

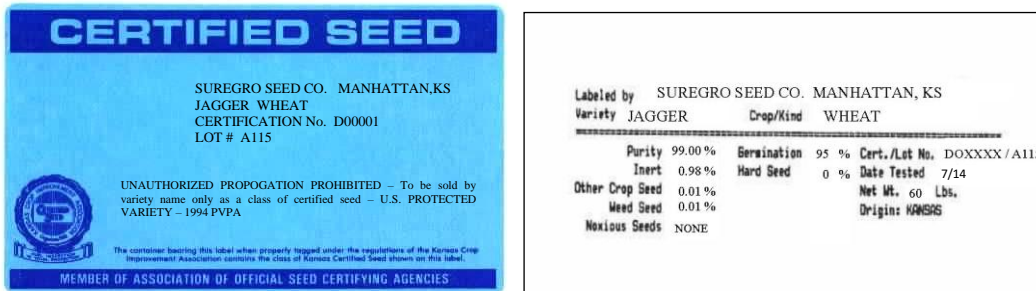
Proper Labeling of Certified Seed

Proper labeling of certified seed in retail or wholesale transactions is important. Certification of the seed can be lost if the seed moves improperly or with no label. In addition, applicable state and federal seed laws are in place to protect the purchaser of the seed as well as the certification of the seed. Below is a short guideline to labeling certified seed.

Wholesale Bagged Seed (purchase with intent to retail)

If bags, whether small or jumbo/totes are sealed and properly labeled they may be purchased and resold as long as the seed and the container remain in condition and unopened. If, however, one is purchasing unlabeled seed in bags, then that seed would essentially be moved as bulk, then properly labeled for retail. It is expected that each bag or container would be identified by a lot number and a statement such as "not labeled for retail sale" until properly labeled.

There are instances where a "two-tag" system is used. Here the certifier labels the bags or container with the certification information on an official label, and the ultimate retailer applies the seed analysis label.



Wholesale Bulk Seed (purchase with intent to retail)

For **in-state wholesale seed** (seed received via a Transfer or Resale) a **Transfer or Resale of Kansas Certified Seed in Bulk** must be completed and submitted to KCIA within 5 business days. This is essentially the label for the seed of interest. This transfers to the purchaser the certification and the right to label that seed represented by the form.

Out-of-State wholesale seed coming into Kansas and seeking a Kansas label needs a sign-off by the exporting state agency as proof that the seed does indeed exist and is certifiable. Out-of-state seed that has passed field inspection but has not yet completed certification in the state of origin, and for which a Kansas label is desired must use a **Transfer of Seed Pending Certification In Another State**. Most agencies have a similar form that will be accepted by KCIA.

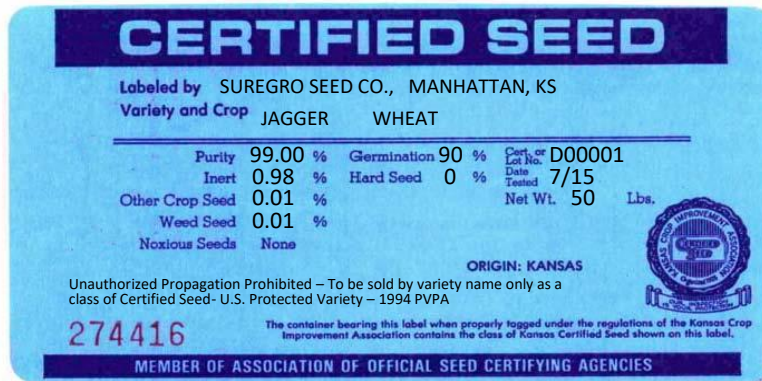
Seed certified by another state but seeking a Kansas label must enter the state using the **Transfer of Seed Certified by Another State Pending Certification in Kansas** form. Remember that although Kansas recognizes other state's certification, we require a larger seed sample for weed analysis than other states and therefore will require a ten-pound sample per 5000 bushel of seed just as with any other Kansas certified seed.

Any required testing for completion of certification or to meet labeling requirements must be completed and the seed then properly labeled for retail sale.

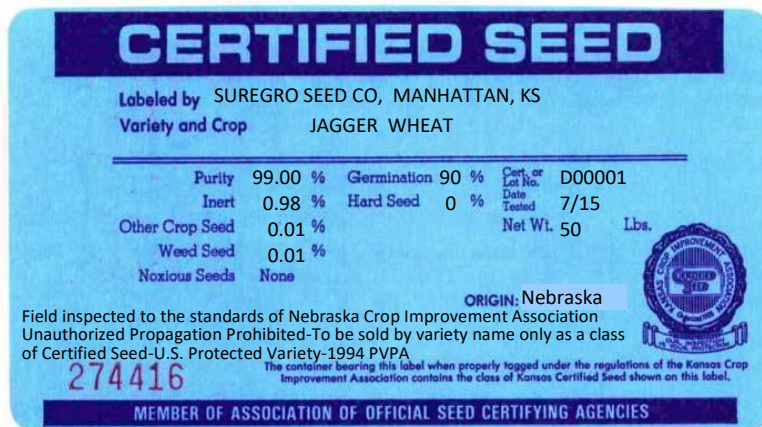
Retail Bagged Seed Sales

Seed is properly bagged when it is sealed and labeled in such a way that the bag cannot be opened and reclosed without showing signs of tampering. It is to be sold as a unit. Bagged seed may be in the form of the typical paper seed bag, or the jumbo/tote bag.

Generally, a self-adhesive combination (contains both certification and mechanical information) label is used on bags. For jumbo/totes, KCIA supplies jumbo kits that consist of blue cable ties for sealing and card stock to which the self-adhesive label is applied. Another means of applying a label to a jumbo/tote is to attach the label to the pallet sheet and staple the pallet sheet inside the pouch on the jumbo/tote.



All labels must list the **state of origin** of the seed, or in other words, the state in which the seed was produced. As an example, if seed came into Kansas from Nebraska, then the origin in Nebraska. If KCIA performed the seed analysis so as to issue Kansas Certified seed labels, then the statements:



This is called an "inter-agency" certification and is one way certification agencies of different states cooperate with each other.

Retail Bulk Seed Sales

Bulk Kansas certified seed may be sold using the Bulk Retail Sale Certificate or a Bulk Invoice Label.

Bulk retail sale certificates are generally distributed to seed sellers by KCIA in a partially completed format (we call them "blank certificates"), with the seller completing the details at the time of retail sale. Since KCIA is obligated to track all partially completed labels it distributes, the bulk certificate has three copies, with the original going to the buyer, the second copy returned to KCIA and the final copy remaining with the seed seller.

SAMPLE FOR REFERENCE USE ONLY

When ordering "blank" certificates, your name and address are preprinted, and you may request the seed analysis to be printed also. Below, the yellow and red items are those which must be completed by you to make a complete label according to seed law and certification standards when blank certificates are ordered with the analysis preprinted. For your convenience, class and type (i.e. wheat) may be preprinted also.

KANSAS CERTIFIED SEED

BULK RETAIL SALE CERTIFICATE

The rules of The Kansas Crop Improvement Association provide that the foundation, registered and certified class of **WHEAT, OATS, BARLEY, RYE and SOYBEANS** may be sold in bulk and certification retained. The certification of the seed designated below will be void if this seed is resold.

Labeled By _____ Seed Labeler's Name – Town, State

| Class, Variety, & Crop | Class of Seed Sold, | Variety Name, | Wheat |
|------------------------|---------------------|---------------|------------------------------------|
| Purity | 99.00 % | Germination | 90 % |
| Inert | 0.98 % | Hard seed | 0 % |
| Other Crop Seed | 0.01 % | AMOUNT | _____ [] bushels |
| Weed Seed | 0.01 % | ORIGIN: | <i>State of origin, Usually KS</i> |
| Noxious Weeds | NONE | This seed is: | [] TREATED [] UNTREATED |

Check all appropriate boxes

- 0 Not a Protected Variety.
- 1 Unauthorized Propagation Prohibited - U.S. Variety Protection Applied For.
- 2 Unauthorized Propagation Prohibited - U.S. Variety Protection Applied For Specifying that Seed Of This Variety Is To Be Sold By Variety Name Only As A Class Of Certified Seed.
- 3 Unauthorized Propagation Prohibited - U.S. Protected Variety.
- 4 Unauthorized Propagation Prohibited - To Be Sold By Variety Name Only As A Class Of Certified Seed - U.S. Protected Variety.
- 5 Unauthorized Propagation Prohibited - U.S. Protected Variety - 1994 PVPA.
- 6 Unauthorized Propagation Prohibited - To Be Sold By Variety Name Only As A Class Of Certified Seed - U.S. Protected Variety - 1994 PVPA.

Sold To Enter either the customer's name or you may use an account number traceable by you

name address

Condition of container in which this seed was placed: [] clean [] contaminated [] unknown

Use this area to note factors that may affect seed quality such as "customer's truck" or "delivered by us" and check off the condition of the conveyance at the right.

Comment _____

The seller gives no warranty, expressed or implied as to productiveness of this seed and will not be responsible for the crop in any way. Liability is limited to the purchase price of the seed.

By signing below, I agree that this Certificate is evidence of the seed transaction stated.


Date Date of Sale Signed Facility Representative's Signature Signed Not required, but recommended

Seller Buyer or Buyer's Agent

The Kansas Crop Improvement Association makes no warranty of any kind, expressly or implied, including merchantability or fitness for purpose, or otherwise, which extends beyond the certification that the seed inspected met the regulations of the agency. **This certificate is void if not dated within nine months of the "Date Tested" shown above.**

Original(top) copy to buyer
Second copy to KCIA Office
Yellow copy to seller

The buyer or his/her agent, receives the original (top) copy, KCIA must receive the second copy and the yellow copy is retained for the labeler's records



Document – Bulk Retail Sale Certificate Version 8-12-14 Page 1 of 1 Effective 8-12-14 Printed 9/11/2014 © 2007 Kansas Crop Improvement Association

Bulk Invoice labels are the equivalent of a self-adhesive bag label minus the weight. *The absence of the weight, of course makes it an incomplete label until it is attached to an invoice or a scale ticket listing the variety and the weight.*

CERTIFIED SEED

Labeled By: BULK RETAIL INC, SOMEWHERE, KS
Variety: 2137 WHEAT

| | | | | | |
|------------------|--------|--------------|------|---------------|---------------------------|
| Purity: | 99.00% | Germination: | 90 % | Cert./Lot No: | 14-90686 |
| Inert: | 0.98% | Hard Seed: | 0.0% | Date Tested: | 0714 |
| Other Crop Seed: | 0.01% | | | | |
| Weed Seed: | 0.01% | | | ORIGIN: | Kansas |
| Noxious Seeds: | NONE | | | This seed is: | [] Treated [X] Untreated |

Unauthorized Propagation Prohibited – To Be Sold By Variety Name Only As A Class Of Certified Seed – U.S. Protected Variety – 1994 PVPA.

The container bearing this label when properly tagged under the regulations of the Kansas Crop Improvement Association contains the class of Kansas Certified Seed shown on this label.

MEMBER OF ASSOCIATION OF OFFICIAL SEED CERTIFYING AGENCIES

One advantage of the bulk invoice label over the bulk retail sale certificate is that it is simply peeled off and applied to the invoice at time of sale, rather than needing to be completed at time of sale. The advantages of the bulk certificate on the other hand, is that they can be completed for any variety and until information such as certification number and test date is entered, they do not expire.

Labeling requirements and procedures can of course be found in your standards and procedures binder, or on our website www.kscrop.org under “Standards”.

Labeling is what distinguishes legal seed sales from the illegal brown bagging of grain by unscrupulous persons. Labels are a written guarantee to the farmer that all reasonable steps have been taken to give him or her the best seed available of the variety selected. A label is the mark of a professional seedsman.

More detailed information on labeling can be found at www.kscrop.org>Resources>Forms and Manuals.

Remember, you are required to give a label to your customer even if the customer doesn't want the label. You are the one who will be held liable for failing to comply with the labeling laws.

Contact the KCIA office to order documents, labels and wholesale forms.

Labeling Blends

There are no certified blends, only blends of certified varieties. Blending is done only after all components have completed certification. All components of a blend must be certified. You cannot blend certified seed wheat, for instance, with non-certified seed wheat. The owner/developer of a variety may restrict that variety's use in a blend although most have not.

A blend implies that the components have been mixed, or blended, to uniformity. A blend is not the same as selling a farmer three different varieties and dumping all three in the truck, which is better described as co-mingling.

Seed law dictates that all components of a blend greater than 5% be listed on the label in descending order of amount present in the blend. Ideally, a seed quality analysis should be done on the blend, but in lieu of that, the most restrictive value for each component is used for the final label.

For example, let's say we have a three-component blend. Of the three, the lowest germination percentage is 89. The highest inert of the three is 0.98, highest other crop is 0.20; highest weed is 0.0, and none for noxious weed seed. Then these would make up your blend analysis.

Since our certification standards require a Plant Variety Protection statement, we usually put the most restrictive of the three. For example, if two components are level 2 and one is level six, we feel it is appropriate to put level 6 on the label.

Based on the above then, the label, bulk retail certificate, bulk invoice label, transfer or resale form, or whatever, will list the variety as:

Class; highest % variety name; second highest % variety name; third highest % variety name; the word "Blend" and Type

So, if we had a 34%, 33%, 33% blend of three certified wheat varieties the label would read:

34% Variety 1 33% Variety 2 33% Variety 3 Blend Wheat

If one or more components of the blend were produced in another state, all states of origin are listed. If one or more components of the blend were certified by another state, all agencies involved are listed.

Origin: KS and NE

Kansas seed field inspected by Kansas Crop Improvement Association, Nebraska seed field inspected by Nebraska Crop Improvement Association. All seed tested by Kansas Crop Improvement Association.

Or, a similar descriptive statement.

The rest of the label is completed as any other.