officer;

(r) "Certifying agency" means (1) an agency authorized under the laws of a state, territory or possession to certify seed or (2) an agency of a foreign country determined by the United States Secretary of Agriculture to adhere to procedures and standards for seed certification comparable to those adhered to generally by seed certifying agencies under subdivision (1).

(1949 Rev., S. 3094; 1949, S. 1713d; 1957, P.A. 358, S. 1,2; 1963. P.A. 75, S. 1; 642.S.30; P.A. 95-79. S. 83. 189.)

History 1963 acts rephrased and redefined "agricultural seeds" to delete "field" seeds, redefined noxious weeds as "prohibited or "restricted" rather than as "primary" or "secondary, deleted proviso re agriculture and natural resources commissioner's power to add or subtract from lists and deleted listing of specific plants considered as prohibited or restricted, clarified "labeling" definition, deleted Subdiv. (h) re standards of germination for vegetable seeds, relettering remaining Subdiv. Containing definition of "treated" and adding new Subdivs. (i) to (r) defining "record", "stop-sale", "kind", "variety", "lot", "hybrid", "pure seed", "type", "private hearing" and "certifying agency"; P.A. 95-79 redefined "person" to include a limited liability company, effective May 31, 1995.

**Sec. 22-56. Label requirements.** Each container of agricultural or vegetable seed which is sold, offered for sale or exposed for sale or transported within this state for sowing purposes shall bear thereon or have attached thereto in a conspicuous place a plainly written or printed label or tag in the English language, giving the following information, which statement shall not be modified or denied in the labeling or on another label attached to the container:

(a) For all seeds named and treated as defined in this chapter for which a separate label may be used: (1) A word or statement indicating that the seed has been treated; (2) the commonly accepted coined, chemical or abbreviated chemical (generic) name of the applied substance or description of the process used; (3) if the substance in the amount present with the seed is

harmful to human or other vertebrate animals, a cautious statement such as "Do not use for food or feed or oil purposes." The caution for mercurials, and similarly toxic substances, shall be a poison statement or symbol, and (4) if the seed is treated with an inoculant, the date beyond which the inoculant is not considered effective (date of expiration).

(b) For agricultural seeds, except for grass seed mixtures as provided in (c), (1) the commonly accepted name of the kind and variety, if known, of each agricultural seed component in excess of five percent of the whole, and the percentage by weight of each in the order of its predominance. When more than one component is required to be named, the word "mixture" or the word "mixed" shall be shown conspicuously on the label; (2) the lot number or other lot identification; (3) the origin, if known, of alfalfa, red clover and field corn (except hybrid corn). If the origin is unknown, that fact shall be stated; (4) the percentage by weight of all weed seeds; (5) the name, rate and occurrence per pound of each kind of restricted noxious-weed seed present, (6) the percentage by weight of agricultural seeds other than those required to be named on the label; (7) the percentage by weight of inert matter; (8) for each named agricultural seed, (A) the percentage of germination, exclusive of hard seed, (B) the percentage of hard seed, if present, and (C) the calendar month and year the test was completed to determine such percentages. Following (A) and (B), a statement giving the total germination and hard seed may be added; (9) the name and address of the person who labeled such seed, or who sells or offers or exposes for sale such seed within this state.

(c) For seed mixtures for lawn or turf purposes in containers of fifty pounds or less: (1) The word "mixed" or "mixture": (2) the headings "fine textured grasses" and "coarse kinds", and thereunder in tabular form in type no larger than the heading: (A) The commonly accepted name, in order of its predominance of the kind, or the kind and variety, of each agricultural seed present in excess of five per cent of the whole and determined to be a "fine textured grass" or a "coarse kind" in accordance with the regulations under this chapter; (B) the percentage by weight of pure seed of each agricultural seed named; (C) for each agricultural seed named under (A) above: 1. The percentage of germination, exclusive of hard seed; 2. the percentage of hard seed, if present: 3. the calendar month and year the test was completed to determine such percentage: (3) the heading "other ingredients", and thereunder in type no larger than the heading: (A) The percentage by weight of all weed seeds; (B) the percentage by weight of all agricultural seeds other than those referred to under (2) (A) above; (C) the percentage by weight of inert matter; (4) the lot number Or other lot identification; (5) the name and rate of occurrence per pound of each kind of restricted noxious-weed seed present; (6) the name and address of the person who labeled such seed, or who sells, offers or exposes such Seed for sale within this state.

(d) For vegetable seeds in containers of one pound or less: (1) The name of the kind and variety of seed; (2) for seeds which germinate less than the standard last established by the Commissioner of Agriculture under this chapter, (A) the percentage of germination, exclusive of hard seed; (B) the percentage of hard seed, if present: (C) the calendar month and year the test was completed to determine such percentages, and (D) the words "below standard" in not smaller than eight point type: (3) the name and address of the person who labeled such seed, or who sells or offers or exposes for sale such seed within this State.

(e) For vegetable seeds in containers of more than one pound: (1) The name of each kind of variety present in excess of five per cent and the percentage by weight of each in order of its predominance; (2) the lot number or other lot identification; (3) for each named vegetable seed, (A) the percentage of germination, exclusive of hard seed; (B) the percentage of hard seed, if

present; (C) the calendar month and year the test was completed to determine such percentage. Following (A) and (B) the "total germination and hard seed" may be stated as such, if desired; (4) the name and address of the person who labeled such seed or who sells or offers or exposes for sale such seed within this state; (5) the labeling-requirements for vegetable seeds in containers of more than one pound shall be deemed to have been met if the seed is weighed from a properly labeled container in the presence of the purchaser.

(1949 Rev., S. 3095; 1957, PA. 358, S. 3; 1959. P.A. 637.S.2; 1961. P.A. 67; 1963. P.A. 75,S.2; 1971, P.A. 872, S. 446, 448)

History: 1959 act replaced commissioner of agriculture with commissioner of agriculture, conservation and natural resources; 1961 act replaced commissioner of agriculture, conservation and natural resources with commissioner of agriculture and natural resources; 1963 act revised and reorganized label requirements, incorporating in Subdiv. (a) requirements applicable to all seeds, moving requirements re agricultural seeds formerly in Subdiv. (a) to Subdiv. (b) and deleting requirements re specific plant seeds, adding provisions re lawn and turf grasses as Subdiv. (c) redesignating requirement re vegetable seeds formerly in Subdivs. (b) and (c) as (d) and (e) and changing weight basis for classification from three ounces to one pound; 1971 act replaced commissioner of agriculture and natural resources with commissioner of agriculture.

**Sec. 22-57. Restrictions on sale and exposure and transportation for sale. Registration. Fee. Regulations.**

(a) No person shall sell, offer for sale, expose for sale or transport for sale any agricultural or vegetable seed or seed used for lawn or turf purposes within this state unless the person is registered with the Commissioner of Agriculture, except that any person selling only seeds which are supplied and labeled by a registered distributor is not required to be registered. The application for registration shall be submitted to the commissioner on a form furnished by the commissioner. The application shall be accompanied by a fee of fifty dollars. On and after January 1, 1993, said fee shall be established by the commissioner by regulations adopted in accordance with the provisions of chapter 54. All registrations shall expire on March thirty-first of each year.

(b) No person shall sell, offer for sale, expose for sale or transport for sale any agricultural or vegetable seed or seed used for lawn or turf purposes within this state unless the following conditions are complied with:

(1) The test to determine the percentage of germination required by section 22-56 was completed within the nine-month period, exclusive of the calendar month in which the test was completed, immediately prior to the sale, exposure for sale or offering for sale or transportation. Any seed not sold within the nine-month period shall be retested with test samples taken from stock at the point of wholesale and retail sale;

(2) the seed is labeled in accordance with the provisions of this chapter and the labeling is not false or misleading and the seed has not been advertised in a false or misleading manner,

(3) the labeling, advertising other representations subject to this chapter shall represent the seed as certified or registered if:

(A) A seed-certifying agency has determined that the seed was produced, processed and packaged, and conforms to purity standards for the kind or variety of seed, in compliance with the rules and regulations of the agency pertaining to the seed and

(B) the seed bears an official label of the certifying agency stating that the seed is certified or registered, and

(4) the seed does not contain:

(A) Prohibited noxious weed seeds subject to tolerances;

(B) restricted noxious-weed seeds per pound in excess of the number prescribed by the regulations adopted in accordance with the provisions of this chapter, or in excess of the number declared on the label attached to the container of the seed or associated with the seed within recognized tolerances, and

(C) more than two and one-half percent by weight of all weed seeds.

(c) No person shall, within this state:

(1) Detach, alter, deface or destroy any label provided for in this chapter or the regulations adopted thereunder, or alter or substitute seed, in a manner that may defeat the purposes of this chapter,

(2) disseminate any false or misleading advertisement concerning agricultural or vegetable seed;

(3) hinder or obstruct any authorized person in the performance of his duties under this chapter,

(4) fail to comply with a "stop-sale" order, or move or otherwise handle or dispose of any lot of seed held under a "stop-sale" order or tags attached thereto, except with express permission of the enforcing officer and for the purpose specified thereby;

(5) use the word "trace" as a substitute for any statement which is required, or

(6) use the word "type" in any labeling in connection with the name of any agricultural or vegetable seed variety. Each person whose name appears on the label as handling agricultural or vegetable seeds subject to this chapter shall keep for a period of two years complete records of each lot of agricultural or vegetable seed handled, and keep for one year a file sample of each lot of seed after final disposition of such lot. All records and samples pertaining to the shipment or shipments involved shall be accessible for inspection by the Commissioner of Agriculture or the commissioner's authorized agents during usual business hours.

(1949 Rev., S. 3096; 1957, P.A. 358, S. 4; 1959, P.A. 637, S. 2, 1961, P.A. 67; 1963, P.A. 75, S. 3; 1971, P.A. 872, S. 446, 448; P.A. 74-136; P.A. 82-91, S. 8, 38; May Sp. Sees. P.A. 92-6, S. 44, 117.)

History; 1959 act replaced commissioner of agriculture with commissioner of agriculture, conservation and natural resources; 1961 act replaced commissioner of agriculture, conservation and natural resources with commissioner of agriculture and natural resources; 1963 act made provisions of Subsec. (a) applicable to "transport for sale", amended Subdiv. (1) to require tests within nine rather than twelve months and to delete proviso requiring that test results be available to commissioner for one year, amended Subdiv. (4) to replace "primary" with "prohibited" noxious seeds and to delete reference to methods of determination prescribed by regulation and added Subdivs. (6) to (8) and amended Subsec. (b) to add Subdiv. (4) to (6) and to add provision re required records and samples; 1971 act replaced commissioner of agriculture and natural resources with commissioner of agriculture; P.A. 74-136 amended Subsec. (a)(1) to allow retesting of seed not sold within nine months; P.A. 82-91 added provisions requiring application for registration to be submitted on form furnished by commissioner, requiring application to be accompanied by fee established by commissioner by regulations and specifying that registrations expire on March 31 of each year; May Sp. Sess. P.A. 92-6 amended Subsec. (a) to establish a fifty-dollar application fee and to provide that the commissioner shall adopt regulations to establish the fee for the period commencing January 1, 1993.

See Sec. 53-321 re penalty for knowingly selling grass seed containing seed of Canadian thistle.

**Sec. 22-58. Exemptions.** (a) The provisions of sections 22-56 and 22-57 shall not apply (1) to seed or grain not intended for sowing purposes or (2) to seed in storage in, or being transported, or consigned to, a seed-cleaning or processing establishment for cleaning or processing, provided the invoice or labeling accompanying any shipment of such seed bears the statement "seed for processing", and provided any labeling or other representation made with respect to the unclean or unprocessed seed shall be subject to this chapter, or (3) to any carrier respect to any seed transported or delivered for transportation in the ordinary course of its business as a carrier, provided such carrier is not engaged in producing, processing or marketing agricultural or vegetable seeds Subject to the provisions of this chapter. (b) No person shall be subject to the penalties of this chapter for having sold or offered or exposed for sale in this state any agricultural or vegetable seeds which were incorrectly labeled or represented as to kind, variety, type or origin, which seeds cannot be identified by examination thereof, unless he has failed to obtain an invoice, bona fide grower's declaration or other labeling information and to take such other precautions as may be necessary to insure the identity to be that stated.

(1949 Rev., S. 3097; 1963. P.A. 75,S.4.)

History: 1963 act exempted seed "being transported" in Subdiv. (2) of Subsec (a) and added proviso requiring that label state "seed for processing" and added Subdiv. (3) exempting carriers from provisions and amended Subsec. (b) to require "bona fide" grower's declaration "or other labeling information", deleting requirement that "kind, or kind and variety, or kind and type, and origin, if required" be stated.

**Sec. 22-59. Enforcement of provisions. Duties and powers of commissioner.** (a) The duty of enforcing this chapter and carrying out its provisions and requirements shall be vested in the Commissioner of Agriculture. The commissioner, who may act through his authorized agents, shall: (1) Sample, inspect, make analysis of and test agricultural and vegetable seeds

transported, sold or offered or exposed for sale within this state for sowing purposes, at such time and place and to such extent as he deems necessary, to determine whether Audi agricultural or vegetable seeds are in compliance with the provisions of this chapter, and to notify promptly the person who transported, sold or offered or exposed the seed for sale of any violation; (2) prescribe and, after public hearing following public notice, adopt regulations governing the methods of sampling, inspecting, analysis, tests and examination of agricultural and vegetable seed, and the tolerances to be followed in the administration of this chapter, which shall be in general accord with officially prescribed practice in interstate commerce, and such other regulations as are necessary to secure the efficient enforcement of this chapter; (3) prescribe and, after public hearing following public notice, establish, add to or subtract therefrom by regulation a prohibited and restricted noxious-weed list, and (4) prescribe and, after public hearing following public notice, adopt regulations establishing reasonable standards of germination for vegetable seeds.

(b) For the purpose of carrying out the provisions of this chapter, the commissioner, individually or through his authorized agents may: (1) Enter upon any public or private premises during regular business hours in order to have access to seeds and the records connected therewith, subject to this chapter and the regulations made thereunder and any truck or other conveyer by land, water or air at any time when the conveyer is accessible for the same purpose; (2) issue and enforce a written or printed "stop-sale" order to the owner or custodian of any lot of agricultural or vegetable seed, which the commissioner or his agent finds is in violation of any of the provisions of this chapter, which order shall prohibit further sales, processing and movement of the seed except on approval of the commissioner or his agent, until the commissioner or such agent has evidence that the law has been complied with and he has issued a release of the seed from the "stop-sale" order. The owner or custodian of such seeds shall have the right to appeal from such order to a court of competent jurisdiction in the area in which the seeds are found, praying for a judgment as to the justification of such order and for the discharge of such seed from the order prohibiting sale, process and movement. The provisions of this section shall not be construed as limiting the right of the commissioner or his authorized agent to proceed as authorized by other sections of this chapter; (3) establish and maintain or make provision for seed-testing facilities, employ qualified persons and incur such expenses as are necessary to comply with these provisions; (4) make or provide for making purity and germination tests of seeds for residents of the state on request, and prescribe regulations governing such testing, and fix and collect charges for the tests made; (5) cooperate with the United States Department of Agriculture and other agencies in seed law enforcement by mutual agreement.

(1949 Rev., S. 3093; 1949.S. 1714d; 1959, PA. 83; 637, S. 2; 1961. P.A. 67; 1963. P.A. 75, S. 5; 1971, P.A. 872, S. 446, 448.)

History: 1959 acts amended Subsec. (b) replacing orders to stop sales with orders to stop sales, process and movement of seeds, adding references to commissioner's agents and deleting in Subdiv. (2) proviso which forbade stop-sale orders without first offering owner or custodian of seed opportunity to comply with law or withdraw seeds from sale and replaced commissioner of agriculture with commissioner of agriculture, conservation and natural resources; 1961 act replaced commissioner of agriculture, conservation and natural resources with commissioner of agriculture and natural resources: 1963 act deleted commissioner's powers to establish and maintain grades and brands of seeds and seed mixtures and label brands, added Subdivs. (3) and (4) in Subsec. (a) re noxious-weed list and germination standards and amended Subsec. (b) to require access to records and trucks or other conveyors

in Subdiv. (1) and to include other agencies in Subdiv. (5); 1971 set replaced commissioner of agriculture and natural resources with commissioner at agriculture

**Sec. 22-60. Seizure; condemnation.** Any lot of agricultural or vegetable seed not in compliance with the provisions of this chapter shall be subject to seizure on complaint of the Commissioner of Agriculture to a court of competent jurisdiction in the area in which the seed is located. If the court finds the seed to be in violation of this chapter and orders the condemnation of such seed, it shall be denatured, processed, destroyed, relabeled or otherwise disposed of in compliance with the laws of this state, provided the court shall not order such disposition of such seed without first having given the claimant an opportunity to apply to the court for the release of such seed or permission to top or relabel it to bring it into compliance with this chapter.

(1949 Rev., S. 3099; 1959. PA. 637, S. 2 1961. P.A. 67:1971. P.A. 872, S. 446, 448.)

History: 1959 act replaced commissioner of agriculture with commissioner of agriculture, conservation and natural resources; 1961 act replaced commissioner of agriculture, conservation and natural resources with commissioner of agriculture and natural resources; 1971 act replaced commissioner of agriculture and natural resources with commissioner of agriculture.

**Sec. 22-61. Penalty.** Any person who violates any provision of this chapter shall be fined not more than one hundred dollars for the first offense and not more than two hundred and fifty dollars for each subsequent similar offense. No prosecution under this chapter shall be instituted without first having given the defendant an opportunity to appear before said commissioner or his authorized agent to introduce evidence, either in person or by agent or attorney, at a private hearing. If, after such hearing, or without such hearing in case the defendant or his agent or attorney fails to appear, the commissioner is of the opinion that the evidence warrants prosecution, he shall make complaint to the proper prosecuting officer. After judgment by the court in any case arising under this chapter, said commissioner may publish any information pertinent to the issuance of the judgment by the court in such form as he designates from time to time.

(1949 Rev., S. 3100.)

**Sec. 22-61a. Injunctions issued without bond.** Any temporary or permanent injunction issued by a court of this state restraining any person from violating or continuing to violate any provision of this chapter or any regulations enacted hereunder shall be issued without bond.

(1963. P.A. 75.S.6.)



COMMISSIONER OF AGRICULTURE AND NATURAL RESOURCES

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**Sec. 22-59-1. Sampling, inspecting, analyzing, testing and examining agricultural and vegetable seed, and tolerances to be followed.** The terms used in seed testing and methods of sampling, inspecting, analyzing, testing and examining agricultural and vegetable seeds, and the tolerances to be followed in the administration of chapter 424 of the general statutes shall be those adopted effective July 1, 1955, and as subsequently amended, by the Association of Official Seed Analysts. (Effective October 29, 1963.)

**Sec. 22-59-1a. Grower's declaration.** A grower's declaration is a statement signed by the grower giving, for any lot of seed, the lot number, the kind, variety, origin and weight. (Effective October 29, 1963.)

**Sec. 22-59-2. Agricultural experiment station to be seed-testing laboratory.** The Connecticut Agricultural Experiment Station shall be the official seed-testing laboratory.

**Sec. 22-59-3. Standards of germination for vegetable seeds.** The standards of germination for vegetable seeds in this state shall be those standards provided for by the rules and regulations of the Federal Seed Act. They are as follows:

### Percent

Artichokes	60
Asparagus	70
Beans, asparagus	75
Beans, garden, (varieties other than Rival, Top crop and Logan)	75
Beans, garden, (varieties Rival, Top crop and Logan)	70
Beans, horde or broad	75
Beans, lima	70
Beans, runner	75
Beets	65
Broccoli	75
Brussels Sprouts	70
Cabbage	75
<i>Cardoon</i>	60
Carrot	55
Cauliflower	75
Celery and celeriac	55
Chicory	65
Citron	65
Collards	80
Corn	75

Cornsalad (Fetticus)	70
Cowpea	75
Cress, garden	75
Cress, water	40
Cucumber	80
Dandelion	60
Eggplant	60
Endive	70
Kale	75
Kohlrabi	75
Leek	60
Lettuce	80
Muskmelon	75
Mustard	75
Mustard, spinach	75
Okra	50
Onion	70
<i>Pak-choi</i>	75
Parsley	60
Parsnips	60
Peas	80
Pepper	55
<i>Pe-tsai or Chinese cabbage</i>	75
Pumpkin	75
Radish	75
Rhubarb	60
Rutabaga	75
Salsify	75
Sorrell	65
<i>Soybean</i>	75
Spinach (except New Zealand)	60
Spinach, New Zealand	40
Squash	75
Swiss Chard	65
Tomato	75
Tomato husk	50
Turnip	80
Watermelon	70

Standards for vegetable seeds are subject to change. This department will furnish information on changes upon request.

**Sec. 22-59-4. Seeds on retail premises to bear analysis tag.** All agricultural and vegetable seeds on the premises of a retail merchant shall bear the complete analysis tag as prescribed by law.  
(See 1963 Supp. § 22-56.)

**Sec. 22-59-5. Label to show secondary noxious weed seeds present.** The label on all mixtures shall show the name and number of the secondary noxious weed seeds present, singly or collectively, in excess of one seed in each fifteen grams.

(See 1963 Supp. § 22-56.)

**Sec. 22-59-6. Certain seeds deleted from noxious weeds.** (a) The seeds of bed straw (*Galium* spp.) may be deleted from the list of prohibited noxious weeds in lawn grass mixtures. (b) The seeds of dock (*Rumex* spp.) except red sorrel (*Rumex acetosella* L.) may be deleted from the List of restricted noxious weeds in lawn seed mixtures. (c) The seeds of *Plantago* spp. other than broadleaf plantain (*Plantago major*), blackseed plantain (*Plantago rugelii*) and buckhorn plantain (*Plantago lanceolata*) may be deleted from the list of restricted noxious weeds in lawn grass mixtures. (d) The seeds of annual bluegrass (*Poa annua* L.) may be deleted from the list of restricted noxious weeds in lawn grass mixtures when it is listed on the label as a component crop seed and the percentage by weight and the percentage of germination is shown. (Effective October 29, 1963.)

**Sec. 22-59-7. Seeds germinating below standard.** Vegetable seeds that germinate below the prescribed standard shall be marked on the face of the packet or on the face of the analysis tag, in a manner not less legible than eight point, open bold face type, with the words "Below Standard" enclosed in a box.

**Sec. 22-59-4. Seeds containing primary noxious weeds prohibited.** Agricultural seeds containing primary noxious weeds are prohibited from sale.

(See 1963 Supp. §§ 22-55(e)(1); 22-57(a)(4).)

**Sec. 22-59-8a. Prohibited noxious weed seeds.** The following list of prohibited noxious weed seed is established, effective November 1, 1963: The seeds of bindweed (*Convolvulus arvensis* L.), Canada thistle (*Cirsium arvense* L.), quack-grass (*Agropyron repens* L. Beauv.), horse nettle (*Solanum carolinense* L.), perennial sowthistle (*Sonchus arvensis* L.) dodder (*Cuscuta* spp.), Russian knapweed (*Centaurea repens* L.), yellow nutsedge (*Cyperus esculentus* L.) and bedstraw (*Galium* spp.) (Effective October 29, 1963.)

(See 1963 Supp. §§ 22-55(e)(1); 22-57(a)(4).)

**Sec. 22-59-8b. Restricted noxious weed seeds.** The following list of restricted noxious weed seeds is established effective November 1, 1963: Seeds of dock (*Rumex* spp.) plantain (*Plantago* spp.), Wild mustards (*Brassica* spp), white cockle (*Lychnis alba* Mill.), yellow rocket (*Barbarea vulgaris* R. Br.), annual bluegrass (*Poa annua* L.), and wild radish (*Raphanus raphanistrum* L.) - (Effective October 29, 1963.)

(See 1963 Supp. §§ 22-55(e)(2); 22-57(a)(6).)

**Sec. 22-59-9. Label lettering.** The term "labeling" shall be interpreted as meaning that the lettering used to cover information required by law shall be large and legible enough so as not to be obscured by other type or illustrations used.

Where any question of doubt arises, samples of proposed containers or labels may be submitted to the commissioner of agriculture and natural resources for approval.

**Sec. 22-59-9a. Labeling of seed prior to distribution.** After seed has been processed, it shall be labeled before distribution to any person, including a wholesaler. Each bag or bulk lot shall be completely labeled when supplied to a retailer or consumer. Labeling of seed supplied to a wholesaler, one whose predominant business is to supply seed to other distributors rather than

to consumers of seed, may be by invoice or by an analysis tag attached to the invoice, if each bag or other container is clearly identified by a lot number stenciled on the container, or if the seed is in bulk. Each bag or container that is not so identified shall carry complete labeling. (Effective October 29, 1963.)

**Sec. 22-59-9b. White sweet clover.** Sweet clover seed containing more than five percent of yellow sweet clover seed (more than one and one-quarter percent of mottled seeds) shall not be labeled white sweet clover. Such seed shall be labeled as an agricultural seed mixture. (Effective October 29, 1963.)

**Sec. 22-59-9c. Poison label.** Seed treated with a mercurial or similarly toxic substance, if any amount remains with the seed, shall be labeled to show a statement such as "Poison," "Poison treated" or "Treated with Poison." The word "Poison" shall be in type no smaller than eight point and shall be in red letters on a distinctly contrasting background. In addition, the label shall show a representation of a skull and crossbones at least twice the size of the type used for the name of the substance and the statement indicating that the seed has been treated. (Effective October 29, 1963.)

**Sec. 22-59-10. Free tests of samples.** Any citizen of Connecticut may send samples for tests or analysis up to a maximum of five samples for germination tests, or one sample for purity analysis, within a given calendar month. The results of these free tests cannot be used for declaration of sales or for labeling purposes.

#### **CONNECTICUT GRADES FOR LAWN SEED MIXTURES**

**Sec. 22-59-11. Connecticut grades for lawn seed mixtures.** (a) Conn. grade AA or Conn. gold seal, grade AA shall contain: (1) Not less than seventy-five per cent net weight of pure seed from Group 1, except that, if a mixture in this grade is to be sold for a special purpose, such as seeding shady places, steep banks, etc., it shall contain at least seventy-five percent of seed of grasses reasonably adapted for that particular use. In such cases, seed from Group II may be substituted for seed from Group I; (2) not more than nineteen percent net weight of pure seed for Group III (Red Top or annual rye grass only may be used as a nurse grass in this grade.); (3) not more than five and six-tenths percent by weight of inert matter; (4) not more than four-tenths of one percent by weight of weed seed.

(b) Connecticut grade A or Connecticut blue seal grade A shall contain: (1) Not less than sixty-five percent net weight of pure seed from Group I, except that, if a mixture in this grade is to be sold for a special purpose, such as seeding shady places, steep banks, etc., it shall contain at least sixty-five percent of seed of grasses reasonably adapted for that particular use. In such cases, seed from Group II may be substituted for seed from Group I; (2) not more than twenty-nine percent net weight of pure seed from Group III; (3) not more than five and six-tenths per cent by weight of inert matter; (4) not more than four-tenths of one per cent by weight of weed seed.

(c) Connecticut grade B or Connecticut red seal grade B shall contain: (1) Not less than fifty per cent net weight of pure seed from Group I, except that, If a mixture in this grade is to be sold for a special purpose, such as seeding shady places, Steep banks, etc., it shall contain at least fifty percent of seed of grasses reasonably adapted for that particular use. In such cases, seeds from Group II may be substituted for seed from Group I; (2) not more than forty percent net

weight of pure seed from Group III; (3) not more than nine and one-tenth per cent by weight of inert matter; (4) not more than nine-tenths of one percent by weight of weed seed.

**Sec. 22-59-12. General requirements for officially graded lawn grass mixtures.**

(a) Lawn grass mixtures shall contain no filler grasses.

(b) When the inert matter and/or weed seed is less than the maximum allowance for these grades, additional seed from Group III may be added to make up that discrepancy.

(c) Any lot of lawn seed mixture found on sale labeled as a Conn. graded mixture or otherwise represented as such which fails to meet specifications shall be deemed to be misbranded and its sale prohibited.

**Sec. 22-59-13. Labeling and sealing of containers.** (a) Graded lawn seed grass mixtures labeled as such shall be sold in sealed containers (pasteboard containers, sealed bags, sealed cans, etc.).

(b) The latitude of variation or tolerance on samples tested for germination and purity shall be in accordance with the following, except that there will be no tolerance on germination for graded mixtures: (1) Purity percentages. In the determination of the tolerance for the percentage of the distinguishable kind, type or variety (pure seed), weed seeds, other crop seeds and inert matter, the sample shall be first considered as made up of two parts: (A) The percentage of the component (pure seed, weed seed, crop seed or inert matter, as the case may be) being considered, and (B) the difference between that percentage and one hundred. The number represented by (A) is then multiplied by the number represented by (B) and the product is divided by one hundred. The resulting number is then multiplied by 0.2 (2/10) and the resulting product added to 0.2 or 0.6 as indicated in the following formulae:

$$\text{Pure seed tolerance} \quad \text{---} \quad 0.6 / \{0.2 \times b \times 100\}$$

$$\begin{array}{l} \text{Weed seeds, other} \\ \text{Crop seeds and inert} \\ \text{matter tolerance} \end{array} \quad \text{---} \quad 0.2 / \{0.2 \times b \times 100\}$$

(2) Germination. The following tolerances are applicable to the percentage of germination and also to the sum of the germination plus the hard seed:

Found by test:	Tolerance
96 or over	5
90 or over but less than 96	6
80 or over but less than 90	7
70 or over but less than 80	8
60 or over but less than 70	9
Less than 60	10

(c) Violation of any of the above provisions will result in cancellation of the certificate of registry and withdrawal of the registry number.

**Sec. 22-59-14. Labeling of lawn seed mixture.** “Fine Textured” kinds of grasses for the purposes of labeling, under section 22-58 of the 1969 supplement to the general statutes, is amended as follows:

Bent Grasses:

*Agrostis tenuis* (Colonial)  
*Agrostis palustris* (Creeping)  
*Agrostis canina* (Velvet)

Bluegrasses: (Rough Bluegrass)

*Poa trivialis* (Rough Bluegrass)  
*Poa pratensis* (Kentucky)  
*Poa nemoralis* (Wood)  
*Poa compressa* (Canada)

Fescues:

*Festuca rubra var commutata* (Chewings)  
*Festuca rubra* (Red)  
*Festuca ovina* (Sheep)

Perennial Rye Grasses: *Lolium perenne* L (varieties NK-100, Norlea, Pelo, and Manhattan).

“Coarse Kinds” (including legumes and ground covers) shall be all kinds not named above.

(Effective September 28, 1969.)