

Title 7
AGRICULTURE AND ANIMALS
Part XIII. Seeds

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Title 7
AGRICULTURE AND ANIMALS
Part XIII. Seeds

Chapter 1. General Provisions

**Subchapter A. Definitions;
Administrative Matters**

§101. Definitions

A. The definitions in R.S. 3:1431 and the following definitions are applicable to this Part.

Coated Seed—any seed unit covered with any substance that changes the size, shape, or weight of the original seed. Seeds coated with ingredients such as, but not limited to, rhizobia, dyes, and pesticides that do not significantly change the size, shape, or weight of the original seed are excluded.

Declaration—a written statement of a grower, shipper, processor, dealer, or importer, given for any lot of seed the kind, variety, type, origin, or the use for which the seed is intended.

Hermetically Sealed Container—seed containers that meet the requirements of Part 201; §201.36c of the USDA Federal Seed Act Regulations. See 7 CFR 201.36c.

Hybrid Seed Corn (as applied to field corn, sweet corn, or popcorn)—the first generation seed of a cross produced by controlling the pollination, and by combining two, three, or four inbred lines, or by combining one inbred or a single cross with an open pollinated variety. Hybrid designations shall be treated as variety names.

LAES—Louisiana Agricultural Experiment Station.

LDAF—Louisiana Department of Agriculture and Forestry.

Processing—cleaning, scarifying or blending to obtain uniform quality and other operations which would change the purity or germination of the seed and, therefore require retesting to determine the quality of the seed, but does not include operations such as packaging, labeling, blending together of uniform lots of the same kind or variety without cleaning, any of which would not require retesting to determine the quality of the seed.

Prohibited Noxious Weed Seed—the seeds of weeds that not only reproduce by seed, but also spread underground roots or stems, and which, when established, are highly destructive and difficult to control in the state by ordinary good cultural practices. These seeds are prohibited from being present in agricultural, vegetable, flower, tree, or shrub seed, or from being sold as a labeled seed kind.

Registered Seed Technologist—as applied in these regulations, means a seed technologist who has attained registered membership in the Society of Commercial Seed Technologists (society) through qualifying tests and experiences as required by the society.

Restricted Noxious Weed Seed—seeds of such weeds as are very objectionable in fields, lawns or gardens of this state, but can be controlled by good cultural practices.

Seed Gathered in Elevators—seed gathered in elevators or other establishments to be sold for planting purposes by farmers or other persons who are subject to the provisions of the Seed Law or the rules and regulations in this Part.

Seed Law—R.S. 3:1431 et seq.

Treated—given an application of a substance or subjected to a process designed to reduce, control or repel disease organisms, insects or other pests which attack seeds or seedlings growing therefrom.

B. The terms defined in R.S. 3:1431 and in this Section have the meaning herein given to them, except where a rule or regulation or the context expressly indicates otherwise.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 36:1220 (June 2010), LR 37:270 (January 2011), LR 39:1757 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2702 (October 2013), amended LR 40:744 (April 2014), amended LR 44:1851 (October 2018).

§103. Request for Adoption, Amendment, or Repeal of a Rule

A. Any interested person may, pursuant to R.S. 49:953(C), request the commission to adopt, amend, or repeal a rule (rule change) that the commission has the authority to make.

B. A request for a rule change shall be in writing and shall contain the following information:

1. a draft of the proposed wording of the requested rule change or a statement detailing the content of the requested rule change;

2. the name, address, telephone number, fax number and e-mail address of the requesting party.

C. The request for a rule change shall be addressed to the commission and shall be mailed or delivered to 5825 Florida Boulevard, Baton Rouge, LA 70806.

D. The commission shall consider the request as follows:

1. A request for rule change shall be considered by the commission within a reasonable time, not to exceed 90 days, unless the requesting party consents to the matter being deferred for a longer period of time.

2. Notice of the meeting at which the request is to be considered shall be provided to the person submitting the request.

3. Failure of the requesting party to attend the meeting for purposes of discussing the proposed rule change may be cause for the request to be denied by the commission.

4. The request, with the consent of the requesting party, may be taken under consideration or action deferred.

a. If the matter is taken under consideration or action is deferred then it will be taken up and acted upon at the next regularly scheduled meeting of the commission or at a special meeting of the commission to be held before the next regularly scheduled meeting, as agreed upon between the requesting party and the commission.

E. Any decision by the commission shall be in writing and shall state the reasons for the denial or action being taken. Such notice may be delivered by hand, mail, electronically or by any other means reasonably assured to provide notice to the requesting party.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 49:953(C).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 39:1763 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2703 (October 2013), amended LR 40:744 (April 2014).

§105. Procedure for Declaratory Orders and Rulings

A. This rule provides for the filing and prompt disposition of requests for declaratory orders and rulings as to the applicability of any statutory provision or as to the applicability of any rule or order of the commission, as required by R.S. 49:962 and 49:963(D).

B. A request for a declaratory order or ruling shall be in writing and shall contain the following information:

1. a citation to the specific statutory provision, rule or order that will be the subject of the declaratory order or ruling;

2. a concise statement of why the declaratory order or ruling is being requested;

3. a list of all persons that the requesting party may call to testify and a list of all documents that may be submitted as evidence, if a hearing is called to take evidence;

4. the name, address, telephone number, fax number and e-mail address of the requesting party, either printed or written in legible form.

C. The request for a declaratory order or ruling shall be addressed to the commission and shall be mailed or delivered to 5825 Florida Boulevard, Baton Rouge, LA 70806.

D. The commission shall consider the request as follows.

1. The request shall be considered by the commission within a reasonable time, not to exceed 90 days, unless the requesting party consents to the matter being deferred for a longer period of time.

2. Notice of the meeting at which the request is to be considered shall be provided to the person submitting the request.

3. Failure of the requesting party, after notice, to attend any hearing or meeting regarding the request may be cause for the request to be denied.

4. The request, with the consent of the requesting party, may be taken under consideration or action deferred by the commission. If the matter is taken under consideration or action is deferred then it will be taken up and acted upon at the next regularly scheduled meeting of the commission or at a special meeting of the commission to be held before the next regularly scheduled meeting, as agreed upon between the requesting party and the commission.

E. The commission’s decision shall be sent to the requesting party either by certified mail, return receipt requested; hand delivery; or commercial courier.

F. Failure of the requesting party, after notice, to attend any hearing or meeting regarding the request may be cause for the request to be denied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433, R.S. 49:962 and R.S. 49:963(D).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 39:1763 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2703 (October 2013), amended LR 40:744 (April 2014).

§109. List of Noxious Weeds and Limitations on Noxious Weed Seed

A. The weeds listed in the following table are designated as noxious weeds. The seed of any noxious weed is permitted to be in seed sold, distributed, or offered or handled for sale only as provided in the limitation column of the table, except as otherwise provided in Subsection B. There is no tolerance applied to noxious weeds listed as prohibited.

List of Noxious Weeds and Seed Limitations	
Name	Limitations
1. Balloon Vine (<i>Cardiospermum halicacabum</i>)	Prohibited
2. Field Bindweed (<i>Convolvulus arvensis</i>)	Prohibited
3. Hedge Bindweed (<i>Calystegia sepium</i>)	Prohibited
4. Itchgrass (<i>Rottboellia cochinchinensis</i>)	Prohibited
5. Yellow Nutsedge (<i>Cyperus esculentus</i>)	Prohibited

List of Noxious Weeds and Seed Limitations	
Name	Limitations
6. Purple Nutsedge (Cyperus rotundus)	Prohibited
7. Tropical Soda Apple (Solanum viarum)	Prohibited
8. Cocklebur (Xanthium spp.)	5 per lb.
9. Spearhead; Beaksedge (Rhynchospora spp.)	5 per lb.
10. Purple Moonflower (Ipomoea turbinata)	9 per lb.
11. Red Rice (Oryza sativa)	9 per lb.
12. Wild Onion and/or Wild Garlic (Allium spp.)	9 per lb.
13. Morning Glory (Ipomoea spp.)	18 per lb.
14. Wild Poinsettia (Euphorbia davidii)	18 per lb.
15. Canada Thistle (Cirsium arvense)	100 per lb.
16. Dock (Rumex spp.)	100 per lb.
17. Dodder (Cuscuta spp.)	100 per lb.
18. Horsenettle (Solanum carolinense)	100 per lb.
19. Johnsongrass (Sorghum halepense)	100 per lb.
20. Quackgrass (Elymus repens)	100 per lb.
21. Russian Knapweed (Rhaponticum repens)	100 per lb.
22. Sheep Sorrel (Rumex acetosella)	100 per lb.
23. Silverleaf Nightshade (Solanum elaeagnifolium)	100 per lb.
24. Wild Mustard and Wild Turnips (Brassica spp. and Sinapis spp.)	100 per lb.
25. Blueweed, Texas (Helianthus ciliaris)	200 per lb.
26. Bermudagrass (Cynodon dactylon)	300 per lb.
27. Buckhorn Plantain (Plantago lanceolata)	300 per lb.
28. Cheat (Bromus secalinus)	300 per lb.
29. Corncockle (Agrostemma githago)	300 per lb.
30. Darnel; Poison Ryegrass (Lolium temulentum)	300 per lb.
31. Hairy Chess (Bromus commutatus)	300 per lb.
32. Hemp Sesbania, Coffeebean, Tall Indigo (Sesbania exaltata)	300 per lb.
33. Indian Jointvetch (Aeschynomene indica)	300 per lb.
34. Mexicanweed (Caperonia castaneifolia)	300 per lb.
Sum of Total Noxious Weed	500 per lb.
(Subject to limitations above)	

B. If the noxious weed or weed seed restrictions set out in Chapter 7 of this Part for a field or seed being certified is more restrictive than the limitations in the table in Section A or if any of those rules and regulations provides for limitations on weeds not listed in the table then the rules and regulations in Chapter 7 for that specific crop kind or variety supersedes the limitations listed in the table.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended LR 5:96 (May 1979), LR 7:285 (June 1981), LR 8:563 (November 1982), LR 9:197, 206 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 14:605 (September 1988), LR 23:1282 (October 1997), amended by the Department of Agriculture and Forestry, Office of the Commissioner, Seed Commission, LR 30:199 (February 2004), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2704 (October 2013), amended LR 40:744 (April 2014), LR 43:1895 (October 2017), LR 44:1851 (October 2018).

Subchapter B. Fees

§121. License Fee; Laboratory and Sampling Fees

A. Seed Dealer's License. The annual fee for a seed dealer's license shall be \$150. The seed dealer's license shall be renewed annually, and is based on the fiscal year July 1 through June 30.

B. Laboratory and Sampling Fees. The following laboratory and sampling fees shall be applicable to all seed testing conducted by LDAF.

1. Purity and Germination Examinations Using Association of Official Seed Analysts (AOSA), Canadian, International Seed Testing Association (ISTA) or Federal Seed Act (FSA) Testing Procedures

Seed Kind (1,2)	Purity (3,4)	Germination (4)	Tetrazolium Viability
Alfalfa	\$10.00	\$10.00	\$25.00
Arugula	\$10.00	\$10.00	\$25.00
Asparagus	\$10.00	\$10.00	\$25.00
Bahiagrass	\$20.00	\$20.00	\$25.00
Basil, Sweet	\$10.00	\$10.00	\$25.00
Bean	\$10.00	\$10.00	\$25.00
Beet	\$10.00	\$10.00	\$25.00
Bentgrass	\$20.00	\$20.00	\$25.00
Bermudagrass	\$20.00	\$20.00	\$25.00
Bluegrass	\$20.00	\$20.00	\$25.00
Broccoli	\$10.00	\$10.00	\$25.00
Brussels Sprouts	\$10.00	\$10.00	\$25.00
Buckwheat	\$10.00	\$10.00	\$25.00
Cabbage	\$10.00	\$10.00	\$25.00
Cantaloupe	\$10.00	\$10.00	\$25.00
Carpetgrass	\$20.00	\$20.00	\$25.00
Carrot	\$10.00	\$10.00	\$25.00
Cauliflower	\$10.00	\$10.00	\$25.00
Celery	\$10.00	\$10.00	\$25.00
Centipede grass	\$20.00	\$20.00	\$25.00
Chicory	\$10.00	\$10.00	\$25.00
Chives	\$10.00	\$10.00	\$25.00
Chufa	\$10.00	\$10.00	\$25.00
Clover	\$10.00	\$10.00	\$25.00
Collards	\$10.00	\$10.00	\$25.00
Coriander	\$10.00	\$10.00	\$25.00
Corn	\$10.00	\$10.00	\$25.00
Corn salad	\$10.00	\$10.00	\$25.00
Cotton	\$10.00	\$10.00	\$25.00
Cucumber	\$10.00	\$10.00	\$25.00
Dill	\$10.00	\$10.00	\$25.00
Eggplant	\$10.00	\$10.00	\$25.00
Endive	\$10.00	\$10.00	\$25.00
Fescue	\$20.00	\$20.00	\$25.00
Gourd	\$10.00	\$10.00	\$25.00
Greens	\$10.00	\$10.00	\$25.00
Herb	\$10.00	\$10.00	\$25.00
Kale	\$10.00	\$10.00	\$25.00
Kohlrabi	\$10.00	\$10.00	\$25.00
Lab Lab	\$10.00	\$10.00	\$25.00
Leek	\$10.00	\$10.00	\$25.00
Lespedeza	\$10.00	\$10.00	\$25.00
Lettuce	\$10.00	\$10.00	\$25.00
Melon	\$10.00	\$10.00	\$25.00
Millet	\$10.00	\$10.00	\$25.00
Mustard	\$10.00	\$10.00	\$25.00
Oats	\$10.00	\$10.00	\$25.00

Seed Kind (1,2)	Purity (3,4)	Germination (4)	Tetrazolium Viability
Onion	\$10.00	\$10.00	\$25.00
Orchardgrass	\$20.00	\$20.00	\$25.00
Pak-choi	\$10.00	\$10.00	\$25.00
Parsley	\$10.00	\$10.00	\$25.00
Peanut	\$10.00	\$10.00	\$25.00
Peas	\$10.00	\$10.00	\$25.00
Pepper	\$10.00	\$10.00	\$25.00
Pine	\$10.00	\$10.00	\$25.00
Plantain	\$10.00	\$10.00	\$25.00
Pumpkin	\$10.00	\$10.00	\$25.00
Radish	\$10.00	\$10.00	\$25.00
Rape	\$10.00	\$10.00	\$25.00
Rice	\$10.00	\$10.00	\$25.00
Rutabaga	\$10.00	\$10.00	\$25.00
Rye	\$10.00	\$10.00	\$25.00
Ryegrass	\$20.00	\$20.00	\$25.00
Sage	\$10.00	\$10.00	\$25.00
Sorghum	\$10.00	\$10.00	\$25.00
Soybeans	\$10.00	\$10.00	\$25.00
Spinach	\$10.00	\$10.00	\$25.00
Squash	\$10.00	\$10.00	\$25.00
Sunflower	\$10.00	\$10.00	\$25.00
Thyme	\$10.00	\$10.00	\$25.00
Timothy	\$20.00	\$20.00	\$25.00
Tomato	\$10.00	\$10.00	\$25.00
Triticale	\$10.00	\$10.00	\$25.00
Turnip	\$10.00	\$10.00	\$25.00
Vetch	\$10.00	\$10.00	\$25.00
Watermelon	\$10.00	\$10.00	\$25.00
Wheat	\$10.00	\$10.00	\$25.00
Zoysiagrass	\$20.00	\$20.00	\$25.00
Zucchini	\$10.00	\$10.00	\$25.00

(1) Samples of seeds that are unclean, field run or containing high inert matter shall be charged an additional \$10.00 per sample.

(2) Fees for tests on seed kinds not listed shall be based on the cost of a kind with a similar test.

(3) Louisiana Noxious Weed Seed Examination included in Purity Exam.

(4) For germination tests of mixtures of two or more kinds of seed, the fee is the sum of the fees established for germination tests for the components of the mixture. For a purity analysis performed in conjunction with a germination analysis of seed mixtures, the fee is the same as for that component of the mixture for which the highest charge would be made if separately analyzed. For purity analysis not performed in conjunction with a germination analysis the fee is the sum of the fees established for the purity tests for the components of the mixture if separately analyzed.

2. All State Noxious Weed Seed Examination—\$20. Species appearing on the USDA state noxious-weed seed requirements recognized in the administration of the FSA, reported as number found and rate per unit weight.

NOTE: Excludes AK and HI noxious weed seeds, *Orbanche* spp., *Phelipanche* spp., and *Striga* spp., which can be determined by request for an additional hourly fee.

3. Seed Count—\$10. Used to determine the number of seed per lb. or kg.

4. Seed Vigor Test—\$20. Including, but not limited to, accelerated aging and cool germination tests.

5. Varietal Purity—\$20. Including, but not limited to, seed and seedling morphology and fluorescence tests.

6. Red Rice Examination, 4 lb.—\$10; 8 lb.—\$20. Examination of rice sample for the presence of red rice.

7. Herbicide Bioassay—\$25.

8. Bulk Examination—Hourly Fee. Based on complexity of required examination. Examination conducted to determine the occurrence of particular components, including seeds of individual species or particles of specific inert matter (e.g. soil, ergot, sclerotia) in the sample.

9. Service Sample taken by LDAF Inspector—\$15. Sample taken in accordance with the AOSA or FSA seed sampling procedures.

10. Priority Rush Sample—\$25. A priority rush may be requested by the person submitting a sample for testing. Priority rush samples will be processed immediately upon receipt of sample; however, availability of sample results will depend upon the seed kind and the type of tests requested.

11. Hourly Fee—\$50. Applies to especially contaminated or extraordinary samples; also used for custom work such as sample preparation and special bulk samples. Total final cost to be negotiated and agreed upon by both parties prior to work being performed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended LR 7:164 (April 1981), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 14:603 (September 1988), LR 29:2632 (December 2003), LR 36:1220 (June 2010), LR 37:1373 (May 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2704 (October 2013), amended LR 40:745 (April 2014), LR 41:911 (May 2015), LR 42:211 (February 2016), LR 43:1896 (October 2017).

§123. Regulatory Fee on Seeds

A. A regulatory fee of \$0.30 for each 100 pounds of agricultural and vegetable seed sold, within this state shall be paid to the commission. The regulatory fee shall be due at the first point of sale in this state. However, the payment of a regulatory fee is not required upon the sale of Louisiana certified tagged seed upon which the regulatory fee has already been paid.

B. All seed dealers shall maintain accurate and legible records for all seeds sold, distributed, or offered or handled for sale in this state. These records shall include the following information for each lot of seed:

1. any identification of each lot;
2. the kind and variety of seed in the lot;
3. the number of pounds of seed in the lot; and
4. for each lot sold or distributed, the invoice number, weight, lot number, number of containers, and name of the person receiving the seed.

C. Each seed dealer shall file a quarterly report with LDAF on a form approved by the commission and submit the regulatory fees collected during that quarter.

1. The reports shall cover the following periods:
 - a. 1st quarter—July, August, September;
 - b. 2nd quarter—October, November, December;
 - c. 3rd quarter—January, February, March;
 - d. 4th quarter—April, May, June.

2. Reports and fees shall be filed with LDAF no later than 30 days following the end of each quarter. If a seed dealer has no sales during the quarterly reporting period the LDAF must be notified accordingly.

D. LDAF may assess a 10 percent additional charge as a late payment for failure to timely pay any regulatory fee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Seed Commission, LR 14:603 (September 1988), amended LR 29:2632 (December 2003), LR 38:1558 (July 2012), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2704 (October 2013), amended LR 40:745 (April 2014), LR 42:211 (February 2016), LR 52:347 (March 2026).

§125. Certification, Field Inspection, and Sampling Fees

A. All fees shall be paid before the requested work is performed, as follows.

1. All application fees and fees for inspections, re-inspections, sampling and re-sampling shall be paid at the time the application or request for work is submitted to LDAF, except for those crop kinds where the fee is based on an hourly rate and mileage.

2. Fees for certification of seeds by laboratory analysis shall be paid prior to submission of the certified sample to the State Seed Testing Laboratory.

3. Requests for different payment arrangements shall be made to and must be approved by the director or assistant director.

B. Application Fees

1. The application fee for certification for each producer shall be \$28 for each variety with only one variety per application if the application is timely submitted.

2. The application fee for certification shall be \$100 for each application submitted after the deadline shown in §509 of this Part.

C. Field inspection fees shall be charged as follows:

1. all crop, grass, and other seeds not listed in this Section—\$1.15 per acre;

2. for the following species, California bulrush, sea oats, and smooth cordgrass:

- a. an hourly fee of \$25 per hour per inspector for each inspection; and
- b. mileage for travel to and from inspection location at the mileage reimbursement rate established by the Division of Administration’s state travel regulations;
3. rice—\$1.15 per acre;
4. small grains—\$1.15 per acre;
5. sugarcane—\$3 per acre;
6. sweet potato:
 - a. field inspection—\$2.25 per acre;
 - b. greenhouse and seedbed inspections—\$62.50 per crop year;
 - c. seed storage inspection:
 - i. a fee of \$25 per hour, per inspector for each seed sweet potato storage inspection, and
 - ii. mileage for travel to and from the inspection location mileage reimbursement rate established by the Division of Administration’s state travel regulations.

7. turf and pasture grass—\$31.25 per acre.

D. Reinspection fees—\$50 for each re-inspection.

E. Fees for phytosanitary inspections—\$1.15 per acre.

F. Fees for resampling certified seed—\$30 for each re-sample.

G. Fees for bulk sampling—\$30 for each bulk sample by vacuum probe.

H. Seed Certification Fees

1. Fees for certified seed shall be 16 cents per weight unit and be calculated on the total weight units in the certifiable lot. The number of weight units for a particular lot of seed shall be reported when the certified sample is taken.

a. The weight unit for all seeds is 50 pounds except for rice which has a weight unit of 100 pounds.

b. A person who sells, distributes, or offers for sale certified seed in Louisiana and who has paid certification fees for a particular lot of seed may request a partial refund, not to exceed 70 percent on the unsold portion of the certified lot.

c. A person requesting a refund must submit a written request, along with all unused tags from the certified lot, within nine months of the certified test date, stating:

- i. the lot number for the seed that the request is being made;
- ii. the number of weight units sold from the certified lot; and
- iii. the number of weight units partitioned for refund from the certified lot.

d. A request for a refund shall be approved upon verification of the unused tags and information submitted with the request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 10:495 (July, 1984), amended by the Department of Agriculture and Forestry, Seed Commission, LR 12:825 (December 1986), LR 14:604 (September 1988), LR 16:847 (October 1990), LR 25:1617 (September 1999), LR 26:235 (February 2000), LR 29:2632 (December 2003), LR 31:420 (February 2005), LR 31:1511 (July 2005), LR 34:2339 (November 2008), LR 37:2979 (October 2011), LR 38:1558 (July 2012), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2705 (October 2013), amended LR 40:745 (April 2014).

§§127-129. Reserved.

Subchapter C. Labels; Records; Samples; Tolerances; Standards; Noxious Weed Seed

§131. Analysis Test; Labeling of Seed

A. Every person whose name appears on the label of seed, except persons exempt pursuant to the authority of R.S. 3:1445, and who sells, transports, distributes, or offers or handles for sale agricultural, or vegetable, shall have a complete analysis test performed on the seed by a registered seed technologist or an official state seed analyst prior to the seed being sold, distributed or offered or handled for sale in Louisiana.

B. Information required to be shown on the label by R.S. 3:1436 or this Part shall be in the English language and in type that is no smaller than eight point.

C. Seed treated with a mercurial or similarly toxic substance that is harmful to humans or other vertebrate animals, if any residue remains in or on the seed, shall be labeled in type no smaller than eight points and shall be in red letters on a distinctly contrasting background. In addition, the label shall show a representation of a skull and crossbones using at least 16 point type.

D. Seed treated with a substance harmful to humans or other vertebrate animals, other than a mercurial or similarly toxic substance, and which is in containers of four ounces or less does not need to contain a cautionary statement on the label.

E. The following substances shall not be deemed harmful if present at a rate less than the number of parts per million (ppm) indicated:

1. allethrin, 2ppm;
2. malathion, 8ppm;
3. methoxychlor, 2ppm: piperonyl butoxide, 8ppm on oat and sorghum and 20ppm on all other seeds; and

4. pyrethrins, 1ppm on oat and sorghum and 3ppm on all other seeds.

F. Seeds labeled "foundation seed," "registered seed" or "certified seed," shall not be sold, distributed, or offered or handled for sale in this state unless the seed has been produced and labeled in compliance with this Part and the procedures and protocols of a seed certifying agency approved by the commissioner.

G. When more than one component is required to be named on the label, the word "mixture" or the word "mixed" shall be shown conspicuously on the label.

H. The label on hybrid corn shall show the state where grown.

I. The name and kind of variety of seed shall not be abbreviated on the label, but shall be written out in full, except in the case of annual and perennial ryegrass where "ann." or "per." may be used for the terms "annual" and "perennial".

J. Germination Test Date Period

1. No seed shall be sold or offered for sale more than nine months, exclusive of the month of testing, after the date on any germination label applicable to the seed or seed lot.

2. For all vegetable seed packaged in hermetically sealed containers, this period shall be extended to 24 months, exclusive of the month of testing.

3. For all vegetable seed containers of one pound or less that are labeled with "packed for year", the period shall not exceed the calendar year stated on the package for which the seed was packed for sale. Seed packages labeled in this manner shall not be sold or offered for sale prior to the year for which they were packaged.

K. Relabeling of Seed Lots with Expired Test Dates

1. The owner or distributor of the seed shall be responsible for relabeling the seed after expiration of the germination test date period to state the new germination percentage, if applicable and germination test date after the seed has been retested.

2. A new tag, label, relabeling sticker, or supplemental label shall be used to state the new germination test date.

3. If relabeling stickers or supplemental labels are used to update the germination information, the month and year of the new germination test date must be stated, as well as the lot number that matches the existing original lot number.

4. Supplemental labels shall be attached to, or in the immediate vicinity of the original label.

5. If the seed lot fails to meet label guarantees, the new germination percentage shall also be stated on the new tag, label, relabeling sticker, or supplemental label.

L. Coated Seed. Each package of coated seed shall have the following additional information stated on the front of each package using a minimum of eight point type. The

following required information shall be set forth in a clear and conspicuous manner:

1. the words “coated seed;”
2. a statement giving the maximum amount of coating material contained within the package;
3. a statement referring purchaser to the product label for additional information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and 3:1436.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 16:492 (June 1990), LR 37:270 (January 2011), LR 37:2979 (October 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2705 (October 2013), amended LR 40:746 (April 2014), LR 43:1897 (October 2017), LR 44:1852 (October 2018), LR 48:1745 (July 2022), effective January 1, 2023.

§133. Tag Requirements

A. The analysis tag shall carry the information required by the Louisiana Seed Law, R.S. 3:1431 et seq. using the example below as a labeling guideline.

Kind and Variety _____

Origin _____ Net Wt. _____ Lot No. _____

Pure Seed _____ Percent Germination _____ Percent _____

Inert Matter _____ Percent Hard Seed _____ Percent _____

Crop Seed _____ Percent Total Germ and Hard Seed _____ Percent

Weed Seed _____ Percent Date of Test _____

Name and No. of Noxious Weed Seed per lb. _____

Name _____

Address _____

B. Tags for certified seed, foundation seed or registered seed shall be adopted by the certifying agency, approved by the commissioner and meet the requirements of the Louisiana Seed Law.

C. All information required on the seed analysis tag or label shall be placed on one side of the tag or label without intervening matter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1436 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2706 (October

2013), amended LR 40:746 (April 2014), LR 44:1852 (October 2018).

§135. Invoices and Records; Inspection of Records

A. Each person selling, distributing, or offering or handling for sale agricultural or vegetable seed shall keep for a period of three years complete records of each container or lot of seed sold, distributed, or offered or handled for sale by that person. Complete records shall, at a minimum, include the information required in §123.A.2 of this Part.

B. These records shall be accessible for inspection by the commissioner, commissioner, or LDAF or their authorized agent at any time during customary business hours.

C. Trucks and other carriers transporting seed for delivery in this state shall have available for examination at any time a bill of lading, waybill or a delivery receipt showing:

1. the name of the shipper or party from whom purchased;
2. the name and address of the party to whom the seed is to be delivered;
3. the kind and amount of each separate lot of seed; and
4. the name of the truck line or owner and driver of the truck or other carrier transporting the seed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1435 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013), amended LR 40:747 (April 2014).

§137. Sampling

A. The manner of sampling and handling seed in the field and analyzing and testing seed in the laboratory, greenhouse and trial plots shall be the same as that recommended in the latest rules for testing seed adopted by the Association of Official Seed Analysts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1434 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013).

§139. Tolerances

A. Except as otherwise provided in this Section, the tolerances published in the latest rules and regulations for testing seed by the Association of Official Seed Analysts shall be applicable in the administration of the Louisiana Seed Law.

B. Germination Tolerances. The following tolerances, which are recognized by the Federal Seed Act, 7 USC 1551-1611, are adopted and are applicable to the percentage of germination and also to the sum of the germination plus the hard seed. Maximum tolerance values for comparing two 400-seed germination tests of the same or different submitted samples tested in the same or different laboratories.

Average Percent Germination		Tolerance*
A	B	C
99	2	2
97 - 98	3 - 4	3
94 - 96	5 - 7	4
91 - 93	8 - 10	5
87 - 90	11 - 14	6
82 - 86	15 - 19	7
76 - 81	20 - 25	8
70 - 75	26 - 31	9
60 - 69	32 - 41	10
51 - 59	42 - 50	11

*When only 200 seeds of mixtures are tested, 2 percent shall be added to the above germination tolerances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 33:1609 (August 2007), LR 34:2338 (November 2008), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013).

§141. Germination Standards for Vegetable Seed

A. Germination standards for vegetable seed shall be the same as those published under USDA Agricultural Marketing Service Federal Seed Act Regulations Part 201. Minimum germination, which shall also include hard seed, of vegetable or garden seed shall be as follows.

Seed Kind	Percent
Artichoke	60
Asparagus	70
Asparagus bean	75
Bean, garden	70
Bean, lima	70
Bean, runner	75
Beet	65
Broadbean	75
Broccoli	75
Brussels sprouts	70
Burdock, great	60
Cabbage	75
Cabbage, tronchuda	70
Cardoon	60
Carrot	55
Cauliflower	75
Celeriac	55
Celery	55
Chard, Swiss	65
Chicory	65
Chinese cabbage	75
Chives	50
Citron	65
Collards	80

Seed Kind	Percent
Corn, sweet	75
Cornsalad	70
Cowpea	75
Cress, garden	75
Cress, upland	60
Cress, water	40
Cucumber	80
Dandelion	60
Dill	60
Eggplant	60
Endive	70
Kale	75
Kale, Chinese	75
Kale, Siberian	75
Kohlrabi	75
Leek	60
Lettuce	80
Melon	75
Mustard, India	75
Mustard, spinach	75
Okra	50
Onion	70
Onion, Welsh	70
Pak-choi	75
Parsley	60
Parsnip	60
Pea	80
Pepper	55
Pumpkin	75
Radish	75
Rhubarb	60
Rutabaga	75
Sage	60
Salsify	75
Savory, summer	55
Sorrel	65
Soybean	75
Spinach	60
Spinach, New Zealand	40
Squash	75
Tomato	75
Tomato, husk	50
Turnip	80
Watermelon	70

B. The minimum germination standard for all other vegetable and garden seed, for which a standard has not been established, shall be 50 percent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013), LR 43:1897 (October 2017), LR 44:1852 (October 2018).

§143. Standards for Agricultural Seed

A. No agricultural seed shall be offered for sale if the germination percentage, including hard seed, is below 60 percent, except Dallisgrass. Dallisgrass shall not be offered for sale if the pure live seed percentage (purity times germination) is below 10 percent.

B. No agricultural and vegetable seed shall be sold, offered for sale or exposed for sale containing in excess of one percent of total weed seed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1444 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2708 (October 2013), LR 43:1898 (October 2017).

Chapter 3. Enforcement of Law and Regulations

§301. Acts which Constitute Violations

A. The following acts shall be considered as violations under the Seed Law or this Part:

1. selling, distributing, or offering or handling for sale any agricultural or vegetable seed without registering with the commissioner as a seed dealer or maintaining a seed dealer's license;

2. failing to timely file any required report or pay any required regulatory fee on agricultural or vegetable seed sold within or into Louisiana;

3. selling, distributing, offering or handling for sale, or transporting, unless exempted under R.S. 3:1445, any agricultural or vegetable seed within or into this state which is not labeled in accordance with the Seed Law or this Part;

4. selling, distributing, offering or handling for sale, or transporting except for common carriers exempted under R.S. 3:1445, within or into this state, any agricultural or vegetable seed that is:

- a. labeled in a false or misleading manner; or that is
- b. advertised in a false or misleading manner; or that
- c. contain conflicting labeling or label information;

5. failing to comply with a written stop order issued by an authorized agent of the commissioner, commission or LDAF;

6. failing to comply with labeling requirements when selling, distributing, or offering or handling for sale "treated" seed;

7. detaching, defacing, damaging, falsifying, altering or destroying any required label, certificate, seal, tape, test data, records or other documents provided for in the Seed Law or this Part unless any such action is performed by the ultimate consumer or end user of the seed after purchase by that person;

8. failing to keep accurate records or to make any such records available for inspection, as required by the Seed Law or this Part;

9. selling, distributing, or offering or handling for sale agricultural or vegetable seed as certified, registered or foundation class without being produced and labeled in compliance with the Seed Law or this Part;

10. representing a lot as "certified seed" without an official seed certifying agency label, tape, certificate or other approved documentation attached to or accompanying each container or shipment;

11. obstruct in any way the commissioner, the commission, LDAF or any of their authorized agents in the performance of their duties;

12. selling, distributing, offering or handling for sale, or transporting except for common carriers exempted under R.S. 3:1445, any agricultural or vegetable seed that has not been tested in accordance with the Seed Law or this Part;

13. using relabeling stickers or supplemental labels without having both the calendar month and year that the germination test was completed, and the lot number that exactly matches the original lot number;

14. failure of labeled seed to be within the limitations allowed or recognized tolerances of analysis on label;

15. failure to comply and obtain a written release of a stop order within the 30-day period required by R.S. 3:1440.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1444 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:567 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2708 (October 2013), amended LR 40:747 (April 2014), LR 44:1853 (October 2018).

Chapter 5. General Seed Certification Requirements

§501. Definitions also Applicable to this Chapter

Certification—the process by which official recognition is given to seeds produced under a limited generation system which ensures genetic purity and identity and a given minimum level of quality.

Clonally Propagated Plant—a plant that is duplicated or propagated as a plant clone from vegetative cuttings or plant divisions using one or more of an aerial stem, rhizome, stolon, leave, or root.

Germination—the percentage of seeds capable of producing normal seedlings under ordinarily favorable growing conditions.

Hybrid—one or more crosses of inbred lines of the same kind of seed.

Inbred Line—a relatively true-breeding strain resulting from at least five successive generations of controlled self-

fertilization or of backcrossing to a recurrent parent with selection, or its equivalent for specific characteristics.

Inert Matter—all matter not seeds, including pieces of broken and damaged seeds one-half or less than the original size, sterile florets, fungus bodies, stones and all matter considered as inert by the Association of Official Seed Analysts Rules for Testing Seeds.

Inseparable Seeds—seeds that are similar in size, shape and weight to the seed offered for certification, which are difficult to remove.

Isolation—the distance required between a crop or variety entered for certification and other plantings of the same crop or variety, not entered for certification, which are pollinating at the same time.

Kind—one or more related species singly or collectively known by one common name (examples: corn, beans, wheat).

Land Requirement—the period of time during which a field entered for certification cannot have grown or been seeded to the same species or variety except a certified class of the same species or variety which was equal to or superior to that of the species or variety entered for certification. If a field(s) is(are) entered for certification in the foundation class, only the foundation class of seeds could have been grown in that field during the time period specified.

Lot of Seed—a definite quantity of seeds identified by a lot number or mark, every portion or bag of which is uniform, within permitted tolerances, relative to the factors which appear in the labeling.

Noxious or Prohibited Weeds—all weeds designated as noxious or prohibited weeds under §109.

Off-Type (Mutations)—plants or seeds which deviate in one or more characteristics from the breeder description filed with LDAF.

Open-Pollination—pollination that occurs naturally as opposed to controlled pollination such as by detasseling cytoplasmic male sterility, self-incompatibility or similar processes.

Originator—a person, company, agent or institution developing a new variety of seed.

Other Weeds/Weed Seeds—all weeds and/or weed seeds which have not been designated as noxious weeds by the Commission.

Plant Clone—a genetically identical plant or plant material derived originally from a single ancestor individual over one or more vegetative generations.

Recertification—the official approval of a second or subsequent generation of a certified class of seed.

Roguing—the removal from the field of noxious weeds, off-type plants, varietal mixtures and any other plants producing seeds which are inseparable from seeds of the crop to be certified.

Species—plants designated by a common name and having common characteristics.

Unit of Certification—any clearly defined field(s) or portion(s) of a field entered for certification.

Variety—a subdivision of a kind, characterized by growth, plant, fruit, seed or other characteristics by which it can be differentiated from other seeds of the same kind.

Volunteer Plants—plants of a crop kind or species other than the crop being certified that are present in a field.

Weight Unit—unit of measure, designated by the Commission, based on the most common industry accepted packaging weight in pounds for a specific commodity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and 3:1436.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:564 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:642 (June 1994), LR 31:420 (February 2005), LR 37:2979 (October 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2709 (October 2013), amended LR 40:748 (April 2014).

§503. Classes of Seed

A. The following classes of seed are recognized for purposes of this Chapter.

1. *Breeder Seed (White Tag)*—seed directly controlled by the originating or sponsoring plant breeding institution, firm or individual which is the source for the production of seed of the certified classes.

2. *Foundation Seed (White Tag)*—progeny of breeder or foundation seed, handled so as to maintain specific genetic purity and identity, production of which must be acceptable to LDAF.

3. *Registered Seed (Purple Tag)*—progeny of breeder or foundation seed, handled under procedures acceptable to LDAF to maintain satisfactory genetic purity and identity.

4. *Certified Seed (Blue Tag)*—progeny of breeder, foundation or registered seed, handled under procedures acceptable to LDAF to maintain satisfactory genetic purity and identity.

5. *Tree Seed*—

a. *Certified Tree Seed (Blue Tag)*—seed from trees of proven genetic superiority, produced so as to assure genetic identity. Seeds from interspecific hybrids of forest trees may be included.

b. *Selected Tree Seed (Green Tag)*—progeny of rigidly selected trees or stands of untested parentage that have promise but not proof of genetic superiority and for which geographic source and elevation is stated on the label.

c. *Source-Identified Tree Seed (Yellow Tag)*—seed from a natural stands with known geographic source and

elevation, or plantations of known geographic origin and which is acceptable to LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:564 (November 1982), amended by the Department of Agriculture and Forestry, Seed Commission, LR 12:825 (December 1986), LR 31:1510 (July 2005), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2710 (October 2013), amended LR 40:748 (April 2014).

§505. General Requirements for Certification

A. The crop or variety to be certified must have been approved for certification by LDAF.

B. The originator, developer, owner, or agent seeking to have the crop or variety of seed certified shall provide the following information to LDAF.

1. the name of the variety;
2. a statement concerning the variety's origin and the breeding procedure used in its development;
3. a detailed description of the morphological, physiological and other characteristics of the plants and seed that distinguish it from other varieties;
4. evidence supporting the identity of the variety, such as comparative yield data, insect and disease resistance, or other factors supporting the identity of the variety;
5. a statement delineating the geographic area or areas of adaptation of the variety;
6. a statement on the plans and procedures for the maintenance of seed classes, including the number of generations through which the variety may be multiplied;
7. a description of the manner in which the variety is constituted when a particular cycle of reproduction or multiplication is specified;
8. any additional restrictions on the variety specified by the breeder, with respect to geographic area of seed production, age of stand or other factors affecting genetic purity;
9. a sample of seed representative of the variety as marketed.

C. To be certified, all crops and/or varieties must conform to:

1. all general requirements for certification; and
2. all specific requirements for certification of a particular crop or variety. (See §§701-811 for specific requirements. In §§701-811, the percentages shown for pure seed and germination are the minimum acceptable levels of performance required for certification; the percentages shown for all other factors are maximum allowable percentages.)

D. The grower must submit the application described in §507 on or before the date specified in §509 for the crop or

variety to be certified. (See §507.B and §125.B for provisions concerning late applications.)

E. The crop or variety to be certified must be of breeder, foundation or registered seed, or seed approved by the commission.

F. The grower must maintain genetic purity during seeding, production, harvesting, storage, conditioning and labeling.

G. The grower must hand-rogue all off-type plants, varietal mixtures, noxious weeds or any other plants producing seed that are inseparable from seed of the crop or variety to be certified.

H. Other varieties or crops, volunteer plants and/or off-type plants cannot be present in the field, and seeds thereof cannot be present in seed to be certified, unless permitted under the specific certification standards for the crop or variety entered for certification. Noxious weeds are permitted in the field and seed thereof are permitted in seed to be certified, within the limitations specified in §109, unless a specific limitation on noxious weeds is contained in the specific requirements for the crop or variety entered for certification. (See §§701-811 for specific requirements.)

I. One or more field inspections will be made to determine genetic identity and purity. The crop or variety to be certified must be standing, reasonably free of weeds and of relatively uniform maturity at the time of field inspection(s). A copy of the field inspection report will be furnished to the grower.

J. All planting, harvesting, bin storage and cleaning equipment must be free of contamination by other seeds, insects, or plant diseases.

K. Storage facilities must be:

1. suitable for maintaining germination and varietal purity;
2. constructed so that a representative sample can be drawn; and
3. all such facilities are subject to approval by LDAF.

L. The grower must maintain complete records accounting for all production and final disposition of all certified seeds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:642 (June 1994), LR 20:1257 (November 1994), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2710 (October 2013), amended LR 40:748 (April 2014).

§507. Application for Field Certification

A. The grower must apply for certification on or before the application deadline shown in §509 for seed stock to be certified by LDAF. The grower must submit a completed application on the form provided by LDAF.

B. Applications for certification of seed stock for a crop or variety listed in §509 which are submitted after the deadline specified in §509 will not be approved unless field inspection(s) can be completed prior to harvest.

C. Information to accompany application:

1. name of variety;
2. GPS coordinates at or about the center point of each field presented for certification;
3. copy of the purchase invoice, or statement showing class of seed purchased;
4. one sample tag from each lot number (If the grower plants seed of his own production, the class of seed and lot number shall be identified by documentation acceptable to LDAF); and
5. a map of each field presented for certification.

D. It is the duty of the grower to notify LDAF at least two weeks prior to harvest of the anticipated harvest date for each field presented for certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 34:863 (May 2008), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2711 (October 2013), amended LR 40:749 (April 2014).

§509. Application Deadlines

- A. Onion bulbs and seed, and shallots—March 1.
- B. Tissue Culture Sugarcane—April 1.
- C. Clover (crimson, red, white), rescue grass, harding grass, vetch, and Irish potatoes—April 1.
- D. Oats, wheat, ryegrass, singletary peas—April 15.
- E. Watermelon—May 1.
- F. Sweet potatoes and sweet potato plants:
 1. greenhouse plantings (virus-tested)—45 days prior to planting;
 2. field plantings—June 1.
- G. Okra—June 15.
- H. Rice—July 1.
- I. Cotton, millet, sesame, sunflower, tree—July 15.

J. Tomatoes (Spring)—June 1, (Fall)—July 15.

K. Soybeans—August 1.

L. Corn—a minimum of 30 days prior to pollination.

M. Cowpeas—a minimum of 30 days prior to harvest.

N. Grasses:

1. Bermuda grasses:
 - a. new plantings—minimum of 30 days prior to harvest;
 - b. established stands (fields certified the previous year)—June 1. Renewal application must be submitted;
2. turf and pasture grass:
 - a. new plantings—at least 15 days prior to land preparation for planting;
 - b. established stands (fields certified the previous year)—June 1. Renewal application must be submitted.

O. Clonally propagated plant species, except for plant species for which a deadline is specifically provided in this Section:

1. new plantings-submit application at least 15 days prior to land preparation for planting;
2. established stands (fields certified the previous year)- submit renewal application by April 15.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:195 (April 1983), amended by the Department of Agriculture and Forestry, Seed Commission, LR 12:825 (December 1986), LR 13:155 (March 1987), LR 13:232 (April 1987), LR 14:603 (September 1988), LR 23:1283 (October 1997), LR 25:1617 (September 1999), LR 34:863 (May 2008), LR 37:2979 (October 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2711 (October 2013).

§511. Limitations on Generations

A. The originator of the variety may specify the number of generations through which a variety may be multiplied.

B. No variety may be multiplied more than two generations beyond the foundation class, except as follows:

1. older varieties of certified seed may be recertified when foundation seed is not being maintained;
2. one additional generation of certified seed may be permitted on a one-year basis when, prior to planting season, the Commission declares that there are insufficient supplies of foundation and registered seed to plant the needed acreage of the certified variety. Permission of the variety's originator, if existent, must be obtained. In this situation, the additional generation will not be eligible for recertification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2712 (October 2013), amended LR 40:749 (April 2014).

§513. Lot of Seed

A. The applicant shall assign a specific, unique number or other mark when the seed is conditioned and bagged.

B. Each container in a given lot of seed shall be marked with the number or other mark assigned to that lot.

C. Seed lots may be blended if the variety and class are the same.

D. All seed must be bagged in new bags, unless other types of containers are approved by LDAF prior to bagging.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:195 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2712 (October 2013), amended LR 40:749 (April 2014).

§515. Seed Sampling

A. Seed sampling will be performed at the request of the grower.

B. Except as provided by §515.D.2, official samples to determine eligibility for certification shall be drawn only after the seed is conditioned.

C. Sampling of Bagged Seed

1. Each lot of seed must be stacked so as to facilitate sampling.

2. A LDAF inspector will sample at random, by probing, a specific number of bags from each lot. The number of bags to be sampled from each lot is as follows: five bags, plus 10 percent of the total number, not to exceed 30 bags per lot. In lots containing six bags or less, every bag will be sampled.

D. Sampling of Bulk Seed

1. Cleaned Seed in Bulk

a. A LDAF inspector will collect a minimum of four samples, at intervals of 4 feet, by probing the entire depth of the bin or storage area.

b. All samples will be blended into one representative sample for each bin or storage area.

2. Uncleaned Seed in Bulk

a. A LDAF inspector will collect a minimum of four samples, at intervals of 4 feet, by probing the entire depth of the bin or storage area. All samples will be blended into one representative sample for each bin or storage area.

b. A second representative sample will be drawn within 60 days after the first sample, after conditioning, for determining purity.

E. Analysis of samples shall be performed according to the current rules of the Association of Official Seed Analysts.

F. Resampling Policy

1. Except in special instances, as described below, only one sample shall be obtained from each certified lot.

a. When a certified seed lot fails certification requirements due to physical or mechanical purity factors, such as excess inert matter or weed seed, the seed may be reconditioned if the contaminants are separable. A complete purity analysis and germination test will be required on the reconditioned lot of seed. Certified seed rice which fails certification due to the presence of red rice seed in the sample shall be subject to the terms of Subparagraph e below.

b. Should a seed lot fail certified seed germination standards on the first laboratory test, a re-sample for germination test only for that seed lot will be permitted. Only one re-sample per seed lot will be permitted.

c. Whenever a certified seed lot is divided into sub-lots, both a purity and a germination test will be required for all sub-lots.

d. The last and most recent laboratory test report for a seed lot shall be the final analysis used to establish the eligibility for certification and will determine the information to be placed on the tag.

e. When a certified seed rice lot fails certification requirements due to the presence of one red rice seed in the original four pound sample, then a second 8 pound sample may be drawn from the lot. If one or more red rice seeds are found in the second sample, the lot will be disqualified on the basis of red rice content. If no red rice seed is found in the second sample, the lot would meet certification requirements. Certified seed rice whose original sample contains the presence of more than one red rice seed may not be re-sampled.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:195 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 19:888 (July 1993), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2712 (October 2013), amended LR 40:750 (April 2014).

§517. Listing of Certified Seed Conditioning Plants

A. Seed conditioning plants desiring to be listed in LDAF roster of seed conditioning plants must make a written application for inclusion on the list.

B. LDAF will issue certificates to all seed conditioning plants making application for inclusion on the listing, on an annual basis, each such certificate to expire on June 30 following date of issue.

C. The following requirements must be met by processors of all classes of certified seed.

1. Facilities shall be available to perform processing without introducing admixtures.

2. Identity of the seed must be maintained at all times.

3. Records of all operations relating to certification shall be completed and adequate to account for all incoming seed and final disposition of seed.

4. Processors shall permit inspection by the certifying agency of all records, equipment, storage and processing facilities pertaining to all classes of certified seed.

5. Processors shall designate an individual who shall be responsible to the certifying agency for performing such duties as may be required by the certifying agency.

6. Seed lots of the same variety and class may be blended and the class retained. If lots of different classes are blended, the lowest class shall be applied to the resultant blend. Such blending can only be done when authorized by the certifying agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 9:196 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:642 (June 1994), LR 31:35 (January 2005), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2713 (October 2013), amended LR 40:750 (April 2014).

§519. Processing of Certified Seed**A. Bagging**

1. All seed approved for certification must be packaged in new 100 pound containers or less, except as provided by this Subsection.

2. Registered class of rice and small grains (wheat and oats):

a. new super-bags or Q-bit bulk containers (or its equivalent as determined by LDAF).

3. Certified class of rice and small grains (wheat and oats):

a. new or reusable super-bags or Q-bit bulk containers (or its equivalent as determined by LDAF).

Reusable containers shall be cleaned in a manner approved by LDAF.

B. General Labeling Requirements

1. Each container, regardless of size, of all classes of certified seed offered for sale must bear an official certification label issued by the LDAF.

2. Labeling requirements may vary with the crop and methods of handling, but, in all instances, labels shall be attached to the containers in a secure manner.

3. The lot number of the label attached to each container must be the same as the lot number marked on the container.

4. The label shall contain the following information:

a. kind and variety;

b. where grown;

c. percentage of pure seed, crop seed, weed seed and inert matter;

d. name and number of noxious weed seeds per pound;

e. grower's name and address or code number;

f. germination percentage;

g. hard seed;

h. total germination and hard seed percentage;

i. net weight;

j. lot number; and

k. date of test.

5. Certified seed lots carried over from a previous crop year that fail to meet the minimum required germination percentage for the specific commodity shall have a new certified label affixed to the container. The label shall state the new germination percentage, month and year of test, the wording "Substandard Germination" and all other required label information. These seed lots shall meet the standards set forth in §143. Standards for Agricultural Seed.

6. Labels will be issued only for seed proven by laboratory analysis to meet required germination and purity standards.

7. The number of labels issued will be determined by the inspector's estimate of the quantity of seed at the time of sampling. All unused labels must be returned to LDAF.

8. Prelabeling

a. In order to permit owners or certifiers of seed to bag and label seed in advance of final laboratory reports, certification labels may be issued in advance. Such labels can be pre-issued upon receipt of completed field inspection reports showing that field production standards have been met. The state may grant a waiver on the movement of seed if an acceptable preliminary test is made on the seed lot. If

prelabeled lots fail laboratory analysis standards, all labels shall be destroyed or returned to the LDAF. Failure to comply with this regulation will result in suspension of future prelabeling privileges.

9. The official certification label may be printed directly on the container with prior approval of LDAF.

10. When separate seed analysis labels containing warranties, treatment information, etc., are attached to containers they shall be positioned so as not to obscure certification labels.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 9:196 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:643 (June 1994), LR 31:35 (January 2005), LR 31:1510 (July 2005), LR 39:1758 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2713 (October 2013), amended LR 40:750 (April 2014), LR 42:211 (February 2016), LR 44:1853 (October 2018).

§521. Bulk Certification Requirements

A. Bulk certification shall be limited to the certified class of the following commodities:

1. small grains (wheat and oats);
2. rice.

B. Seed eligible for bulk certification shall meet all field and laboratory standards established for certified seed as specified in these regulations.

C. Seed certified in bulk shall not be eligible for recertification.

D. Seed certified in bulk shall only be sold by the applicant producer or by a retail facility approved by LDAF.

1. Each retail outlet shall have a procedure for handling bulk certified seed that is acceptable to LDAF for the purpose of assuring genetic purity and that the identity of the seed is maintained.

E. The seed owner is responsible for making application for bulk certification to LDAF and for securing LDAF's approval to use the facility in which the seed will be stored prior to storage of the seed at the facility.

F. Storage Requirements

1. A separate storage bin shall be available for each variety that will be sold in bulk.

2. Storage bins shall be constructed so that all bin openings can be sealed to prevent contamination and maintain genetic purity.

3. All bins shall be clearly and prominently marked to show crop and variety, until disposal of the entire lot is

completed and the bin is properly cleaned to remove all remaining seeds or seed residue.

G. Seed sampling shall be conducted as provided in §515.D.

H. Certification

1. No certified seed tags will be issued for seed certified in bulk, except as provided by subsection I of this Section.

2. For sales to an approved retail facility within the state, a bulk certified seed transfer form shall be issued to cover all bulk certified seed which meets the general requirements for seed certification and the specific requirements for the crop/variety being certified.

a. The seller shall provide a copy of the bulk certified seed transfer form to each purchaser at time of delivery.

b. The seller shall provide a copy of each issued Bulk Certified Seed Transfer Form to LDAF at the time the form is completed.

c. The seller shall maintain a copy of each issued bulk certified seed transfer form in his file, which shall be available for examination by LDAF upon reasonable request.

3. For sales to the end user, a bulk certified seed sales certificate shall be issued to cover all bulk certified seed which meets the general requirements for seed certification and the requirements for the crop/variety being certified.

a. The seller shall provide a copy of the bulk certified seed sales certificate to each purchaser at the time of delivery.

b. The seller shall provide a copy of each issued bulk certified seed sales certificate to LDAF at the time the form is completed.

c. The seller shall maintain a copy of each issued bulk certified seed sales certificate in his file, which shall be available for examination by LDAF upon reasonable request.

I. If the owner of seed certified in bulk elects to package any portion of the lot, the owner shall give prior notification of his intention to package the seed to LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:567 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1283 (October 1997), LR 26:235 (February 2000), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2714 (October 2013), amended LR 40:750 (April 2014).

§523. Interagency Certification (Out-of-State Seed)

A. Seed to be certified by interagency action must meet the seed certification standards established by the Seed Law and this Part or comparable standards of a seed certifying agency recognized by the commissioner.

B. Seed to be certified by interagency action must contain, on the package, evidence from another recognized certifying agency that the seed is eligible for certification.

C. The following information must accompany each lot of seed:

1. kind and variety;
2. quantity (pounds);
3. class; and
4. lot number issued by previous certifying agency.

D. Seed to be certified by interagency action must be sequentially numbered.

E. A Louisiana tag for the appropriate class of seed must be attached to all seed to be certified by interagency action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 9:196 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1283 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2714 (October 2013), amended LR 40:751 (April 2014).

Chapter 7. Certification of Specific Crops/Varieties

Subchapter A. Grasses and Clovers

§701. Crimson Clover Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Required	Certified
Land Requirement	5 yrs.	5 yrs.	3 yrs.	2 yrs.
Isolation	1,000 ft.	1,000 ft.	1,000 ft.	600 ft.
Other Varieties	None	None	0.20%	0.50%
Noxious Weeds	None	None	None	None

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%	2.00%
Other Varieties	None	0.10%	0.25%	1.00%
Other Crops	None	None	45 seed/lb.	90 seed/lb.
Noxious Weeds	None	None	None	None
Other Weeds	25 seed/lb.	50 seed/lb.	180 seed/lb.	360 seed/lb.
Germination	None	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:569 (November 1982), amended LR 9:198 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental

Sciences, Agricultural Chemistry and Seed Commission, LR 39:2715 (October 2013).

§703. Louisiana White; Louisiana White S 1, Ladino and Other White Clover Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Registered	Certified
Land Requirement	5 yrs. ¹	5 yrs. ¹	3 yrs. ¹	2 yrs. ²
Isolation	1,320 ft.	1,320 ft.	660 ft.	330 ft.
Other Varieties and/or Species that can be differentiated from the variety being certified	None	None	None	None
Other Crops (inseparable)	10 Plants per Acre	10 Plants per Acre	50 Plants per Acre	100 Plants per Acre

¹A foundation and/or registered field may produce only two successive seed crops following seeding except that each may be reclassified to the next lower class after being harvested for seed for two years. A stand will not be eligible to produce any class of seed after four successive seed crops.

²A certified field on which a stand of perennial plants is maintained may produce a maximum of four successive seed crops following seeding.

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	99.00%	98.00%	98.00%	98.00%
Inert Matter	1.00%	2.00%	2.00%	2.00%
Other Crops	None	None	45 seed/lb.	100 seed/lb.
Other Varieties	None	None	None	10 seed/lb.
Other Kinds	None	None	45 seed/lb.	90 seed/lb.
Sweet Clover	None	None	45 seed/lb.	80 seed/lb.
Other Clovers	None	None	None	None
Noxious Weeds: Bracted plantain Buckhorn plantain	None	None	None	None
Other Weeds	0.04%	0.04%	0.07%	0.14%
Wild Carrot	None	None	None	None
Germination	None	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:569 (November 1982), amended LR 9:198 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2715 (October 2013).

§705. Red Clover Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
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*Land Requirement	5 yrs.	3 yrs.	2 yrs.
Isolation	1,320 ft.	660 ft.	330 ft.
Other Varieties	None	0.20%	0.50%
*No stand of red clover will be eligible to produce any class of certified seed after two successive seed crops. These seed crops may be produced in the same or consecutive years.			

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	99.00%	99.00%	99.00%	99.00%
Inert Matter	1.00%	1.00%	1.00%	1.00%
Other Varieties	None	0.10%	0.25%	1.00%
Other Crops	None	18 seed/lb.	90 seed/lb.	180 seed/lb.
Noxious Weeds: Dock, Cheat, Darnel, Johnsongrass, Wild Mustard	None	45 seed/lb.	90 seed/lb.	100 seed/lb.
Dodder	None	None	None	None
Other Weeds	0.05%	0.15%	0.15%	0.25%
Germination	None	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:570 (November 1982), amended LR 9:199 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2715 (October 2013).

§707. Bahia Grass Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	1 yr.	1 yr.
Isolation	1,320 ft.	660 ft.	330 ft.
Other Varieties*	1:1,000	1:100	1:50
Other Grass with Inseparable Seed	10 Plants per Acre	10 Plants per Acre	25 Plants per Acre
Other Crops	Other crops with seed that can be separated will be permitted in the field.		

*Maximum permitted ratio

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	65.00%	65.00%	65.00%
Inert Matter	35.00%	35.00%	35.00%
Total Other Crop Seed	0.20%	1.00%	2.00%
Other Kinds	0.10%	0.25%	0.50%
Other Varieties	0.10%	1.00%	2.00%
Noxious Weed Seed	None	None	None
Other Weed Seed	0.50%	0.50%	1.00%
Percent Total Viability*	70.00%	70.00%	70.00%

*Percent germination plus percent dormant seed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:568 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2716 (October 2013), amended LR 51:1568 (October 2025).

§709. Bermuda and Zoysia Grass Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	1 yr.	1 yr.
Isolation	33 ft.	33 ft.	33 ft.
*Other Varieties (per 1,000 plants)	None	1 plant	3 plants
Noxious Weeds: Johnsongrass, Cheat Yellow Nutsedge and Purple Nutsedge	None	None	None
*Including all other Bermuda and Zoysia grass that can be differentiated from the variety to be certified			

B. Planting Stock Standards

Factor	Foundation	Registered	Certified
Pure Live Sprigs containing roots (minimum by count)	90.00%	90.00%	90.00%
Other Living Plants (maximum by count)	2.00%	2.00%	2.00%
Noxious Weeds: Johnsongrass, Cheat Yellow Nutsedge and Purple Nutsedge	None	None	None

C. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	None	98.00%	98.00%	98.00%
Inert Matter	None	2.00%	2.00%	2.00%
Other Crops	None	0.01%	0.01%	0.25%
Noxious Weeds	None	None	None	None
Other Weeds	None	0.01%	0.01%	0.05%
Germination	None	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:568 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2716 (October 2013), LR 44:1853 (October 2018).

§711. Dallis Grass Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	3 yrs.	3 yrs.
Isolation	60 ft.	50 ft.	50 ft.

Other Crops	10 Plants per Acre	10 Plants per Acre	100 Plants per Acre
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B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	40.00%	40.00%	40.00%
Inert Matter	60.00%	60.00%	60.00%
Other Varieties	0.10%	1.00%	2.00%
Other Crops	None	None	10 seed/lb.
Noxious Weeds	None	None	None
Germination	50.00%	50.0%	50.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, LR 8:571 (November 1982), amended LR 9:200 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2716 (October 2013).

§713. Annual Ryegrass Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs	1 yr.	1 yr.
Isolation	900 ft.	900 ft.	350 ft.
Other Varieties	None	1.00%	2.00%
Other Crops	0.10%	0.20%	0.30%

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	97.00%	97.00%	96.00%
Inert Matter	3.00%	3.00%	4.00%
Other Varieties	0.10%	1.00%	2.00%
Other Crops	0.10%	0.25%	0.25%
Noxious Weeds	None	None	None
Other Weeds	0.25%	0.25%	0.25%
Germination	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, LR 8:572 (November 1982), amended LR 9:197 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2717 (October 2013).

§715. California Bulrush (*Schoenoplectus californicus*) Clonally Propagated Plant Certification Standards

A. LDAF shall issue numbered certified bulk sales certificates or tags when requested to do so by a grower who has met the requirements and standards set forth in this Section. The numbered certified certificates or tags shall

accompany each shipment of certified vegetatively propagated stock.

B. DNA Fingerprinting Requirements

1. DNA fingerprinting samples shall be taken by LDAF and submitted to an LDAF approved laboratory for testing in accordance with the following guidelines:

a. Foundation Class

i. Fingerprinting is required within one year of transplant and every other year thereafter.

ii. Ponds—one sample/1000 sq. ft., with a minimum of five samples per pond.

iii. Containers—10 percent, with a minimum of five samples.

b. Registered Class

i. Fingerprinting is required within one year of transplant and every three years thereafter.

ii. Ponds—one sample/1000 sq. ft., with a minimum of five samples per pond.

iii. Containers—5 percent, with a minimum of five samples.

c. Certified Class—certified class is not required to be DNA fingerprinted.

2. LDAF shall have the right to re-inspect, re-sample and re-test production ponds or containers/tanks that are out-of-tolerance for DNA fingerprinting prior to final certification. Resampling of plots or containers/tanks that are out-of-tolerance for DNA fingerprinting shall be at the request of the producer.

3. Additional DNA fingerprinting samples shall be required of a certified grower when the integrity of the genetic purity of a production plot or container/tank has been jeopardized by any means prior to final certification.

C. Production Requirements. To be eligible for the production of all certified classes, production ponds and containers/tanks shall be left undisturbed for a minimum of four weeks prior to planting, and found to be free of California bulrush and noxious and objectionable weeds.

1. Pond Requirements

a. Ponds shall be contained by levees.

b. Only one variety shall be grown per pond.

c. Ponds of different varieties must be separated by the minimum isolation distance at all points.

d. Ponds must have individual water supplies and water drainage capabilities for each produced variety.

e. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

2. Container/Tank Requirements

a. Soil used for container/tank production shall:

i. come from an area that has not produced californian bulrush for a minimum of one year; and

ii. be free of visible californian bulrush rhizomes and stems prior to transplanting.

b. Only one variety shall be grown per container/tank.

c. Different varieties shall be grown in separate tanks and shall have individual water supplies and drainage capabilities.

d. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

D. Grower Inspections

1. Ponds and containers shall be inspected by grower to ensure that all requirements of this Section are being met.

E. LDAF Inspections. Production ponds and containers/tanks shall be made accessible for inspection by the grower.

1. Ponds and containers/tanks shall be inspected by LDAF within four weeks prior to transplanting to ensure ponds and containers/tanks are free of volunteer californian bulrush plants and noxious and objectionable weeds. All ponds and containers/tanks shall be non-flooded at time of pre-plant inspection.

2. Ponds and containers/tanks shall be inspected by LDAF a minimum of once a year, after transplanting, to ensure that all requirements of this Section are being met.

3. Additional inspections may be performed at the discretion of LDAF at any time without prior notice.

F. Field Standards Production Ponds/Containers/Tanks

Factor	Foundation	Registered	Certified
Maximum Unit Life ⁽¹⁾	4 years	6 years	Unlimited
Land Requirements	1 year	1 year	1 year
Isolation:			
Pond Production	20 ft.	20 ft.	20 ft.
Tank Production	One variety per tank	One variety per tank	One variety per tank
Container Production	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified
Plant Variants:			
Fingerprints	1%	2%	Not Applicable
Visual Inspections	3 plants per 5,400 ft ²	5 plants per 5,400 ft ²	10 plants per 5,400ft ²
Harmful Diseases ⁽²⁾	None	None	None
Noxious or Objectionable Weeds ⁽³⁾	None	None	≤ 5 plants per 5,400 ft ²

Factor	Foundation	Registered	Certified
Other Crops ⁽⁴⁾	None	None	≤ 5 plants per 5,400 ft ²

(1) Production unit life from date of transplant. No maximum age for a certified class production unit so long as the unit continues to meet all requirements of this Section.

(2) Diseases determined in accordance with the Louisiana Ag Experimental Station and LDAF to seriously affect the quality of seed or vegetatively propagated stock.

(3) Including, but not limited to following weed species: *Cyperus spp.* (Sedge), *Eleocharis spp.* (Spikerush), *Phragmites australis* (Roseau cane), *Typha spp.* (Cattail).

(4) Including, but not limited to the following crop species: *Spartina alterniflora* (Smooth cordgrass), *Spartina patens* (Marshhay cordgrass), *Spartina cynosuroides* (Big cordgrass), *Spartina spartinae* (Gulf cordgrass), *Distichlis spicata* (Saltgrass), *Paspalum vaginatum* (Seashore paspalum).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 37:2980 (October 2011), LR 39:1759 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2717 (October 2013), amended LR 40:751 (April 2014).

§717. Sea Oats (*Uniola paniculata*) Clonally Propagated Plant Certification Standards

A. LDAF shall issue numbered certified bulk sales certificates or tags when requested to do so by a grower who has met the requirements and standards set forth in this Section. The numbered certified certificates shall accompany each shipment of certified vegetatively propagated stock.

B. Production Requirements. To be eligible for the production of all certified classes, plots and containers/tanks shall be left undisturbed for a minimum of four weeks prior to planting, and found to be free of sea oats and noxious and objectionable weeds.

1. Plot Requirements

a. Only one variety of sea oats shall be grown per plot.

b. Plots of different varieties must meet the minimum isolation distance at all points.

c. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

2. Container/Tank Requirements

a. Soil used for container/ tank production shall:

i. come from an area that has not produced sea oats for a minimum of one year

ii. be free of visible sea oats rhizomes and stems prior to transplanting.

b. Only one variety of sea oats shall be grown per production tank.

c. Different varieties shall be grown in separate tanks units unless individual varieties are separated by solid sided partition that will not allow rhizomes or stem material to spread between or within tank units.

d. All seed heads shall be routinely removed from plants after flowering begin to ensure viable seed are not produced.

C. Grower Inspections. Plots and containers shall be routinely inspected by grower to ensure that all requirements of this Section are being met.

D. LDAF Inspections. Production plots and containers/tanks shall be made accessible for inspection by the grower.

1. Plots and containers/tanks shall be inspected by LDAF within four weeks prior to transplanting to ensure they are free of volunteer sea oat plants and noxious and objectionable weeds.

2. Plots and containers shall be inspected by LDAF inspectors a minimum of once a year, after transplanting, to ensure that all requirements of this Section are being met.

3. Additional inspections may be performed at the discretion of LDAF at any time without prior notice.

E. Field Standards—Production Plots/Containers/Tanks

Factor	Foundation	Registered	Certified
Maximum Unit Life ⁽¹⁾	4 years	6 years	Unlimited
Land Requirements	1 year	1 year	1 year
Isolation:			
Plot Production	30 ft.	30 ft.	30 ft.
Tank Production	One variety per tank	One variety per tank	One variety per tank
Container Production	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified
Plant Variants	3 plants per 5,400 ft ²	5 plants per 5,400 ft ²	10 plants per 5,400 ft ²
Harmful Diseases ⁽²⁾	None	None	None
Noxious or Objectionable Weeds ⁽³⁾	None	None	≤ 5 plants per 5,400 ft ²
Other Crops ⁽⁴⁾	None	None	≤ 5 plants per 5,400 ft ²

(1) Maximum production unit life from transplant date. No maximum age for a certified production unit so long as the unit continues to meet all requirements of this Section.

(2) Diseases determined in accordance with the Louisiana Ag Experiment Station and the LDAF to seriously affect the quality of seed or vegetatively propagated stock.

(3) Including but not limited to the following weed species: *Cyperus* spp. (Sedges), *Panicum repens* (Torpedograss), *Phragmites australis* (Roseau cane), *Fimbristylis* spp. (*Fimbristylis*), *Tamarix* spp. (Salt cedar), *Cenchrus* spp. (Sandbur), *Suaeda linearis* (Sea-blite), *Acacia farnesiana* (Sweet acacia).

(4) Including but not limited to the following crop species: *Spartina patens* (Marshhay cordgrass), *Spartina Spartinae* (Gulf cordgrass), *Sporobolus virginicus* (Dropseed), *Distichlis*

spicata (Saltgrass), *Schizachyrium maritimum* (Seacoast bluestem), *Paspalum vaginatum* (Seashore paspalum), *Panicum amarum* (Beach panicgrass).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 37:2982 (October 2011), LR 39:1760 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2718 (October 2013), amended LR 40:752 (April 2014).

§719. Smooth Cordgrass (*Spartina alterniflora*) Certification Standards

A. LDAF shall issue numbered certified bulk sales certificates or tags when requested to do so by a grower who has met the requirements and standards set forth in this Section. The numbered certified certificates or tags shall accompany each shipment of certified seed or vegetatively propagated material.

B. Definitions. The following words and terms when used in this Section, shall have the following meanings, unless the context clearly indicates otherwise.

Generation 1 (G1)—the vegetative increase of tested class G0.

Generation 2 (G2)—the seed production or vegetative increase of tested class G1.

Generation 3 (G3)—the seed production of tested class G1 or G2.

Tested Germplasm—the progeny of plants whose parentage has been tested and has proven genetic superiority or possess distinctive traits for which the heritability is stable.

C. Production Requirements. To be eligible for the production of all certified classes, production ponds and containers/tanks shall be left undisturbed for a minimum of four weeks prior to planting, and found to be free of smooth cordgrass and noxious and objectionable weeds.

1. Pond Requirements of Vegetatively Propagated Stock

- a. Ponds shall be contained by levees.
- b. Only one variety shall be grown per pond.
- c. Ponds of different varieties must be separated by the minimum isolation distance at all points.
- d. Ponds must have individual water supplies and water drainage capabilities for each produced variety.
- e. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.
- f. Vegetative production ponds of the “certified class” only may be located within natural tidal influenced areas.

2. Container/Tank Requirements of Vegetatively Propagated Plant Stock

- a. Soil used for container/tank production shall:
 - i. come from an area that has not produced smooth cordgrass for a minimum of one year; and
 - ii. be free of visible smooth cordgrass rhizomes and stems prior to transplanting.

b. Only one variety shall be grown per container/tank.

c. Different varieties shall be grown in separate tanks and shall have individual water supplies and drainage capabilities.

d. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

3. Seed Production Pond Requirements

- a. Ponds shall be contained by levees.
- b. Ponds containing different varieties must be separated by the minimum isolation distance at all points.

D. Grower Inspections

1. Production ponds, tanks, and containers shall be routinely inspected by the grower to ensure that all requirements of this Section are being met.

E. LDAF Inspections. Production ponds and containers/tanks shall be made accessible for inspection by the grower.

1. Production ponds and containers/tanks shall be inspected by LDAF within four weeks prior to transplanting to ensure production ponds and containers/tanks are free of volunteer smooth cordgrass plants and noxious and objectionable weeds. All ponds and containers/tanks shall be non-flooded at time of pre-plant inspection.

2. Shall be inspected by LDAF a minimum of once a year, after transplanting, to ensure that all requirements of this Section are being met.

3. Additional inspections may be performed at the discretion of LDAF at any time without prior notice.

F. Field Standards Production Ponds/Containers/Tanks

Factor	Foundation and Tested G1 Germplasm	Registered and Tested G2 Germplasm	Certified and Tested G3 Germplasm	Seed Production Fields (All Generations)
Maximum Unit Life (1)	4 years	6 years	Unlimited	5 years
Land Requirements	1 year	1 year	1 year	1 year
Isolation:				
Pond Production	20 ft.	20 ft.	20 ft.	1200 ft.
Tank Production	One variety per tank	One variety per tank	One variety per tank	N/A

Factor	Foundation and Tested G1 Germplasm	Registered and Tested G2 Germplasm	Certified and Tested G3 Germplasm	Seed Production Fields (All Generations)
Container Production	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified	N/A
Plant Variants:				
Visual Inspections	3 plants per 5,400 ft ²	5 plants per 5,400 ft ²	10 plants per 5,400 ft ²	10 plants per 5,400 ft ²
Harmful Diseases (2)	None	None	None	None
Noxious or Objectionable Weeds (3)	None	None	≤ 5 plants per 5,400 ft ²	≤ 5 plants per 5,400 ft ²
Other crops (4)	None	None	≤ 5 plants per 5,400 ft ²	≤ 5 plants per 5,400 ft ²

- (1) Production unit life from date of transplant. No maximum age for a certified class production unit so long as the unit continues to meet all requirements of this Section.
- (2) Diseases determined in accordance with the Louisiana Ag Experiment Station and LDAF to seriously affect the quality of seed or vegetatively propagated stock
- (3) Including, but not limited to the following weed species: *Salvinia* spp. (*Salvinia*), *Cyperus* spp. (*Sedge*), *Eleocharis* spp. (*Spike rush*), *Phragmites australis* (*Roseau cane*), *Typha* spp. (*Cattail*)
- (4) Including, but not limited to the following crop species: *Spartina patens* (*Marshhay cordgrass*), *Spartina cynosuroides* (*Big cordgrass*), *Spartina spartinae* (*Gulf cordgrass*), *Distichlis spicata* (*Saltgrass*), *Schoenoplectus californicus* (*California bulrush*), *Paspalum vaginatum* (*Seashore paspalum*)

G. Seed Standards

- 1. All generations of seed shall contain a pure seed content, excluding coating material, of not less than 90 percent.
- 2. All seed packages shall be labeled in such a manner as to meet the minimum seed labeling requirement of the seed law, this Part, and the Federal Seed Act and accompanying rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 37:2983 (October 2011), LR 39:1761 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2720 (October 2013), amended LR 40:753 (April 2014), LR 41:912 (May 2015).

§721. Tall and Meadow Fescue Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	2 yrs.	2 yrs.
Isolation	900 ft.	330 ft.	330 ft.
Other Varieties	10 Plants per Acre	10 Plants per Acre	100 Plants per Acre

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	95.00%
Inert Matter	2.00%	2.00%	5.00%
Other Varieties	0.01%	1.00%	2.00%
Other Crops	None	None	10 seed/lb.
Noxious Weeds	None	None	None
Other Weeds	50 seed/lb.	50 seed/lb.	360 seed/lb.
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:586 (November 1982) amended LR 9:197 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2721 (October 2013).

§723. Turf and Pasture Grass Certification Standards

A. Classes of Seed. The word *seed* shall be understood to include all propagated materials in this Section.

1. Foundation shall be the vegetative increase of Breeder seed.

2. Registered shall be the vegetative increase of Foundation seed.

3. Certified shall be the vegetative increase of Registered seed.

B. A grower may increase their acreage of Registered class of seed on their own farm on a limited basis with the approval of LDAF.

C. Land Requirements

1. Sod and Sprigs (pre-planting inspections)

a. A field to be eligible for the production of all certified classes of sod shall be left undisturbed for a minimum of four weeks prior to planting and found to be free of noxious and objectionable weeds.

b. A recommended soil fumigation may be applied by a licensed applicator, followed by an inspection by LDAF a minimum of four weeks after the application, to ensure no emergence of noxious and objectionable weeds prior to planting.

D. Field Inspections. Turf Grasses and Pasture Grasses entered into the certification program shall be inspected at least three times a year: first (April-May); second (August-September); third (December-January) to ensure the quality of the grasses has met or exceeded the minimum standards set forth in these regulations. If a field is found to be deficient in meeting the standards then the producer has the option of spot roguing the undesirable, if LDAF deems possible, and call for a re-inspection of the crop.

E. Field Standards

Factor	Foundation	Registered	Certified
Turf Grasses (Sprigs and Sod)			
Other Varieties	None	None	1 Plant/ 1000 sq. ft.
Other Crops	None	None	1 Plant/ 1000 sq. ft.
Noxious and Objectionable Weeds	None	None	None
Harmful Diseases	None	None	None
Isolation	6 ft.	6 ft.	6 ft.
Pasture Grass (Sprigs)			
Other Varieties	None	1 Plant/ 1000 sq.ft.	3 Plants/ 1000 sq.ft.
Other Crops	None	None	3 Plants/ 1000 sq. ft.
Noxious and Objectionable Weeds	None	None	None
Harmful Diseases	None	None	None
Isolation	30 ft.	30 ft.	30 ft.

1. Other varieties consist of other strains of the species that can be differentiated from the variety or varieties that are being inspected.

2. Noxious and objectionable weeds. Noxious and objectionable weeds are with the inclusions of, but not limited to, the following plants: Virginia button weed (*Diodia virginiana*); dallisgrass (*Paspalum dilatatum*); crabgrass (*Digitaria* spp.); goosegrass (*Eleusine indica*); bahiagrass (*Paspalum notatum*); torpedograss (*Panicum repens*); Nutsedge (*Cyperus esculentus*, *C. rotundus*).

3. Harmful Diseases. Harmful diseases are diseases that seriously affect the quality of grasses and are transmitted by planting stock.

4. Isolation. Isolation shall be a barren strip or an approved crop to maintain purity without the risk of contamination.

F. Planting Stock Standards

Factor	Foundation	Registered	Certified
Turf Grass			
Pure Live Plants	90.00%	90.00%	90.00%
Noxious and Objectionable Weeds	None	None	None
Other Varieties	None	0.05%	0.05%
Other Crop	None	None	0.05%
Harmful Diseases	None	None	None
Pasture Grass			
Pure Live Sprigs containing roots (minimum by count)	90.00%	90.00%	90.00%
Other Live Plants (maximum by count)	2.00%	2.00%	2.00%
Noxious Weeds	None	None	None

G. Reporting System

1. Issuing Certificates

a. The grower will be issued numbered certificates of certification and tags by LDAF upon request that must accompany each load of certified grass sold.

b. The grower is responsible for completing the forms and returning the appropriate copies to LDAF within 10 working days of issuance.

2. Tagging System

a. Upon meeting the standards set forth in these regulations the certified crop must have attached to the invoice two tags:

- i. one from the seed certification division; and
- ii. one from the horticulture division of LDAF.

b. This two-tag system shall distinguish the crop to have met or exceeded the requirements set by both divisions of LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 9:204 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 16:847 (October 1990), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2721 (October 2013), amended LR 40:755 (April 2014), repromulgated LR 40:992 (May 2014), LR 44:1854 (October 2018).

§725. Vetch Seed Certification Standards

A. Classes of Vetch Seed

1. Non-Reseeding Varieties. Recognized certified seed classes shall be breeder, foundation, registered and certified vetch seed.

2. Hard-Seeded Varieties. Whenever a field of hard-seeded vetch has been established to produce either breeder, foundation, registered or certified seed, the same certified seed class can be produced from that field as long as it remains in production and meets minimum seed certification standards.

B. Field Inspection. Field inspection shall be made at flowering time or before harvest when off-types and varietal mixtures can best be identified.

C. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	3 yrs.	2 yrs.
Isolation	10 ft.	10 ft.	10 ft.
Self-Pollinating Varieties	400 ft.	400 ft.	400 ft.
Cross-Pollinating Varieties			
Other Varieties and Off-Types	1 per 1,000	1 per 400	1 per 100
Other Crops	1 per 4,000	1 per 2,000	1 per 400
Noxious Weeds (inseparable)	None	None	None

D. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Total Other Crops	0.35%	0.75%	1.50%
Other Varieties	0.10%	0.25%	1.00%
Noxious Weeds	None	None	None

Other Weeds	0.10%	0.25%	0.25%
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 9:205 (April 1983), amended LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2722 (October 2013).

§§727.-739. Reserved.

Subchapter B. Grain and Row Crop Seeds

§741. Cottonseed Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Registered	Certified
Isolation**		15 ft.	15 ft.	15 ft.
Other Varieties and Off-Type Plants	None	None	1 Plant per Acre	5 Plants per Acre
Noxious Weeds: Cocklebur	None	5 Plants per Acre	8 Plants per Acre	10 Plants per Acre

**Fields entered for certification must be isolated at least 600 feet from Sea Island cotton, red leaf cotton, or other cottons which vary greatly in plant characteristics from the variety entered for certification, and at least one-half mile from G. barbadense and interspecific hybrids involving G. barbadense.

B. Handling and Storage Requirements

1. Ginning. Cottonseed in all classes of certification, to be certified, shall be ginned on a thoroughly cleaned, one-variety gin approved by LDAF prior to ginning. With special permission of the Department of Agriculture and Forestry:

- a. cottonseed for all classes of certification may be ginned on thoroughly cleaned, mixed variety gins either with:
 - i. a notarized ginner's agreement previously approved by LDAF, or
 - ii. in the presence of a LDAF inspector.

b. cottonseed produced for only the certified class may be ginned on a mixed-variety gin if a minimum of three bales are "blown" through the gin prior to catching of the cottonseed to be certified. An inspector of LDAF may be present if cottonseed for certification is ginned under special permission.

2. Delinting. Delinters must conform to the same requirements set forth for ginners. No cottonseed entered for certification may be delinted outside the state of Louisiana except by special permission of LDAF.

C. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	99.00%	99.00%	99.00%	99.00%
Inert Matter	1.00%	1.00%	1.00%	1.00%
Other Varieties	None	0.03%	0.05%	0.10%

Factor	Breeder	Foundation	Registered	Certified
Other Crops	None	None	3 seed/lb.	5 seed/lb.
Noxious Weeds: Cocklebur	None	None	1 seed/2 lbs.	1 seed/2 lbs.
Germination	None	70.00%	70.00%	70.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, LR 8:570 (November 1982), amended LR 9:199 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 13:156 (March 1987), repromulgated LR 13:232 (April 1987), amended LR 18:954 (September 1992), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:3060 (November 2013), amended LR 40:755 (April 2014), repromulgated LR 40:993 (May 2014).

§743. Hybrid Seed Corn Certification Standards

A. Eligibility Requirements. Hybrid corn may be one of the following.

1. *Single Cross*—the first generation hybrid between two inbred lines.
2. *Double Cross*—the first generation hybrid between two single crosses.
3. *Three-Way Cross*—a first generation hybrid between a single cross and an inbred line.
4. *Top Cross*—the first generation hybrid of a cross between an inbred line and an open-pollinated variety or the first generation hybrid between a single cross and an open-pollinated variety.
5. *Foundation Single Cross*—a single cross used in the production of a double cross, a three-way, or a top cross.

B. Field Inspection

1. Seed fields shall be inspected at least once prior to the pollination period for purity as to plant type. Any off-type or doubtful plants must be destroyed before they shed pollen.
2. At least three field inspections shall be made during the pollinating period, said inspections to be made without previous notification to the grower.

C. Field Standards

1. Unit of Certification. The entire acreage of any one specific commercial hybrid must be entered for certification.
2. Isolation Requirements. Fields in which commercial hybrid corn is being produced must be so located that the female parent is not less than 660 feet in all directions from other corn of a different kernel color or type (sweet, pop, flint, white, red, etc.).
3. Border Rows. When the kernel type and color of the corn in the contaminating field are the same as those of the parent in the crossing field, the isolation distance may be modified by the planting of border rows of the pollen parent. The following table indicates the minimum number of border

rows required for fields of various sizes when located at different distances from other corn.

Minimum Distance from Other Corn	Field Size	
	1 to 20 acres	20 acres or more
Feet	(Minimum)	Border Rows
410	0	0
370	2	1
330	4	2
290	6	3
245	8	4
205	10	5
165	12	6
125	14	7
85	16	8
0		10

a. The above isolation requirements do not apply to crossing fields when the same male or pollen parent is used in each. In such cases the two fields must be clearly divided by use of an area not less than 14 feet or a natural boundary which is permanent and distinctive (e.g., ditch, road, headland, etc.).

4. Detasseling

- a. A commercial hybrid will be disqualified for certification when 5 percent or more of the female seed parent plants have receptive silk:
 - i. if more than 1 percent of the female seed parent plants have shed pollen on one inspection; or
 - ii. if a total of 2 percent of the female seed parent plants have shed pollen on three inspections.

b. Sucker tassels, portions of tassels or tassels on main plants will be counted as shedding pollen when 2 inches or more of the central stem, the side branches, or a combination of the two have anthers extended from the glumes. In cases where a few silks are out and tassels of the seed parent have begun to shed pollen, the field can be approved by immediate and complete detasseling of the seed parent and removal of the ear shoots with exposed silks, if done to the satisfaction of LDAF.

D. Seed Standards

Factor	Certified Class
Pure Seed	98.00%
Inert Matter	2.00%
Other Varieties	0.50%
Noxious and Other Weeds	None
Off-Color, Off-Type Kernels	0.10%
Germination	90.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:572 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 13:156 (March 1987), repromulgated LR 13:232 (April 1987), amended LR 15:613 (August 1989), LR 20:643 (June 1994), repromulgated by the Department of Agriculture and Forestry, Office

of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2723 (October 2013), amended LR 40:755 (April 2014), repromulgated LR 40:993 (May 2014).

Sciences, Agricultural Chemistry and Seed Commission, LR 39:2724 (October 2013).

§745. Seed Corn (Open-Pollinated) Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
*Isolation	1,200 ft.	1,200 ft.	1,200 ft.
Other Varieties	None	None	0.50%
Off-type Plants	0.20%	0.20%	0.50%
*Does not apply to other corn with different maturity dates.			

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Crops	None	None	5 seed/lb.
Other Varieties	None	None	3 seed/lb.
Noxious and Other Weeds	None	None	None
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:574 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:200 (December 1986), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2724 (October 2013).

§747. Millet Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	1,320 ft.	1,320 ft.	825 ft.
Other Varieties	None	1 Plant per Acre	10 Plants per Acre

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Crops	None	None	None
Other Varieties	None	5 seed/lb.	10 seed/lb.
Noxious Weeds	None	None	None
Other Weeds	5 seed/lb.	5 seed/lb.	5 seed/lb.
Germination	75.00%	75.00%	75.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:575 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental

§749. Rice Seed Certification Standards

A. Isolation Requirements

1. Fields offered for certification must be clearly separated from other fields by a ditch, levee, roadway, fence, or barren strip a minimum of 10 feet if the adjoining crop is the same variety and class.

2. In addition to the preceding regulations, the following isolation distances will pertain if the adjoining crop is a different class or different variety.

Number of Feet from Same Variety/Different Class Planted by			
Ground		Air	
Drill	Broadcast	Right Angle	Parallel
10	10	1,320	10
Number of Feet from Other Varieties/All Classes Planted by			
Ground		Air	
Drill	Broadcast	Right Angle	Parallel
20	100	1,320	100

3. Any part of the applicant's field or fields which are closer than these distances must be harvested prior to final inspection or plowed up. Failure to comply with this requirement will disqualify the entire field.

B. Field Standards

Factor	Breeder	Foundation	Registered	Certified
Land Requirement				
Conventional Varieties	1 yr.	1 yr.	1 yr.	1 yr.
Hybrid Varieties	5 years	5 years	5 years	5 years
Other Varieties	None	None	10 Plants per Acre	25 Plants per Acre
*Harmful Diseases	None	None	None	None
Noxious Weeds: Red Rice (including Black Hull Rice)	None	None	None	1 Plant per 10 Acres
Spearhead	None	None	None	2 Plants per Acre
Indian Jointvetch	None	None	4 Plants per Acre	4 Plants per Acre
*Diseases seriously affecting quality of seed and transmissible by planting stock.				

C. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%	2.00%
Other Crops, including Other Varieties	None	None	None	2 seed/lb.
Off-Color Grains, if of similar size, quality and maturity	None	5 seed/lb.	10 seed/lb.	20 seed/lb.

Factor	Breeder	Foundation	Registered	Certified
Noxious Weeds: Red Rice (including Black Hull Rice)	None	None	None	None**
Spearhead, Indian Jointvetch and Mexican Weed	None	None	None	None
Other Weeds	0.05%	0.05%	0.05%	0.10%
Germination		80.00%	80.00%	80.00%

*Four pounds shall be hulled from each lot to determine red rice content.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:576 (November 1982), amended LR 9:201 (April 1983), LR 9:754 (November 1983), LR 10:495 (July 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 13:157 (March 1987), LR 13:233 (April 1987), LR 14:606 (September 1988), LR 14:694 (October 1988), LR 15:613 (August 1989), LR 19:888 (July 1993), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences and Agricultural Chemistry and Seed Commission, LR 39:2724 (October 2013), amended LR 42:212 (February 2016), LR 44:1855 (October 2018).

§751. Seed Irish Potato Certification Standards

A. Inspections

- At least two field inspections shall be made.
- An inspection shall be made of the tubers at the time of shipment.

B. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	10 ft.	10 ft.	10 ft.
Other Varieties and Off-type Plants	None	None	0.10%
Diseases*	0.20%	0.20%	0.20%
Mild Mosaic	0.50%	0.50%	5.00%
Sclerotium Rolfsii Wilt	0.50%	0.50%	1.00%
Potato Wart, Ring Rot, Late Blight	1.00%	1.00%	1.00%
Total Diseases	0.30%	0.30%	0.30%
Harmful Insects: Tuber Moth	None	None	None

*Rugose mosaic, leafroll, spindle tuber, yellow dwarf, witches' broom, haywire, giant hill, rosette, spinach leaf, curly dwarf.

C. Tuber Standards

Factor	Foundation	Registered	Certified
Stem End Discoloration	2.50%	2.50%	5.00%
Hair Sprout	0.50%	0.50%	5.00%
Spindle Tuber	0.20%	0.20%	1.00%
Scab and Rhizoctonia*	6.00%	6.00%	6.00%
Net Necrosis	0.50%	0.50%	5.00%
Late Blight, Golden and Potato Rot, Potato Wart and Ring Rot	1.00%	1.00%	1.00%
Tuber Moth	None	None	None
Sclerotium Rolfsii Wilt	0.50%	0.50%	1.00%

Factor	Foundation	Registered	Certified
Nematodes (Root-Knot)**	1.00%	1.00%	1.00%

*6 percent of tubers by weight have more than 5 percent of the surface covered by scab or rhizoctonia.
**1 percent of tubers by weight showing nematode (root-knot) infection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:577 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:643 (June 1994), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013).

§753. Seed Irish Potato Certification Standards (Out-of-State)

A. Conditions governing shipment or movement of seed Irish potatoes into Louisiana shall conform to the following.

1. Seed Irish potatoes must have passed field and storage seed certification requirements of the proper certifying agency. The tolerances for insects and diseases shall be the same as those set forth in the certified seed regulation for seed Irish potatoes (§751).

2. Each container of seed moved into, offered for sale, or sold in Louisiana shall have attached thereto an official foundation, registered, or certified seed tag issued by the proper certifying agency in the state of origin.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:578 (November 1982), amended LR 9:201 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 14:606 (September 1988), LR 15:78 (February 1989), LR 20:644 (June 1994), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013).

§755. Sweet Potato (Ipomoea batatas) Certification Standards

A. The General Seed Certification Requirements provided in this Part apply to all crops, and together with the following specific standards constitute the certified Sweet Potato seed standards.

B. Requests for exemptions to any requirement set forth in this Section shall be submitted to LDAF in writing. In the case that LDAF approves an exemption, the grower may be required to implement additional LDAF approved safeguards to insure the health and integrity of the certified plants or roots.

C. Breeder Seed Stock entering the certification program shall be sourced from an LDAF approved virus elimination program, maintained in tissue culture, and tested for known

pathogens proven to be detrimental to the health of the seed stock.

D. Definitions. The following definitions apply to this Section only.

Clean Plant Center—sweet potato plant propagation facility approved by state certifying agencies that provide micropropagated, virus-tested, and apparently pest-free nuclear plant stock.

Field—a clearly defined contiguous area containing sweet potato production of the same variety throughout the area.

Generation—age of material; generation number advances upon exposure to subsequent unprotected environments (growing seasons).

LDAF—the Louisiana Department of Agriculture and Forestry.

Mericlone—is a plant clonally propagated from a single apical meristem.

Micropropagation—is the art and science of plant multiplication in-vitro. Sweet potato is most commonly micropropagated in tissue culture by aseptic transfer of stem segments containing one to three nodes placed in sterile medium to produce nuclear plants.

Symptomatic Plant - a plant that exhibits an indication or symptom of a disease, mutation, pest, virus, or other problem that may affect sweet potato production.

Vine cutting or Slip—a stem section of suitable length with at least 2 - 3 nodes for transplanting in the greenhouse or field.

Virus-Tested—a plant that has been tested for the presence of viruses by grafting a sweet potato shoot to the Brazilian morning glory (*Ipomoea setosa*), by negative PCR assay for destructive sweet potato viruses, or by other standards established by the National Clean Plant Network - Sweet Potato.

E. Classes and sources of certified planting stock

1. Breeder Seed Stock is sweet potato propagation material identified and described by the breeder or developer and is entered into and maintained by a Clean Plant Center. This material is obtained through methods approved by LDAF.

2. Nuclear Plant is a plant derived from Breeder Seed Stock. It is virus-indexed, apparently free of other pests, and evaluated in field test for trueness-to-type. This material is maintained under strict isolation by Clean Plant Centers. Nuclear Plants may exist as in-vitro tissue culture plantlets, or plants grown in an approved greenhouse. LDAF inspections begin with the inspection of Nuclear Plants located at Clean Plant Centers.

3. G0 Plants are greenhouse plants produced by certified growers from Nuclear Plants. G0 plants may be used to produce G0 plants when located within a greenhouse

unexposed to a field environment. When exposed to a field environment, G0 plants become G1 plants.

4. G1 Seed are produced from G0 and G1 plants. Vine cuttings may be taken repeatedly from this original G1 planting to establish subsequent G1 plantings. All subsequent cuttings must occur within the same year. Vines and roots produced during this first year in the field are designated as G1.

5. G2 Seed (second field generation) is established from G2 plants grown from G1 roots. Vine cuttings may be taken repeatedly from this original G2 planting to establish subsequent G2 plantings. All subsequent cuttings must occur within the same year. Vines and roots produced during this second year of field production are designated as G2.

6. G3 Seed (third field generation) is established from G3 plants grown from G2 roots. Vine cuttings may be taken repeatedly from this original G3 planting to establish subsequent G3 plantings. All subsequent cuttings must occur within the same year. Vines and roots produced during this third year of field production are designated as G3.

7. Certified Plant Cutting Designations

a. *G0 Cuttings*—vine cuttings from G0 plants grown in a certified greenhouse.

b. *G1 Cuttings*—vine cuttings from G1 plants that are established in the field from G0 cuttings which become G1 cuttings once they leave the greenhouse or from vine cuttings from G1 plants. G1 cuttings produce G1 roots.

c. *G2 Cuttings*—vine cuttings from sprouts from bedded G1 roots or from vine cuttings from G2 plants. G2 cuttings produce G2 roots.

d. *G3 Cuttings*—vine cuttings from sprouts from bedded G2 roots or from vine cuttings from G3 plants. G3 cuttings produce G3 roots.

F. Greenhouse Requirements

1. Greenhouses containing certified sweet potato plants or roots of any generation are subject to these requirements.

2. LDAF must approve greenhouses before Nuclear Plants are released to the grower for the production of G0 stock.

3. Grower shall provide a copy of the LDAF greenhouse inspection report to the Clean Plant Center before plants are released to the grower.

4. Greenhouses shall meet the following requirements:

a. Greenhouses shall be sanitized or maintained free of all plants a minimum of six weeks prior to receiving plants at the beginning of the crop year.

b. Greenhouses shall only contain nuclear stock or G0 plants that originated from nuclear stock; no other plants allowed in the greenhouse except for approved indicator plants.

c. Entry points shall be double doors or single door with air curtain to prevent aphid, whitefly or other injurious pest entry, and designed to restrict entry by unauthorized personnel.

d. A system for sanitizing hands and feet prior to entry into the growing areas of the greenhouse shall be maintained and proper signage relaying that information posted at entries.

e. Yellow sticky traps shall be used in an amount to adequately monitor aphids, whiteflies and other injurious insects.

f. Any openings such as vents, and windows shall be covered with insect-proof screens to prevent entry of aphids, whiteflies and other injurious insects.

g. An integrated pest management program shall remain in place to control aphids, whiteflies and other injurious insects.

h. Cutting tools shall be decontaminated on a regular basis and always decontaminated prior to being used between groups of plants.

i. All growing media and containers must be new, or sanitized by a method approved by LDAF.

j. Isolation

i. No plants are allowed to grow within 10 feet of the greenhouse, except for turf grass used for stabilization of the soil. Weeds shall be controlled by grower.

ii. The perimeter of the greenhouse shall be a minimum of 250 feet away from any non-certified sweet potatoes, greenhouses containing non-certified plants, sweet potato storage sheds, cull piles or other potential sources of sweet potato viruses. Upon written request of the grower, LDAF may allow an isolation distance of less than 250 feet.

iii. Different varieties/cultivars shall be clearly identified and separated within the greenhouse.

5. Producer Inspections

a. Producer shall inspect plants routinely. If symptomatic plants are found, they shall be removed and destroyed.

b. The grower shall keep a log book documenting routine inspections and the variety and number of plants that were removed. The log book shall be made available to LDAF upon request.

c. Grower shall inspect each greenhouse and its perimeter routinely to ensure that the greenhouse isolation requirements are being met.

6. LDAF Inspections

a. LDAF will inspect certified greenhouses monthly and at other times as needed if problems are observed. If symptomatic plants are found during these inspections the grower shall rogue and dispose of these plants properly in order to maintain certification status.

b. A unit of certification shall be the entire greenhouse and such unit cannot be subdivided for the purpose for certification.

7. Specific Greenhouse Requirements

Maximum Tolerance Allowed		
Factor	Nuclear Plants	G0 Plants
Bacterial Stem Rot (<i>Erwinia chrysanthemi</i>)*	0	0
Black Rot (<i>Ceratocystis fimbriata</i>)*	0	0
Scurf (<i>Monilochaetes infuscans</i>)*	0	0
Root-Knot Nematode (<i>Meloidogyne spp.</i>)	0	0
Feathery Mottle (sweet potato feathery mottle virus [SPFMV])*	0	0
Russet Crack (a strain of SPFMV)*	0	0
Internal Cork*	0	0
Wilt (<i>Fusarium oxysporum f. sp. batatas</i>)*	0	0
Sweetpotato Weevil (<i>Cylas formicarius</i>)	0	0
Exotic or hazardous pests	0	0
Variety mixture	0	0
Off-types (mutations)	0	0

*Plants or mini-roots exhibiting symptoms

G. Field Requirements

1. Individual certified fields shall only contain certified sweet potato plants. Upon written request of the grower, LDAF may allow non-certified G0 plants, that originated from nuclear stock, to be produced in certified fields.

2. Sweet potato seed shall not be eligible for certification if produced on land which:

a. has produced sweet potatoes, received manure or sweet potato residue in the previous two years;

b. is subject to drainage from fields in which sweet potatoes are currently growing or have been grown in the previous three years.

3. Production fields shall be a minimum of 750 feet from any non-certified sweet potato plants. LDAF may allow an isolation distance of less than 750 feet upon written request of the grower.

4. Different generations and varieties must be clearly identified and separated by a minimum of five feet clean and tilled break.

5. An LDAF approved program shall be in place to control perennial morning glory species and volunteer sweet potato plants.

6. Inspections

a. Grower shall inspect fields weekly during the growing season and rogue any symptomatic plants found. LDAF shall be informed if any problems concerning certification requirements are found.

b. LDAF will perform a minimum of one seed bed inspection to determine that quality plants are being produced and that plants are apparently free of injurious insects and

harmful diseases. LDAF may perform additional seed bed inspections as required to confirm standards are being met.

c. LDAF will perform a minimum of two inspections on each production field during the growing season. The first field inspection shall be made before vines have covered the ground so that symptomatic plants may be easily identified. The second inspection shall be made within two weeks prior to harvest or no earlier than ninety days after planting.

d. The unit of certification for production is a field and cannot be subdivided for the purpose for certification.

7. Specific Field Plant Requirements (Vine inspection standard)

Maximum Tolerance Allowed			
Factor*	G1 Plants	G2 Plants	G3 Plants
Bacterial Stem Rot (<i>Erwinia Chrysanthemi</i>)	None	None	None
Fusarium Wilt (<i>Fusarium oxysporum f. sp. Batatas</i>)	None	None	None
Sweetpotato Weevil (<i>Cylas Formicarius</i>)	None	None	None
Exotic or hazardous pests**	None	None	None
Off-types (Mutations)	0.05%	0.05%	0.10%
Variety or cultivar mixture	0.3%	0.5%	0.5%

*If other severe factors are observed at time of inspection, rejection of all or a portion of a field may occur.

**If sampled roots report presence of guava root-knot nematode (*Meloidogyne enterolobii*), the entire field will not be eligible for certification.

H. Seed Root Storage Requirements

1. The procedures for cleaning and sanitizing the structure where certified sweet potatoes are stored shall be in accordance with recommendations from the Louisiana Agricultural Experiment Station and approved by LDAF prior to any sweet potatoes being stored in the structure.

2. LDAF will perform one seed root storage inspection after harvest and before shipment. A minimum of twenty percent of sweet potatoes entered for certification shall be inspected during the storage inspection.

3. Sweet potatoes grown for certification shall be stored in new containers (crates, pallet boxes, etc.) or used containers that have been sanitized by a method approved by LDAF.

4. Certified seed roots shall be stored in a separate room from any non-certified roots, properly identified, separated by a minimum of two feet wide aisles between crates, and shall not be exposed to dust from grading and packing lines.

5. Specific Seed Root Tolerance Standards

Maximum Tolerance Allowed	
Factor	G1, G2, G3 Seed Roots
Surface rots (<i>Fusarium spp.</i>) & Soft Rots (<i>Rhizopus spp.</i>)	5.0%
Bacterial Root Rot (<i>Erwinia spp.</i>)	None
Black Rot (<i>Ceratocystis fimbriata</i>)	None
Scurf (<i>Monilochaetes infuscans</i>)	None
Streptomyces soil rot (<i>Streptomyces ipomoeae</i>)	0.5%
Root-Knot Nematode (<i>Meloidogyne spp.</i>)	5.0%
Guava Root-Knot Nematode (<i>Meloidogyne enterolobii</i>)	None
Russet Crack (a strain of SPFMV)	None
Wilt (<i>Fusarium oxysporum f. sp. batatas</i>)	None
Internal Cork	None
Wireworm (<i>Conoderus spp.</i>)	*
Sweetpotato Weevil (<i>Cylas formicarius</i>)	None
Exotic or hazardous pests	None
Variety mixture	None
Off-types (mutations)	0.50%

*Severe damage shall be reason for rejection of certified status.

I. General Standards for Plants and Seed Roots

1. Plants and roots shall be apparently free of harmful diseases, injurious insects, and other harmful pests and true to variety characteristics.

2. All cuttings shall be made at least one inch above the surface of the soil or growing medium.

3. Cuttings shall be of satisfactory size for commercial planting, approximately 5"-12" in length.

4. Cuttings shall be loosely packed and shipped in boxes and shall not be shipped with non-certified plants.

5. Roots shall be the correct color, fresh, firm, and a minimum of one inch in diameter, four inches in length and 30 ounces maximum weight.

J. Tagging and Certificate Reporting System

1. An official, LDAF issued Bulk Retail Sale Certificate shall accompany each sale of certified sweet potato cuttings/slips. An official, LDAF issued certified tag shall accompany each sale of certified seed roots.

2. The grower shall send a copy of each completed Bulk Retail Sales Certificate to LDAF at the end of each quarter (March 31, June 30, September 30, December 31), or upon request by LDAF. Grower shall maintain a copy of each issued certificate for their records.

3. A complete record of certified sweet potato cuttings/slips and seed roots sales shall be maintained and made available to LDAF upon request. The record shall include, but not limited to:

- a. purchaser's name,
- b. kind and variety/cultivar,
- c. class,
- d. date of shipment; and
- e. number of cuttings/slips or bushels shipped.

K. Quarantine of Certification Area

Title 7, Part XIII

1. If sweetpotato weevil (*Cylas formicarius*) is found in any field, greenhouse, storage, packing shed, or other structure or area affiliated with the production of certified sweet potatoes plants or roots, or within 300 yards of any such structure or area, then the entire area and all structures affiliated with the certification process shall be immediately quarantined in accordance with the sweetpotato weevil quarantine regulations found in Subchapter C of Part XV of Title 7 of the Louisiana Administrative Code (LAC 7:XV.133 et seq.).

2. If any plant pest or disease subject to regulation or quarantine under Part II or Part III of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950, (R.S. 3:1651 et seq.) that may affect sweet potato production is found in any field, greenhouse, storage or packing shed, other structure, or area affiliated with the production of certified sweet potatoes plants or roots, then the entire area and all structures affiliated with the certification process may be subject to quarantine in accordance with applicable law and regulations.

3. Any sweet potato plants or roots produced or stored in a field, greenhouse, storage shed, packing shed, or other structure located within an area quarantined as a result of the detection of sweetpotato weevil shall be ineligible for final certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:579 (November 1982), amended LR 9:202 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 22:1210 (December 1996), LR 36:1220 (June 2010), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013), amended LR 40:755 (April 2014), LR 44:1855 (October 2018), LR 45:1168 (September 2019), repromulgated LR 45:1438 (October 2019), amended LR 51:1568 (October 2025), LR 52:347 (March 2026).

§757. Small Grain (Oats, Wheat, Rye) Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.	1 yr.
Isolation	None	10 ft.	10 ft.	10 ft.
Rye	660 ft.	660 ft.	660 ft.	660 ft.
Other Crops	None	None	10 Plants per Acre	30 Plants per Acre
Other Varieties	None	None	10 Plants per Acre	30 Plants per Acre
Diseases:				
Loose Smut	None	1.00%	1.00%	1.00%

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%	97.00%
Inert Matter	2.00%	2.00%	2.00%	3.00%
Other Crops	None	5 seed/lb.	5 seed/lb.	10 seed/lb.
Other Varieties	None	1 seed/lb.	5 seed/lb.	10 seed/lb.
Noxious Weeds:				

Johnsongrass	None	None	None	None
Cheat and Damel	None	6 seed/lb.	6 seed/lb.	12 seed/lb.
Other Weeds	None	0.01%	0.02%	0.03%
Oats	None	0.02%	0.05%	0.10%
Germination	None	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:582 (November 1982), amended LR 9:203 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2728 (October 2013).

§759. Sorghum Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
*Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	1,300 ft.	1,300 ft.	1,300 ft.
Other Varieties	None	1 Head per 5 Acres	1 Head per 2 Acres
Head Smut	None	1 Head per Acre	1 Head per Acre
Kernel Smut	None	None	1 Head per 2,500 Heads
*No field will be eligible for certification if it grew sudan grass, broomcorn, or sorghum of another variety the previous year.			

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Varieties	None	None	9 seed/lb.
Other Crops	None	5 seed/lb.	5 seed/lb.
Noxious Weeds	None	None	None
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:583 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2729 (October 2013).

§761. Soybean Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Registered	Certified
*Land Requirement	1 yr.	1 yr.	1 yr.	1 yr.
Isolation		10 ft.	10 ft.	10 ft.
Other Varieties	None	None	3 Plants per Acre	10 Plants per Acre
Noxious Weeds:				
Purple Moonflower	None	None	2 Plants per Acre	5 Plants per Acre
Balloonvine	None	None	None	None

Factor	Breeder	Foundation	Registered	Certified
*Land requirement will be waived if the previous crop was grown from certified seed of the same variety, or of a variety having different plant pubescence or hilum color from the variety to be certified.				

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%	2.00%
Other Crops	None	2 seed/lb.	2 seed/lb.	5 seed/lb.
Other Varieties	None	2 seed/lb.	2 seed/lb.	5 seed/lb.
Noxious Weeds	None	None	None	None
Other Weeds	0.05%	10 seed/lb.	10 seed/lb.	10 seed/lb.
Germination	None	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:585 (November 1982), amended LR 9:203 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 15:613 (August 1989), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2729 (October 2013), LR 44:1855 (October 2018).

§763. Sugarcane (Tissue Culture) Certification Standards

A. Limitation of Stand Eligibility

1. Source of foundation stock is limited only to material obtained from the Louisiana State University Agricultural Center (LSUAC) or USDA-ARS Sugarcane Research Unit sugarcane variety selection programs that has been processed through the LSUAC sugarcane quarantine program.

2. Additional propagation of original foundation stock shall be according to procedures determined by the American Sugar Cane League, LDAF, the LSUAC, and the USDA-ARS Sugarcane Research Unit.

3. Source of registered stock is limited to plantlets produced through tissue culture of foundation material or the second ratoon. Stock that meets all standards except insect and/or weeds standards be maintained in the program as seed increase fields only, but may not be marketed to producers. Such stocks are eligible for re-certification once they come in compliance with applicable regulations.

4. Source of certified stock is limited to:

- a. three consecutive years from planting of registered stock; and
- b. two consecutive harvests of certified stock.

B. Greenhouse Requirements

1. Foundation plants and plantlets shall be kept in certified greenhouses.

2. Certified greenhouses shall comply with the following requirements:

- a. all sugarcane plants within the certified greenhouse must have been processed through the LSUAC sugarcane quarantine program;
- b. greenhouses shall be clearly marked to warn workers that they shall not enter if they are coming from the field or from other non-certified greenhouses;
- c. doors shall be kept locked when the greenhouse is not in use;
- d. sticky traps or other monitoring devices shall be used to monitor aphids and other insects;
- e. screens of such mesh as to prevent entry of aphids and other insects shall be placed over all openings (vents, fans, windows, etc.);
- f. aphids, whiteflies or other harmful insects shall be controlled within the greenhouse;
- g. cutting tools shall be decontaminated on a regular basis and always when moving to another group of foundation plants or plantlets;
- h. different varieties must be clearly identified and separated.

3. Foundation stock shall be tested on a yearly basis for sugarcane ratoon stunting disease (RSD) and sugarcane yellowleaf virus.

a. Tissue sample testing and protocol shall be provided by the LSU Ag Center Sugarcane Disease Detection Lab. The certifier shall provide to LDAF verification that foundation stock has been tested for sugarcane ratoon stunting disease (RSD) and sugarcane yellowleaf virus.

4. LDAF must approve greenhouses before foundation plants can be entered into the certification program.

5. Inspections

a. Producer shall inspect and/or sample the greenhouse on a regular basis for harmful diseases and insects. If symptomatic plants are found either visually or by sample test results, they will be removed and destroyed. The grower will keep a log showing that inspections were made and if plants were removed.

b. If problems are observed during these inspections the producer should notify LDAF.

c. LDAF may inspect certified greenhouses several times during the year as needed. If symptomatic plants are found during these inspections they must be rogued and disposed of properly.

C. Field Inspections and Sampling

1. At least three field inspections by LDAF inspectors shall be made each year to determine if certified seedcane is being produced that apparently meets field standards.

2. The second inspection to be conducted in June by LDAF inspectors will include the collection of leaf samples for the detection of Sugarcane Yellow Leaf Virus.

3. Individual fields shall be sampled by LDAF inspectors for the detection of Sugarcane Yellow Leaf Virus according to the following guidelines.

Field Size in Acres	# Leaf Tissue Samples per Field
Less than 5 Acres *	25
5 - 10 Acres	50
Greater than 10 Acres	75
*Minimum of 25 Leaf Tissue Samples per Field	

4. Tissue samples shall be submitted to the LSU Ag Center Sugarcane Disease Detection Lab for analysis.

5. LDAF shall have the right to re-inspect, re-sample and re-test fields that are out of tolerance for Sugarcane Yellow Leaf Virus prior to certification.

D. Land Requirements. The land shall be fallowed one summer from the previous crop.

E. Field Standards

Factor	Foundation	Registered	Certified
Isolation	10 ft.	10 ft.	10 ft.
Other Varieties (obvious)	None	1.00%	1.00%
Off-Type (definite)	None	1.00%	1.00%
Noxious Weeds:			
Johnsongrass	None	5 Plants/Acre	5 Plants/ Acre
Itchgrass	None	1 Plant/Acre	1 Plant/ Acre
Black Nightshade	None	3 Plants/Acre	3 Plants/Acre
Harmful Diseases:			
*Sugarcane Yellow Leaf Virus	None	20.00%	20.00%
**Sugarcane Mosaic	None	10.00%	10.00%
**Sugarcane Smut	None	0.50%	0.50%
Harmful Insects:			
***Sugarcane Stem	None	5.00%	5.00%
*Determined by lab analysis for the LSU Sugarcane Disease Detection Lab			
**Plants exhibiting symptoms			
***Determined by percentage of internodes bored			

F. Stock Handling

1. General Requirements

a. During harvest, constant care should be taken in the handling of certified seed to ensure genetic identity and purity.

b. Stock shall be labeled or identified in a manner such as to represent a lot or field.

c. Planting stock shall be subject to inspection by LDAF at any time during the harvest season.

G. Reporting System

1. No certified seed tags will be issued for certified sugarcane stock.

2. The certifier shall be furnished certification forms by the LDAF and shall:

a. issue a copy of the certification form to the purchaser for each load;

b. send a copy of each issued certification form to LDAF within 10 days after each sale; and

c. maintain a copy of each issued certification form on file, which shall be available for examination by LDAF upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 23:1284 (October 1997), amended by the Department of Agriculture and Forestry, Office of the Commissioner, Seed Commission, LR 30:1143 (June 2004), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:1609 (August 2007), LR 36:1223 (June 2010), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2729 (October 2013), amended LR 40:756 (April 2014), LR 42:212 (February 2016), LR 43:1898 (October 2017), LR 51:1571 (October 2025).

§765. Sunflower Seed Certification Standards

A. Field Inspections. Two inspections shall be made of the growing crop, the first at early blooming stage and the second just before harvest. Only one inspection shall be required in the case of open-pollinated varieties.

B. Field Standards

1. Sunflower seed grown for certification shall not be on land that was planted the previous year to sunflower of another variety.

2. The isolation distance between varieties for all classes shall be at least 2,640 feet.

3. Flowering. In a crossing field for the production of hybrid sunflower seeds, the male parent must be in bloom and producing pollen at the time the female parent is in bloom. If the female sunflower heads produce pollen before the male parent heads, then the female pollen must be removed to prevent cross-pollination.

4. Maximum Impurity Tolerances (maximum limits per 1,000 plants)

Hybrid Production Foundation and Certified	Female Seed Parent	Male Pollinating Parent
Maximum (including Off-Types)	1	1
Wild-Type Branching	1	1
Purple Plants	1	1
White Seeded	1	0
Obvious Off-Types	4	4

C. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	99.00%	99.00%	98.00%
Inert Matter	1.00%	1.00%	2.00%

Other Crops	None	None	1 seed/lb.
Other Varieties	1 seed/lb.	1 seed/lb.	1 seed/lb.
Weed Seeds	None	None	None
Germination	90.00%	90.00%	90.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:586 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2731 (October 2013).

§767. Peanut Seed Certification Standards

A. Field Inspection. A field inspection shall be made by LDAF at maturity, but prior to harvesting.

Factor	Standards for classes		
	Foundation	Registered	Certified
Land requirement	1 year	1 year	1 year
Isolation	50 feet	25 feet	25 feet
Other varieties or types	None	0.2 percent	0.5 percent

B. Seed Standards. A representative sample of at least one pound of seed in its saleable condition and 1-1/2 pounds of untreated seed shall be submitted to the LDAF for laboratory analysis.

Factor	Standards for classes		
	Foundation	Registered	Certified
Pure seed (minimum allowed)	90.00 percent	90.00 percent	90.00 percent
Inert matter (maximum allowed)	10.00 percent	10.00 percent	10.00 percent
Prohibited weeds (maximum allowed) ¹	None	None	None
Weed seed (maximum allowed) ²	0.01 percent	0.01 percent	0.01 percent
Other kinds including other varieties (maximum allowed) ³	None	0.21 percent	0.52 percent
Other kinds (maximum allowed)	None	0.01 percent	0.02 percent
Other varieties (maximum allowed)	None	0.20 percent	0.50 percent
Germination (minimum allowed)	75.00 percent	75.00 percent	75.00 percent

¹Refer to Section §109

²Total weed seed shall not exceed five seeds per lb.

³Other kinds shall not exceed two seeds per lb. for Foundation; two seeds per lb. for Registered; three seeds per lb. for Certified.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 41:913 (May 2015).

§§769-779. Reserved.

Subchapter C. Fruits and Vegetables

§781. Okra Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
*Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	1,320 ft.	1,320 ft.	825 ft.
Other Varieties	None	None	1 per 1,250 Plants
Off-Type Plants	None	1.25%	1.25%

*Requirement can be waived if previous crop was grown from certified seed of the same variety.

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Varieties	None	None	None
Other Crops	None	5 seed/lb.	10 seed/lb.
Noxious Weeds	None	None	None
Other Weeds	5 seed/lb.	5 seed/lb.	5 seed/lb.
Germination	75.00%	75.00%	75.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:575 (November 1982), amended LR 9:200 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 15:613 (August 1989), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2731 (October 2013).

§783. Onion Bulb Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	5,280 ft.	2,640 ft.	1,320 ft.
Varietal Mixtures and Off-Type Plants	0.50%	0.50%	0.50%
Diseases:			
Onion Mosaic	1.00%	1.00%	1.00%
Pink Root	10.00%	10.00%	10.00%
Onion Smut	2.00%	2.00%	2.00%
Mildew	5.00%	5.00%	5.00%

B. Field Inspections. Two field inspections shall be made, one after seed heads are formed and one at harvest.

C. Handling and Storage of Bulbs

1. Bulbs must be inspected once at harvest and once in a storage house prior to planting, except that when a grower follows a seed-to-seed system, no bulb inspection shall be necessary.

2. Bulbs of any class must be free from decay; uniform in size, shape, and color; and not to exceed one-half of 1 percent varietal mixture.

D. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	99.50%	99.50%	98.00%
Inert Matter	0.50%	0.50%	2.00%
Other Varieties	None	None	None
Other Crops	0.20%	0.20%	0.20%
Noxious Weeds	None	None	None
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:575 (November 1982), amended LR 9:200 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 15:613 (August 1989), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2731 (October 2013).

§785. Shallot Seed Certification Standards

A. Land Requirement. The unit of certification shall be a field, which must be at least 300 feet from garlic, onions, or uncertified shallots and shall not have been planted to shallots for two previous years.

B. Field Inspections. Three or more inspections shall be made of the shallots while growing.

1. The first inspection shall be in the seed bed, between November 15 and December 15. On first inspection, more than 5 percent severe yellow dwarf shall cause the shallots in the entire plot to be ineligible for certification.

2. The second inspection shall be after transplanting, during March or April. On second inspection, yellow dwarf infection shall not exceed 1 percent in any area of a unit plot.

3. The third inspection shall be just prior to or at harvest time, generally around May 1 through May 15. A field having in excess of 3 percent plants or irregular growth and maturity and/or more than 3 percent pink root infection shall be ineligible for certification.

C. Storage Requirements

1. There shall be at least one inspection of the seed while in storage between June 15 and July 15.

2. The identity of shallot seed produced in each unit plot must be maintained by the grower.

3. Shallot seed with more than 3 percent storage rot and/or pink root infection shall not be eligible for certification.

4. Seed severely infested with bulb mites shall not be eligible for certification. Seed lightly infested with bulb mites must be treated in a manner prescribed by LDAF before certified permit tags will be issued.

D. Use of Certified Tags for Shallots. Shallot certificate permit tags shall be valid only during the season (June 1 of

one year through May 31 of the succeeding year) in which issued and shall be invalid after being used one time only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:583 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2732 (October 2013), amended LR 40:756 (April 2014).

§787. Singletary Pea Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
*Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	12 ft.	12 ft.	12 ft.
Other Varieties	3 Plants per Acre	3 Plants per Acre	6 Plants per Acre
*Land must be free from vetch.			

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	97.00%	97.00%	97.00%
Inert Matter	3.00%	3.00%	3.00%
Other Crops	2 seed/lb.	2 seed/lb.	3 seed/lb.
Other Varieties	2 seed/lb.	2 seed/lb.	5 seed/lb.
Noxious Weeds	None	None	None
Other Weeds	10 seed/lb.	10 seed/lb.	10 seed/lb.
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:583 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2732 (October 2013).

§789. Southern Field Pea (Cowpea) Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.	1 yr.
Isolation	None	10 ft.	10 ft.	10 ft.
Other Varieties and Off-type Plants	None	3 plants per acre	3 plants per acre	3 plants per acre

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	99.00%	98.00%	98.00%	98.00%
Inert Matter	1.00%	2.00%	2.00%	2.00%
Other Crops	None	None	None	1 seed/lb.
Other Varieties	None	None	None	1 seed/lb.
Noxious Weeds	None	None	None	None
Other Weeds	None	None	None	1 seed/lb.
Germination	80.00%	80.00%	80.00%	80.00%

§793. Watermelon Seed Certification Standards

A. Field Inspection

1. The initial inspection will be made before the first blooms are open. At this time, volunteer plants and citron must be removed from the field to be certified and the isolation zone by the grower.

2. The second inspection will be made when the melons are ready to harvest. The presence of any citron plants within 2,640 feet of a unit entered for foundation or registered classes or within 1,320 feet of a unit entered for certified class will disqualify the unit for certification.

B. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	2,640 ft.	2,640 ft.	1,320 ft.
At Harvest Time:			
Citron	None	None	None
White Heart Fruits	None	2.00%	5.00%
Total Off-Type Plants or Varietal Mixtures	None	None	2 Plants per Acre
*Plants Free from Fusarium Wilt	93.00%	93.00%	90.00%
Plants Free from Anthracnose	95.00%	95.00%	90.00%
*Applies to wilt-resistant varieties only			

C. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Crops	None	2 seed/lb.	5 seed/lb.
Other Varieties	None	None	4 seed/lb.
Citron	None	None	None
Weed Seeds	None	None	0.05%
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:588 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2733 (October 2013).

§§795-809. Reserved.

Subchapter D. Tree Seed

§811. Tree Seed Certification Standards

A. Classes of Seed

1. Only the following classes of tree seed shall be recognized in tree seed certification:

- a. certified (blue tag);
- b. selected (green tag); and
- c. source-identified (yellow tag).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:585 (November 1982), amended LR 9:204 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2732 (October 2013).

§791. Tomato Seed Certification Standards

A. Inspections

- 1. At least two field inspections shall be made.
- 2. One inspection shall be made when crop is at or near full fruit.

B. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	2 yrs.	2 yrs.	2 yrs.
Isolation	200 ft.	100 ft.	30 ft.
Other Varieties and Off-type Plants	None	0.05%	0.10%
Tomato Mosaic Virus	0.20%	0.20%	0.50%
Bacterial Spot	0.50%	1.00%	1.00%
Bacterial Speck	0.50%	1.00%	1.00%
Bacterial Canker	None	None	0.10%
Early Blight	0.50%	1.00%	1.00%
Phytophthora Foot Rot	1.00%	1.00%	1.00%
Septoria Foliage Blight	0.50%	1.00%	1.00%
Nailhead Spot	0.50%	1.00%	1.00%
Phoma Rot	0.50%	1.00%	1.00%
Fusarium Wilt	1.00%	1.00%	1.00%
Late Blight	1.00%	1.00%	1.00%

C. Management. Fields designated for production of any certified class of seed shall have no fruits removed for marketing purposes.

D. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	99.00%	98.00%	98.00%
Inert Matter	1.00%	2.00%	2.00%
Other Crops	None	None	0.01%
Other Varieties	None	0.10%	0.20%
Noxious Weeds	None	None	None
Other Weeds	None	0.01%	0.03%
Germination	75.00%	75.00%	75.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Seed Commission, LR 14:604 (September 1988), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2733 (October 2013).

2. For all classes of forest tree seed, the exact geographic source of the parent trees and the stand must be known. Location of the source shall be given at least down to the section or comparable land survey unit. (Alternatively, in the case of seed from seed orchards containing selected stocks from a number of separate sections, the location of the orchard shall be given and the exact source of its individual components shall be kept on file and furnished on request.)

B. Land Requirements. Elevation to the nearest 500 feet of the original geographic source and the average height and age of the trees from which seed has been collected shall be shown on the tag for all forest tree seed. If available, site index (the capacity of a given site to produce trees as measured by the height of the trees at a specified age) may be recorded instead of tree height and age.

C. Field Inspection. A field inspection must be made prior to flowering.

D. Field Standards

1. Unit of Certification. An individual tree, clone or stand of trees may be certified in producing certified or selected seed.

2. Isolation. For certified or selected seed, an adequate isolation zone shall be maintained free of off-type plants and other species which might crosspollinate producing trees. There shall be no isolation requirements for source-identified trees.

3. Progeny Testing. All clones used in seed orchards shall be progeny tested.

E. Seed Standards

Factor	Certified	Select	Source Identified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Species	0.01%	0.01%	0.50%
Germination	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:587 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2733 (October 2013).

Chapter 9. Approved Plant Breeders

§901. Authority

A. In accordance with the provisions of part I of chapter II of title 3 of the *Louisiana Revised Statutes* of 1950, the following qualifications herein are prescribed for approving plant breeders for growing and/or supervising the growing of breeder, foundation and/or registered agricultural seeds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013).

§903. Definition of Terms Used

Agricultural Seeds—the seeds and/or propagation materials of grain, forage, cereal, fibre and nut crops and any other crops commonly recognized within the state as horticultural and agricultural field crops.

Approved Plant Breeder—a person qualified in accordance with the requirements set forth herein and approved by the commission.

Breeder Seed—the limited amount of seed used by the plant breeder in actually breeding or maintaining a strain or variety. Breeder seed is always under the direct supervision and control of the plant breeder and is never available for sale and use by the general public. Breeder seed is used for the production of foundation seed. Breeder seed must be tagged with a tag labeled Breeder Seed.

Certificate—an official document signed by the commissioner certifying that the holder is an approved plant breeder.

Commission—the Seed Commission as created in R.S. 3:14.32.

Commissioner—the Commissioner of Agriculture and Forestry of the State of Louisiana.

Entomologist—the LDAF entomologist.

Foundation Seed—the first generation progeny from breeder seed that has been tested for at least three years by the Louisiana Experiment Station, or similar institutions in other states and has proven its merit and has been released for commercial use.

Registered Seed—the first generation progeny from foundation seed that is so handled as to maintain satisfactory genetic identity and purity and has been approved and certified by the certifying agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013), amended LR 40:756 (April 2014).

§905. Professional Services for which an Approved Plant Breeder is Required

A. The supervision of an approved plant breeder is required for the growing of breeder seed according to the

requirements of the rules and regulations of the Association of Seed Certifying Agencies.

B. Any individual, firm or corporation desiring to be granted the status of a commercial plant breeding firm must submit to the commission a general outline of their proposed methods of seed production for the breeder class of seed. This outline of methods of production must be approved by the commission. This firm must also have an approved plant breeder who has qualified under §907 of these regulations. Production of all breeder seed must be under the direct and active supervision of the plant breeder. This firm's complete plant breeding and seed increase setup must be open to inspection by personnel of the state seed certifying agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013), amended LR 40:756 (April 2014).

§907. Qualifications for Approved Plant Breeders

A. To be recognized officially by LDAF as an approved plant breeder, a person must either:

1. hold an advanced degree with plant breeding as a major subject;
2. hold an advanced degree in agronomy or horticulture and show evidence of having at least one year's experience assisting a plant breeder at an experiment station or private seed farm;
3. hold a bachelor's degree in agronomy or horticulture with at least one course in plant breeding and show evidence of at least two years' experience as in Paragraph 2;
4. hold a bachelor's degree in general agriculture, but not qualified under either Paragraphs 1, 2 or 3 above, must pass an examination at the direction of the state entomologist to indicate his knowledge of the subject (especially developing new varieties, variety testing, and increasing pure seed) and must show evidence of two years' experience as under Paragraph 2 (applicants qualifying under this Subsection may supervise the production of the class registered seed only); or
5. must show evidence of competence in the form of the development of a distinct new variety of a crop and produced pure seed of it meeting the requirements for breeder seed. (The person may supervise the production of breeder and/or foundation and/or registered only of the crop variety or varieties developed by him.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December

1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013), amended LR 40:756 (April 2014).

§909. Conditions Governing the Approval of Plant Breeders

A. Persons desiring to obtain a certificate as an approved plant breeder shall make application to the commission on a form supplied by the state entomologist.

B. Applicants must qualify under the eligibility requirements set forth in §907.

C. Applicants for a certificate qualifying under Paragraphs 1, 2, 3 and 4 of §907 shall supply with their application a copy of his college or university transcript; and in the cases of Paragraphs 2, 3 and 4, affidavits supporting the experience requirements indicated under Paragraph 2; and under Paragraph 5, supply affidavits and/or other documentary evidence supporting the requirements set forth herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013).

§911. Plant Breeder Examination

A. Applicants to qualify for certification as plant breeders under §907.A.4, must pass a satisfactory examination, which may be either written or oral, or both, on the principles of plant breeding with special emphasis on the development of new varieties or strains of horticultural and agricultural crops and the handling of them thereafter.

B. Examinations will be given by the state entomologist, or his designee, in his office in Baton Rouge, 10 days or later, at the convenience of the applicant, after the application has been approved by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013).

§913. Issuance and Duration of Certificates

A. The issuance of certificates of approved plant breeders shall be by the commission after reviewing evidence of the commissioner that the requirements set forth in §909 have been complied with, or by the commissioner with the approval of the commission.

B. Certificates of recognition of plant breeders shall be valid indefinitely, but may be canceled at any time for cause.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013).

Chapter 11. Adulterated Seed Stock and other Propagating Stock

Subchapter A. Rice Seed Stocks Containing the Presence of LibertyLink Traits

§1101. Planting of Rice Seed Stock with LL Traits

A. The following seeds may not be sold, offered for sale, or planted in Louisiana as seed for purposes of producing a new plant, except as otherwise provided by this Chapter.

1. Any portion of any variety of rice that tests positive, according to tolerances established by the department, for LL traits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013), amended LR 40:757 (April 2014).

§1103. Planting of all Rice Seed Stocks

A. Rice seed stocks, where the variety as a whole is found to test positive, according to tolerances established by LDAF, for LL traits may be sold, offered for sale or planted in Louisiana only for the purpose of seed stock increase, subject to the sampling and testing requirements set out in this Chapter.

B. If a portion of a variety of rice seed stock is found to test positive for LL traits, according to tolerances established by LDAF, the portion found to test positive shall be placed under a "stop-sale" order.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 ((December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013), amended LR 40:757 (April 2014).

§1105. Sampling of Rice Seed Stock to Detect LL Traits

A. Samples of all rice seed stocks shall be taken by the Louisiana Department of Agriculture and Forestry (LDAF) for testing. LDAF shall conduct the testing or cause the testing to be done in laboratories approved by LDAF. LDAF shall determine the method and manner of sampling and the number of samples that are needed.

B. Each sample must test negative for LL traits according to tolerances established by LDAF.

C. All costs incurred by LDAF in regard to sampling, including but not limited to the taking, transportation, testing, and disposal of samples, shall be paid by the person or entity requesting the sampling.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013), amended LR 40:757 (April 2014).

§1107. Rice Seed Stock Originating from Out-of-State

A. All rice seed stocks originating from out-of-state must meet the requirements for sampling, testing, and handling, as established by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013), amended LR 40:757 (April 2014).

§1109. Carry-Over Rice Seed Stock

A. Any carry-over rice seed stocks that have been processed, repackaged, or otherwise adulterated in any manner that would jeopardize the integrity of the seed lot are subject to the sampling and testing requirements set out in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 ((December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013).

§1111. Stop-Sale

A. Any lot of rice seed that is subject to the requirements of this Chapter that tests positive for LL traits, according to tolerances established by LDAF, shall be placed under a "stop-sale" order and moved, handled or disposed of only with the express permission of the commissioner or his designate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2593 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013), amended LR 40:757 (April 2014).

§§1113-1119. Reserved.

Chapter 12. Hemp (*Cannabis sativa* L. *Subsp. sativa*) Seed Certification Standards

§1201. General Hemp Seed Certification Standards

A. The General Seed Certification Standards provided in this Part apply to all crops, and together with the following specific standards constitute the certified Hemp standards.

B. Definitions. The following definitions apply only to this Section.

AOSCA—the Association of Official Seed Certifying Agencies

Approved Cultivar—any variety designated as eligible for production by federal or local regulatory authorities.

Breeder Plant Stock—propagation material identified and described by the breeder or developer. The breeder must also declare and document the methods in which parent lines are selected and how the Plant Stock is maintained.

Clones—asexually propagated progeny genetically identical to the stock plant.

Cuttings—portions of stems containing leaves which are rooted to produce clones.

Dioecious Type—hemp plant with male and female flowers on separate plants.

Feminized Hemp Seed—the progeny of a dioecious female hemp plant that has been pollinated with pollen derived from the same or another dioecious female hemp plant that has been induced to produce pollen. It is a true female plant with XX chromosomes.

Field—the production area enclosed by natural borders such as a head lane, ditch, tree line, building, or road.

Hemp—is defined by the U.S. Domestic Hemp Production Program as the plant species *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis or as otherwise defined by federal law.

Hermaphroditic Plants—hemp plants exhibiting male and female flowers, not true females.

LDAF—the Louisiana Department of Agriculture & Forestry.

Micropropagation—the science of plant multiplication in-vitro.

Monoecious type—hemp plant with male and female flowers on the same plant.

Pollen Parent—a reversed female hemp plant from the female line or another reversed female line to create a hybrid.

Reversed Female—female hemp plants that are induced to produce pollen in replacement of true male plants.

Seed—a flowering plant's unit of reproduction capable of developing into another such plant.

Seed Parent—female hemp plants used to produce feminized hemp seed.

Sporting Male—is a female hemp plant that produces sterile male flowers.

Structure—an enclosed growth facility.

THC—total delta-nine ($\Delta 9$) tetrahydrocannabinol, which is the component of hemp regulated by federal or local regulatory authorities.

Transplants—hemp plants produced from seeds or vegetatively from cuttings, prior to stock plant flowering.

Variety—a subdivision of a kind that is distinct, uniform, and stable; "distinct" in the sense that the variety can be differentiated by one or more identifiable morphological, physiological, or other characteristics from all other varieties of public knowledge; "uniform" in the sense that variations in essential and distinctive characteristics are describable; and "stable" in the sense that the variety will remain unchanged in its essential and distinctive characteristics and its uniformity when reproduced or reconstituted as required by the different categories of varieties.

Volunteer Plant—a hemp plant that was not intentionally planted and is the result from a previous crop.

C. General Certification Standards for Hemp Seed, Feminized Hemp Seed, Vegetatively Propagated Hemp and Hemp Transplants

1. All certified production of hemp crops is subject to license application approval that may be required by LDAF or other regulatory authority.

2. Growers must meet all applicable state and federal hemp regulations and requirements.

3. Only varieties of hemp approved by LDAF are eligible for certification.

4. The allowable area of certified hemp production shall be determined by LDAF.

5. Growers may be required to obtain additional tests and submit results to LDAF before the seed can be certified.

6. The presence of Broomrape (*Orobancha spp.*) is prohibited in all certified hemp crops and shall be cause for rejection of certified status.

7. Excessive weeds obscuring required inspections or any other condition which prevents thorough inspection shall be cause for rejection.

8. Seed coated or pelleted by non-approved conditioners shall not be eligible for certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1572 (October 2025).

§1203. Hemp Seed Certification Standards

A. Land Requirements

1. Hemp crops for Foundation and Registered classes shall not be grown on land which produced a hemp crop in any of the preceding 3 years.

2. Hemp crops for certified class shall not be grown on land which:

i. Produced a certified crop of the same variety in the preceding year.

ii. Produced a non-certified crop of hemp or a different variety of hemp in either of the preceding 2 years.

3. Inspections

a. LDAF will inspect fields at a stage of growth when varietal purity is best determined. Crops not inspected at the proper stage for best determining varietal purity may be cause for rejection of certified status.

b. LDAF will perform a minimum of two inspections on monoecious types and unisexual hybrids. The first inspection for all classes of monoecious types shall be made just before or at the early flowering stage.

c. LDAF will perform at least one inspection on the Registered and Certified classes of dioecious types. The first inspection for all classes of dioecious types must be made after flowering when male plants are beginning to senesce.

d. The second inspection for monoecious types, unisexual hybrids and Foundation class of dioecious types must be made during seed development.

e. The presence of volunteer hemp plants within isolation areas may be cause for rejection of certified status.

4. Isolation Requirements

a. There shall not be any *Cannabis sativa* L. plants within the isolation area.

b. The isolation requirements shall be met prior to flowering and crop inspection.

Table 1. Minimum Isolation Distances Required Between Classes of Certified Hemp and Other Hemp Crops		
Certified Hemp Crop	Other Hemp Crops	Isolation Distance (feet)
Dioecious type – Foundation	- Different varieties of Hemp	15,750
	- Non-certified crop of Hemp	15,750
	- Lower certified class seed crop of same variety	6460
Dioecious type – Registered	- Same class of certified seed crop of same variety	10
	- Different varieties of Hemp	15,750
	- Non-certified crop of Hemp	15,750
Dioecious type – Certified	- Seed crop of same variety that meets certified standards for varietal purity	5250
	- Seed crop of same variety that meets registered standards for varietal purity	3
	- Different varieties of Hemp	2630
	- Non-certified Hemp	2630
Monoecious type – Foundation	- Planted with certified seed of the same variety that meets certified standards for varietal purity	660
	- Seed crop of same variety that meets certified standards for varietal purity	3
	- Dioecious variety of Hemp	15,750
Monoecious type – Registered	- Non-certified crop of Hemp	15,750
	- Other Monoecious varieties	9690
	- Lower certified class seed crop of same variety	16
	- Same class of certified seed of same variety	16
Monoecious type – Certified	- Dioecious variety of Hemp	15,750
	- Non-certified crop of Hemp	15,750
	- Different varieties of the same type of Hemp (Monoecious or Female Hybrid)	6460
	- Seed crop of same variety that meets certified standards for varietal purity	3230
Monoecious type – Certified	- Seed crop of same variety that meets Registered standards for varietal purity	3
	- Dioecious variety of Hemp	3230
	- Non-certified crop of Hemp	3230
	- Different varieties of the same type of Hemp (Monoecious or Female Hybrid)	660
Monoecious type – Certified	- Planted with certified seed of the same variety that meets certified standards for varietal purity	660
	- Seed crop of same variety that meets certified standards for varietal purity	3

5. Impurity Standards

- a. Impurities shall be removed by the grower prior to crop inspection.
- b. Any combination of impurities may be cause for rejection of certified status.

§1205. Feminized Hemp Seed Certification Standards

A. Designation of Classes of Seed

- 1. Only the certified class is allowed for the production of feminized hemp seed, except for foundation class for the purpose of variety maintenance.
- 2. Feminized seed varieties must be produced from seed or clonal stocks approved by LDAF. These seed and clonal stocks shall consist of female lines and chemically assisted pollen shedding female lines of any class of certified seed or clones.

B. Growth Facility Requirements

- 1. Growth facility shall only contain certified hemp plants or plant material.
- 2. Multiple feminized hemp seed varieties may be maintained in the growth facility.
- 3. Other hemp plants are prohibited, except for pollen parent plants that are the intended pollen source.
- 4. Growth facility shall be free of all plants for a minimum of six weeks prior to receiving plants at the beginning of the crop year or production cycle unless the previous crop was the same certified variety.
- 5. If pollen sanitation is used to reduce the six-week hemp free period, a sanitation plan must be submitted to and approved by LDAF prior to introducing the new certified plant material into the growth facility.

- 6. Pollen sanitation is not required if the entire greenhouse facility produces only one pollen source, and other female lines are continually rogued to prevent contaminating pollen sources.

C. Land Requirements

- 1. Certified feminized hemp seed crops shall not be grown on land in which:
 - a. Produced a non-certified crop of hemp or a different variety of hemp in either of the preceding two years, or
 - b. Produced a certified crop of the same variety in the preceding year.

D. Inspections

- 1. It is the grower’s responsibility to request and ensure that the growth facility and field inspections are conducted by LDAF at least twice prior to swathing or harvesting.
- 2. Certified plants within a growth facility or field that have been cut, swathed or harvested prior to all required inspections shall be ineligible for certification.
- 3. Inspections of pollen parent plants and seed parent plants shall be at a stage of growth when varietal purity is best determined. Crops not inspected at the proper stage for best determining varietal purity may be cause for rejection.
- 4. LDAF will perform a minimum of two inspections.

Type and Class	Maximum Impurity Standards per 10,000 Plants in Hemp Seed Crops	
	Maximum Number of Dioecious Male Plants Shedding Pollen	Maximum Number of Off-Types or Other Varieties
Dioecious type – Foundation	None	3
Dioecious type – Registered	None	10
Dioecious type – Certified	None	20
Monoecious type – Foundation	1	3
Monoecious type – Registered	2	10
Monoecious type – Certified	100	20

6. Seed Standards

Factor	Foundation	Registered	Certified
Pure seed (minimum)	98.00%	98.00%	98.00%
Inert matter (maximum) ¹	2.00%	2.00%	2.00%
Weed seeds (maximum)	0.10%	0.10%	0.10%
Total other crop seeds (maximum)	0.01%	0.03%	0.08%
Other varieties (maximum)	0.01%	0.05%	0.10%
Other kinds (maximum) ²	0.01%	0.03%	0.07%
Germination (minimum) ³	80.00%	80.00%	80.00%

¹ Inert matter shall not include more than 0.5 percent of material other than seed fragments of the variety under consideration.

² Other crop kinds shall not exceed 2 per lb. (454 grams) for Foundation; 6 for Registered; 10 for Certified.

³ Exclusive of dormancy, firm or hard seed, or any other reference to viability.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1572 (October 2025).

a. First inspection for pollen parent and seed parent plants will be made just before or at early flowering. The pollen parent will be inspected prior to pollen collection or dispersal.

b. Second inspection for pollen parent and seed parent types will be completed after pollen shed and seed fill.

5. LDAF will inspect for the presence of volunteer hemp plants within isolation areas.

E. Specific Requirements. For the production of feminized hemp seed varieties via pollen shedding by the chemically reversed female plants.

1. Detailed records shall be maintained on the pollen parent, including, but not limited to, the chemical application dates, concentration, and pollen collection date.

2. Pollen storage containers, if used, shall be labeled with a unique ID or lot number and the source of pollen.

3. Pollen parents shall be removed and destroyed after pollen collection is complete.

4. Male, sporting male, and hermaphroditic plants shall be removed from the growth facility or field by grower and a record of roguing activities maintained and made available to LDAF upon request.

F. Isolation Requirements

1. Certified feminized hemp seed fields shall be isolated from all other contaminating pollen sources by the minimum distances provided in Table 4 of this section.

2. Roguing to eliminate all possible contaminating pollen sources shall be completed prior to visible flower formation.

3. Greenhouse production of certified feminized hemp seed is allowed if mechanical isolation of pollen sources is provided, and the following additional greenhouse requirements are met:

a. Method of pollen exclusion must be documented and submitted to LDAF.

b. Each greenhouse facility is limited to one variety, except in the case when one pollen parent is utilized for all varieties.

c. Each variety shall be clearly labeled and easily identifiable from one another.

4. LDAF may approve a reduction in isolation distances for off-season greenhouse production when outside pollen sources are not present.

Certified Crop	Other Hemp Crops	Minimum Isolation Distance Required (feet)
Feminized Hemp Seed	- Varieties of hemp, or other contaminating pollen source that has pollen shedders present, including other greenhouse complexes - Non-certified crops of hemp - Different varieties of the same type of hemp with no male shedders present in field that is not for seed production. - Planted with certified seed of the same variety that meets certified standards	15,748
	- Certified seed crop of the same variety that meets certified standards for varietal purity	3

H. Seed Standards

G. Impurity Standards

1. Impurities shall be removed prior to crop inspection.

2. Any combination of impurities may be cause for rejection of certified status.

3. Table 5 indicates the maximum number of impurities permitted in approximately 10,000 plants of the certified feminized hemp seed crop.

Factor	Foundation	Certified
Pure seed (minimum)	98.00%	98.00%
Inert matter (maximum) ¹	2.00%	2.00%
Weed seeds (maximum)	0.10%	0.10%
Total other crop seeds (maximum)	0.01%	0.08%
Other hemp varieties (maximum)	0.005%	0.05%
Other seed kinds (maximum) ²	0.01%	0.07%
Germination (minimum)	80.00%	80.00%
Feminized Seed ³	99.00%	99.00%

¹ Inert matter shall not include more than 0.5 percent of material other than seed fragments of the variety under consideration.

Maximum Impurity Standards per 10,000 Plants		
Crop	Maximum Number of Plants Shedding Pollen	Maximum Number of Off-Types or Other Varieties
Feminized Hemp Seed	0	20

² Other seed kinds shall not exceed 2 per lb. (454 grams) for foundation class; 10 for certified class.

³ Determined by variety verification trial or approved molecular testing

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1574 (October 2025).

§1207. Vegetatively Propagated Hemp Seed Certification Standards

A. Classes and sources of certified vegetatively propagated planting stocks.

1. Mother Plant is a plant produced from a Breeder Plant Stock.

2. Certified Plants are plants produced from Mother Plants.

3. Certified plants may be used to produce certified stock when produced in a Structure or D1 Daughter stock.

4. Certified plants are propagated as follows:

a. Mother Plants may be cut repeatedly to produce D1 Daughter Plants. D1 Daughter Plants are produced by cuttings from Mother Plants.

b. D1 Daughter plants may be cut repeatedly to produce D2 Daughter Plants. D2 Daughter plants are produced by cuttings from D1 Daughter Plants.

c. D2 Daughter plants may be cut repeatedly to produce D3 Daughter plants. D3 Daughter plants are produced by cuttings from D2 Daughter plants.

5. The grower shall maintain detailed documentation of the parent used to generate clones.

6. All required grower records related to the production of hemp clones shall be made available for inspection by LDAF upon request.

B. Growth Facility Production Requirements

1. The facility shall be free of visually detectable diseases, insects, and other harmful pests.

2. Hemp clones shall be handled in such a manner as to prevent co-mingling of varieties or types.

3. Isolation

a. Varieties produced in the same facility shall have a minimum of 18” unplanted isolation area between the varieties.

b. The production area, flats and/or containers for each variety shall be clearly labeled in a manner that prevents mixing or misidentification.

c. Growers shall handle transplants throughout the growing, harvesting, and sales in a manner that prevents the mechanical mixture of containers of different varieties.

C. Field Production Requirements

1. Land Requirements

a. Crops for the production of mother plants shall not be grown on land that produced a hemp crop within the previous five years.

b. Crops for the certified class shall not be grown on land that produced a hemp crop in the previous three years.

2. Isolation Requirements

a. There shall be a minimum of ten feet isolation area, or an appropriate barrier between different certified varieties or between certified and any non-certified production.

b. LDAF may approve an alternate isolation distance or barrier sufficient to prohibit the mixing of plants.

c. Isolation areas shall remain free of volunteer hemp plants throughout the production cycle.

D. General Production Standards

1. Plants shall remain apparently free of diseases, insects, and other injurious pests.

2. Maximum off-types or other varieties shall not exceed 0.2 percent, or 20 in 10,000 plants. Non-conforming plants shall be removed and destroyed by the grower.

E. Inspections

1. LDAF will inspect mother plants within seven days before first cutting of daughter plants for certification.

2. LDAF will inspect daughter plants at least once during the course of production.

3. LDAF will perform a minimum of two inspections to determine:

a. all field and indoor growth facility produced plants and transplants are properly labeled by variety and meet phenotypic purity, isolation, and are in good physical condition.

b. the number of transplants produced at the time of the final inspection.

4. Transplants may be rejected for certification due to unsatisfactory physical condition, including but limited to, diseased plants, plants with insect infestation, or plants that are otherwise stressed.

5. LDAF may reject unlabeled or inadequately labeled transplants.

6. LDAF may conduct additional inspections as necessary to ensure all certification requirements are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1575 (October 2025).

§1209. Hemp Transplants Certification Standards

A. General Hemp Transplant Standards

1. All certified transplants shall be produced from a class of certified seed or certified planting stock.

2. Proof of seed eligibility shall be established by providing to LDAF a certified label, issued by a member agency in good standing with AOSCA, and accompanying invoice showing the variety, lot number and pounds received. In the case of clones, documentation of clone propagation issued by a member agency in good standing with AOSCA.

3. All containers must be labeled in a manner that maintains the source, identity and certification eligibility of the transplants. All containers offered for sale must be identified by the official seed certification tag/label. The tag/label must be securely affixed to trays, so the tag/label remain with the plants until the final disposition.

4. Off-types and other varieties shall not exceed 0.2 percent, or 20 in 10,000 plants. Off-types and other varieties must be removed and destroyed by grower.

B. Inspections

1. LDAF will inspect all fields and other outdoor plant growing sites at least two times for phenotypic purity, isolation, physical condition, and appearance of plants.

2. LDAF will inspect transplants produced in a growth facility at least two times for varietal labeling, phenotypic purity, isolation, physical condition, and appearance of plants.

3. LDAF may reject transplants due to unsatisfactory appearance, such as plants that are diseased, insect infestation, or otherwise stressed or in a condition which prevents thorough inspection.

4. Unlabeled or inadequately labeled transplants shall be ineligible for certification.

5. LDAF will verify the number of transplants produced at the time of the final inspection.

6. Upon the final inspection, transplants may be collected by LDAF for post-control grow outs or other identification verification tests.

7. LDAF may conduct additional inspections as necessary to ensure all certification standards are met.

C. Field Land Requirements

1. Hemp transplants shall not be grown on fields which:

a. Produced a non-certified crop of hemp or a different variety of hemp in either of the preceding two years.

b. Produced a certified crop of a same variety in the preceding year.

D. Plant Bed Soil Mix Requirements

1. Growth facilities shall develop and follow Standard Operating Procedures (“SOP”) designed to prevent contamination of hemp plant material from a previous crop and maintain written documentation that the facility is free of any plant material from a previous crop. This information shall be made available to LDAF upon request.

2. The soil mixes for growth facility production of transplants shall be new, soil-less, or sanitized in a method approved by LDAF.

E. Isolation Requirements

1. When two or more varieties are being grown in the same growth facility, there shall be an adequate unplanted area between the varieties to prohibit mixing or misidentification. The production area, flats and/or containers for each variety must be clearly labeled in a manner that prevents mixing or misidentification.

2. Different varieties being grown in fields shall be separated by an adequate, but no less than six feet, unplanted area between the varieties to prohibit mixing or misidentification.

3. Growers shall handle transplants throughout the growing, harvesting, and transplant sales in a manner that prevents mechanical mixture of containers of different varieties.

F. Labeling Requirements

1. All certified hemp transplants offered for sale shall be labeled with official LDAF issued certification tags or labels. Each container of hemp transplants shall have an LDAF issued certified label firmly attached to be sold as certified transplants. Failure to properly label transplants at the time of sale shall be cause for rejection of certification status and may become ineligible for sale as certified transplants.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1576 (October 2025).

Chapter 13. Industrial Hemp

Subchapter A. General Provisions

§1301. Authority

A. The Louisiana Department of Agriculture and Forestry adopts these regulations under the authority of R.S. 3:1461 et seq. for the purpose of regulation, licensure, and enforcement of the cultivation, processing, and handling of industrial hemp.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:170 (February 2020), amended LR 47:1833 (December 2021).

§1303. Definitions

A. The provisions of R.S. 3:1462 relating to definitions, words, and terms are hereby incorporated by reference and made a part hereof and will therefore apply and govern the interpretation of these rules. Any word or term not defined in these rules shall have the same meaning ascribed to it in R.S. 3:1462. Any word not defined in R.S. 3:1462 or this Chapter shall be construed in accordance with its plain and ordinary meaning.

B. The following words and terms shall have the following meanings.

Acceptable Industrial Hemp THC Level—when the application of the measurement of uncertainty to the reported total delta-9 tetrahydrocannabinol content concentration level on a dry weight basis produces a distribution range that includes 0.3 percent or less.

AOSCA—Association of Official Seed Certifying Agencies.

AOSCA-Certified Seed, AOSCA-Registered Seed, and AOSCA Foundation Seed—seed that has been produced and labeled in accordance with the procedures and in compliance with the rules and regulations of an AOSCA seed certifying agency or by the Organization for Economic Co-operation and Development (“OECD”) Seed Schemes. AOSCA certified seed programs provide standards and procedures approved by the United States Secretary of Agriculture to maintain and make available to the public high quality seed and propagating materials of superior crop plant varieties grown and distributed to insure genetic identity and purity.

Approved Variety—industrial hemp variety or strain that has been tested a minimum of three years in Louisiana and all official LDAF test results have shown the variety or strain at or below the compliant THC level.

Cannabis—all parts of the *Cannabis* plant, whether growing or not, including its seeds, resin, compounds, salts, derivatives, and extracts.

CBD—cannabidiol.

Commission—the Louisiana Agricultural Chemistry and Seed Commission.

Commissioner—the Louisiana Commissioner of Agriculture and Forestry.

Controlled Substances Act (“CSA”)—The Controlled Substances Act as codified in 21 U.S.C. 801 et seq.

Corrective Action Plan—a plan proposed by LDAF for correcting a negligent violation or non-compliance for any

licensed industrial hemp grower, seed producer, handler or other person(s) found to be in violation of these rules.

DEA—U.S. Drug Enforcement Administration.

Delta-9-THC A (“THC-A”)—delta-9-tetrahydrocannabinolic acid.

Designated Responsible Party—the natural person designated by a business applicant or licensee as responsible for daily business operations.

Destruction Report—an official document issued by LDAF that must be completed by a licensed producer of industrial hemp and submitted to LDAF prior to destruction of any industrial hemp plot.

Employee—any person working under the direct supervision of a licensee who performs services for wages or salary, and whose work the licensee has control over in respect to the work to be done and how it will be done.

Farm Service Agency (FSA) Lot ID—a unique number generated by the USDA Farm Service Agency consisting of the farm number, tract number, field number, and subfield number. This unique number is generated from the submittal of the FSA 578 Form.

GPS—global positioning system.

Grower—a licensee authorized to obtain industrial hemp seed, possess industrial hemp seed for planting cultivating, cultivate an industrial hemp crop, harvest industrial hemp plant parts, as well as possess, store, transport, and market unprocessed plant parts grown under their grower’s license, pursuant to this Chapter.

Growing Season—the calendar year in which an industrial hemp crop is produced.

Guarantor—an individual, partnership, corporation, company, association, or other legal entity whose name appears on the analysis label of industrial hemp seed.

Handle or Handling—includes all of the following:

- a. transporting or delivering industrial hemp material in intrastate commerce for compensation;
- b. commercially harvesting, storing, or grinding industrial hemp material received from a grower;
- c. cleaning or packaging industrial hemp seed received from a seed producer;
- d. brokering industrial hemp material; or
- e. receiving industrial hemp material for testing.

Handler—a licensee authorized to engage in handling as defined herein.

Harvest/Destruction Report—an official document issued by LDAF that must be completed by a licensed grower of industrial hemp and submitted to LDAF prior to harvest or destruction of any industrial hemp field, greenhouse, or indoor growing structure.

Harvesting—the process of cutting or collecting industrial hemp crop or crop parts grown in a plot, field, greenhouse, or indoor growing structure.

Harvest Report—an official document issued by LDAF that must be completed by a licensed grower or seed producer of industrial hemp and submitted to LDAF prior to harvest of any industrial hemp plot.

Independent Contractor—a person or business entity that provides services under a written contract or verbal agreement or is issued a 1099 tax form for the work performed.

Industrial Hemp—the plant *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total delta-9 tetrahydrocannabinol concentration level of not more than 0.3 percent on a dry weight basis.

Industrial Hemp Greens—hemp leaves from immature plants germinated from seed in which the plants are no more than ten (10) inches tall and which are also not yet flowering.

Industrial Hemp Microgreens—immature hemp seedlings intended for human consumption that are:

- a. cut off above the soil or substrate;
- b. harvested prior to flowering;
- c. not more than 14 days after germination; and
- d. not taller than 5 inches.

Industrial Hemp Plant Parts—any floral buds, leaves, roots, seeds, stalks, or stems of the plant *Cannabis sativa L.* with a total delta-9 tetrahydrocannabinol concentration level of not more than 0.3 percent on a dry weight basis.

Industrial Hemp Products—products derived from, or made by, processing industrial hemp plants or plant parts.

Industrial Hemp Transplants—hemp seedlings, rooted cuttings, or immature plants produced from tissue culture or other means of reproduction, which are not harvested, but transplanted into a larger container or field to allow for maturing and harvesting.

Law Enforcement Agency—the Louisiana State Police, DEA, or other federal, state, or local law enforcement agency or drug suppression unit.

License Application—a document executed by a person and LDAF authorizing the person to grow, handle, store, or transport industrial hemp at one or more specified locations in Louisiana under the terms set forth in the document, R.S. 3:1461 et seq., and this Chapter.

Licensee—any person possessing a contract carrier, grower, processor or seed producer license issued by LDAF under the authority of this Chapter.

Location ID—the unique identifier established by the applicant for each unique set of GPS coordinates where

industrial hemp will be grown, stored, or processed, and which may include a field name or building name.

LDAF—the Louisiana Department of Agriculture and Forestry.

License Application—a document executed by a person and LDAF authorizing the person to grow, handle, process, or store industrial hemp at one or more specified locations in Louisiana under the terms set forth in the document, R.S. 3:1461 et seq., and this Chapter.

Licensee—any person possessing a handler, grower, processor or seed producer license issued by LDAF under the authority of this Chapter.

Market or Marketing—promoting or selling a product within Louisiana, in another state, or outside of the United States. Marketing includes efforts to advertise and gather information about the needs or preferences of potential consumers or suppliers.

Measurement of Uncertainty—the parameter, associated with the result of a measurement, that characterizes the dispersion of the values that could reasonably be attributed to the particular quantity subject to measurement.

Negligence or Negligent Violation—failure to exercise the level of care that a reasonably prudent person would exercise in complying with the requirements set forth in this Chapter.

Non-Consumable Hemp—any product derived from industrial hemp that does not contain any cannabinoid, including cannabidiol, and is not intended for consumption or topical use.

Notice of Analysis—an official document issued by a laboratory approved by LDAF which includes, along with other sample information, the unique sample number and THC level test results of the submitted sample.

Person—any individual, partnership, corporation, company, association, or other legal entity.

Planting Report—an official document issued by LDAF that must be completed by an industrial hemp licensee and submitted to LDAF after each planting of industrial hemp in any field, greenhouse, or indoor growing structure.

Plot—a contiguous area in a field, greenhouse, or indoor growing structure containing the same variety or strain of industrial hemp throughout the area and which is identified by a FSA Lot ID.

Processing—converting industrial hemp into a non-consumable, marketable form.

Processor—any licensed individual, partnership, corporation, cooperative association, or other business entity that receives industrial hemp for processing into non-consumable hemp commodities or products. Processor shall not include a consumable hemp processor as defined in R.S. 3:1481.

Subchapter B. Licenses

Prohibited Variety—an industrial hemp variety or strain that meets one or more of the following:

- a. more than 50 percent of official LDAF sample test results are above the 0.30 percent total THC concentration level;
- b. an official LDAF sample test result that is greater than 1.0 percent total THC;
- c. information in the public domain that supports the fact that the variety or strain is not industrial hemp.

Remediate or Remediation—the process of rendering non-compliant cannabis compliant by removing and destroying, in the presence of and by a method approved by LDAF, all flower material, while retaining stalk, stems, leaf material, and seeds, or by shredding the entire plant into a biomass-like material. All hemp plant material that has undergone remediation shall be sampled and retested for THC compliance.

Research Institution—an accredited institution of higher learning or a research facility that conducts scientific research on industrial hemp, or any licensee producing industrial hemp for research purposes, when none of the industrial hemp grown is intended for commerce.

School—a public or private institution or that portion of a public or private institution which provides teaching for any grade from kindergarten through twelfth grade.

Seed Producer—a licensee authorized to obtain, produce, transport, and sell industrial hemp seed pursuant to this Chapter.

Seed Source—the origin of any industrial hemp seed.

USDA—United States Department of Agriculture

Variety—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.

Variety Designation List—a list of industrial hemp varieties published by LDAF that, based on official LDAF test results, designates the varieties in the following categories: not yet tested, non-designated, variety of concern, approved or prohibited.

Volunteer Industrial Hemp Plant—an industrial hemp plant that was not intentionally planted, but results from a previous crop, growing on its own accord from seeds or roots following an intentionally planted industrial hemp crop.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462 and R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:170 (February 2020), LR 47:438 (April 2021), amended LR 47:1833 (December 2021), LR 48:1743 (July 2022), repromulgated LR 48:2083 (August 2022).

§1305. Licensing

A. Each industrial hemp seed producer, grower, processor, or handler shall obtain a license from LDAF prior to engaging in the regulated activity.

B. Each licensee shall be assigned a license number in the form prescribed by the USDA.

C. The effective dates of all industrial hemp licenses shall be from the date of issuance through December 31 of any given year, and licenses must be renewed annually by November 30.

D. Applications shall be handled and processed by LDAF and reviewed for approval or denial. Upon completion of the review process, the applicant will be notified of the application status.

E. The licensee shall be responsible for the cost of all licenses and sample testing fees.

F. No unlicensed person who is not an employee of a licensee shall grow, cultivate, handle, store, process, or commence transporting industrial hemp at any location within Louisiana. No licensee shall allow any unlicensed person who is not an employee of that licensee to grow, cultivate, handle, store, process, or transport industrial hemp under his or her license. For purposes of this Chapter, employees of a licensee shall not include independent contractors or persons issued a 1099 tax form by that licensee.

G. No person under the age of 18 years of age shall be granted a license under this Chapter.

H. No person shall be eligible to obtain a license if the applicant:

1. was convicted of a felony within the ten years immediately preceding the application date.
2. was convicted of a drug-related misdemeanor conviction within the two years immediately preceding the application date;
3. fails to provide all application requirements and documentation; or
4. materially falsifies any information contained in the application.

I. A person applying for multiple licenses must complete a license application and submit the associated fee for each application.

J. The licensee shall submit to LDAF in writing any requests for license modification if there is any change to the information submitted in the application including but not limited to: sale of a business or any modifications to any information concerning the licensee's approved fields, greenhouses, indoor growing structures, or any other sites where that licensee stores, processes or handles industrial hemp plants or plant parts. Requests for license modifications

shall be submitted to LDAF within 15 days of any change of the information submitted in the application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:171 (February 2020), LR 47:438 (April 2021), amended LR 47:1834 (December 2021).

§1307. Seed Producer License

A. No person shall produce industrial hemp seed for planting purposes without first applying for and being granted a seed producer license from LDAF.

B. A seed producer license issued by LDAF shall authorize the licensee to obtain, produce, transport, and sell industrial hemp seed pursuant to this Chapter.

C. All producers of industrial hemp seed shall comply with the requirements set forth in R.S. 3:1431 et seq., including but not limited to the testing and labeling requirements of agricultural seeds.

D. The application shall include, at a minimum, the following information for consideration:

1. type of license being requested as set forth in R.S. 3:1465;
2. applicant’s full name, Louisiana mailing and physical address, telephone number, email address, and proof of identification;
3. physical address, legal description, location ID, and GPS coordinates for each field, greenhouse, indoor growing structure, or site where industrial hemp will be grown, handled, or stored;
4. if the applicant is a business entity:
 - a. the full name of the business;
 - b. the principal Louisiana business physical address;
 - c. the full name, title and email address of the individual applying for the license;
 - d. the full name, title, and email address of the designated responsible party;
 - e. the full name and mailing address of the registered agent; and
 - f. the employer identification number.
5. detailed maps depicting each site where industrial hemp seed will be produced, handled, and stored, with appropriate designations for entrances, field boundaries, and the specific locations corresponding to GPS coordinates;
6. proposed field acreage or square footage for all greenhouse(s) or indoor growing structure(s) to be planted for seed production; and

E. LDAF shall maintain all information obtained pursuant to this Section for a period of not less than three years and all information received in accordance with this Section shall be transmitted to the United States Secretary of Agriculture not more than 30 days after the date on which the information is received.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:171 (February 2020), LR 47:439 (April 2021), amended LR 47:1834 (December 2021).

§1309. Grower License

A. No person shall grow industrial hemp without first applying for and receiving an industrial hemp grower license from LDAF.

B. A grower license issued by LDAF shall authorize the licensee to obtain industrial hemp seed, possess industrial hemp seed for planting, cultivate an industrial hemp crop, harvest industrial hemp plant parts, as well as possess, store, transport, and market plant parts grown under their grower’s license pursuant to this Chapter.

C. The application shall include, at a minimum, the following information for consideration:

1. type of license being requested as set forth in R.S. 3:1465;
2. applicant’s full name, Louisiana mailing and physical address, telephone number and email address;
3. physical address, legal description, location ID, and GPS coordinates for each field, greenhouse, indoor growing structure, or site where industrial hemp will be cultivated, handled, or stored;
4. if the applicant is a business entity:
 - a. the full name of the business;
 - b. the principal Louisiana business physical address;
 - c. the full name, title and email address of the individual applying for the license;
 - d. the full name, title, and email address of the designated responsible party;
 - e. the full name and mailing address of the registered agent; and
 - f. the employer identification number;
5. detailed maps depicting each site where industrial hemp will be cultivated, handled, or stored, with appropriate designations for entrances, field boundaries, and the specific locations corresponding to GPS coordinates; and
6. proposed field acreage or square footage for all greenhouse(s) or indoor growing structure(s) to be planted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:172 (February 2020), LR 47:439 (April 2021), amended LR 47:1834 (December 2021).

§1311. Processor License

A. No person shall process industrial hemp into a non-consumable product without first applying for and receiving an industrial hemp processor license from LDAF.

B. A processor license issued by LDAF shall authorize the licensee to possess, process, store, or transport industrial hemp plant parts for processing pursuant to this Chapter.

C. The application shall include, at a minimum, the following information for consideration:

1. applicant’s full name, Louisiana mailing and physical address, telephone number, email address, and proof of identification;
2. if the applicant is a business entity:
 - a. the full name of the business;
 - b. the principal Louisiana business physical address;
 - c. the full name, title and email address of the individual applying for the license;
 - d. the full name, title, and email address of the designated responsible party;
 - e. the full name and mailing address of the registered agent; and
 - f. the employer identification number.
3. detailed maps, legal description, physical address, location ID, and GPS coordinates for each building or site where industrial hemp will be processed, handled, or stored.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:172 (February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021).

§1313. Handler License

A. No person shall handle industrial hemp without first applying for and receiving an industrial hemp handler license from LDAF.

B. A handler license issued by LDAF shall authorize the licensee to:

1. transport or deliver industrial hemp in intrastate commerce for compensation;
2. commercially harvest, store, or grind industrial hemp material received from a grower;

3. clean or package industrial hemp seed received from a seed producer;
4. broker industrial hemp material; and
5. receive industrial hemp for testing.

C. The application shall require applicants to submit, at a minimum, the following information and documents:

1. applicant’s full name, Louisiana mailing and physical address, telephone number, email address, and proof of identification;
2. if the applicant is a business entity:
 - a. the full name of the business;
 - b. the principal Louisiana business physical address;
 - c. the full name, title and email address of the individual applying for the license;
 - d. the full name, title, and email address of the designated responsible party;
 - e. the full name and mailing address of the registered agent; and
 - f. the employer identification number.
3. detailed maps, legal description, physical address, location ID, and GPS coordinates for each building or site where industrial hemp will be cleaned, packaged, handled, or stored.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:172 (February 2020), amended LR 47:1835 (December 2021).

§1315. Criminal Background Check

NOTE: See §1305.H.1-2 for criminal conviction prohibitions regarding licensure

A. The applicant for each seed producer, grower, processor, or handler license shall undergo and pay for a criminal background check in accordance with La. R.S. 3:1465(D).

B. If the applicant is a business entity, the individual applying for a license, and the designated responsible party shall undergo and pay for a criminal background check.

C. Each individual who is required to undergo and submit a criminal background check shall:

1. submit a criminal background check application to the Louisiana State Police as set forth in R.S. 3:1465(D);
2. submit payment for the background check fee directly to the Louisiana State Police, Bureau of Criminal Identification and Information as set forth in R.S. 3:1465(D); and

3. include a certified copy of the background check reports with the industrial hemp license application or the applicant may authorize Louisiana State Police to deliver the completed criminal background check directly to LDAF.

D. LDAF shall not accept a criminal background check report that was issued more than 60 days prior to submission of the application.

E. Failure to submit the criminal background check report may result in the denial of the license application.

F. Substitution of a designated responsible party shall require the submission of a current criminal background check report for the proposed substituted designated responsible party issued within the last 60 days. Licensee must obtain prior written approval from LDAF for the substitution of a designated responsible party.

1. An applicant or licensee whose application and/or license has been revoked or denied for failure to obtain a satisfactory criminal background check as set forth in R.S. 3:1465(D) or failure to comply with a written order from an LDAF agent shall not be the designated responsible party for another licensee for a period of three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:173 (February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021), LR 48:1743 (July 2022).

Subchapter C. Fees

§1317. Licensing and Testing Fees

A. License Fees

1. The annual fee for a seed producer, grower, processor, and handler license shall be \$500 each.

2. New license fees are due upon notification of application approval. No license shall be issued until payment of the license fee is received by LDAF.

3. No license shall be issued until payment of the license fee is received by LDAF.

B. Sample Testing Fees

1. THC testing of industrial hemp plant parts shall be \$250 per sample.

2. THC testing fees are due at the time of sample collection.

3. Requests for alternative payment arrangements for fees must be pre-approved by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1467.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:173

(February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021).

Subchapter D. Seed Producers and Growers

§1319. Requirements for Seed Producers and Growers

A. Licensed seed producers and growers shall post a sign at each field, greenhouse, or indoor growing structure. The sign shall comply with the following requirements and remain posted during the entire crop cycle:

1. the designation, "Louisiana Industrial Hemp Program";
2. industrial hemp license number;
3. LDAF industrial hemp program's telephone number;
4. minimum sign size shall be 18 inches by 24 inches for a field and 8.5 inches by 11 inches for a greenhouse or indoor growing structure;
5. the sign shall be posted at the main entrance of each field, greenhouse, or indoor growing structure; and
6. the sign shall be printed and conform to the design template provided to each licensee by LDAF.

B. LDAF may sample and test any industrial hemp material in a licensee's possession at any time if there is reason to believe that a violation of this Chapter has occurred.

C. A licensee shall submit in writing a completed Harvest or Destruction report to LDAF within 15 days of the intended harvest date or intended destruction date of a failed crop.

D. Planting Reports

1. Grower licensees shall submit a completed first report of planting on a form provided by LDAF for all hemp plantings within 15 days of planting;

2. For all true seed production, seed producer licensees shall submit a completed first report of planting on a form provided by LDAF within 15 days of planting; and

3. For all vegetative stock plantings, seed producer licensees shall submit a completed quarterly planting report on a form provided by LDAF on or before March 31, June 30, September 30, and December 31 of each year.

E. Representatives of LDAF shall be provided with complete and unrestricted access to all industrial hemp plants, whether growing or harvested, and all land, buildings, and other structures used for the cultivation, handling, and storage of all industrial hemp plants and all locations listed in the license application.

F. An industrial hemp crop shall not be harvested more than 30 days following the date of sample collection by LDAF, unless specifically authorized in writing by LDAF.

G. An industrial hemp crop planted or cultivated in a field, greenhouse, or indoor growing structure shall be planted or

cultivated in a manner to allow LDAF to collect a representative sample throughout the entire crop. If a crop is not planted or cultivated in such a manner that allows for the collection of a sample throughout the entire crop, then the grower shall make modifications to the crop to allow collection and sampling throughout the entire crop.

H. A licensee shall destroy any unharvested industrial hemp plants contained in a field, greenhouse, or indoor growing structure or any portion thereof resulting from crop failure or that licensee's failure to harvest for any reason. LDAF shall approve the written destruction method of the unharvested industrial hemp plants.

I. A licensee shall monitor and destroy volunteer industrial hemp plants from the licensee's cultivation for a period of three years after cultivation ends.

J. A licensee who fails to timely submit a Harvest or Destruction Report or who harvests a crop prior to a sample being collected by LDAF may be subject to crop destruction and regulatory action up to and including license revocation.

K. Licensed seed producers and growers shall report industrial hemp crop acreage or square footage to the USDA Farm Service Agency and shall provide, at a minimum, the following information:

1. street address and, to the extent practicable, GPS location for each field, greenhouse, or indoor growing structure where industrial hemp will be cultivated;
2. acreage or square footage for each field, greenhouse, or indoor growing structure dedicated to the cultivation of industrial hemp; and
3. LDAF license number.

L. Along with the required planting reports, grower and seed producer licensees shall provide LDAF with the corresponding Farm Service Agency FSA 578 form for each planting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464, R.S. 3:1467, and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:173 (February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021), LR 48:1744 (July 2022).

§1321. Seed Acquisition and Approval

A. No person shall acquire seeds from a source outside the U.S. or from a U.S. territory, tribal land or state other than Louisiana without first:

1. submitting a completed seed acquisition request form and all required attachments to LDAF; and
2. obtaining written approval of the seed acquisition request form from LDAF.

B. Industrial hemp seed offered for sale or distribution for planting purposes into or within Louisiana shall be one of the following:

1. certified seed produced from industrial hemp plants that meet the criteria for breeder, foundation, registered, or certified classes as defined by the Official Seed Certification Standards in Louisiana or by another AOSCA member agency; or

2. seed originating from a Louisiana licensed seed producer or handler, or an out-of-state person authorized to produce hemp seed by the USDA or under an approved state plan pursuant to the Agriculture Improvement Act of 2018, P.L. 115-334, or under an authorized state pilot program pursuant to the Agriculture Improvement Act of 2014, P.L. 113-79, and that is accompanied by the following official documentation:
 - a. certificate of analysis issued by a third party independent laboratory showing that the industrial hemp from which the seed was harvested had a THC concentration of not more than the acceptable industrial hemp THC level;
 - b. seed purity and germination analysis report as set forth in R.S. 3:1436; and
 - c. seed label, in compliance with R.S. 3:1436, for the industrial hemp seed which is being requested for approval.

- C. In addition to this Chapter, all industrial hemp seed sold or distributed for planting purposes within or into Louisiana shall be subject to all requirements of the Louisiana Seed Law (R.S. 3:1431 et seq.) and the Louisiana Seed Regulations (LAC 7:XIII.101 et seq.)

- D. The guarantor of industrial hemp seed, except persons exempt pursuant to the authority of the Louisiana Seed Law (R.S. 3:1445), who sells, transports, distributes, or offers or handles for sale industrial hemp seed shall have a complete analysis test performed on the seed by a registered seed technologist or an official state seed analyst prior to the seed being sold, distributed, offered, or handled for sale in Louisiana.

- E. All industrial hemp seed produced in Louisiana shall be certified true to type under the Louisiana seed certification program guidelines for industrial hemp seed. No other industrial hemp seed may be produced in Louisiana for distribution or sale unless approved by LDAF.

- F. No person shall sell or transfer industrial hemp seed to any person in Louisiana without first verifying that the person receiving the seed is licensed by LDAF.

- G. No person shall buy or otherwise acquire industrial hemp seed from any person in Louisiana without first verifying that the person distributing the seed is a seed producer or handler licensed by LDAF.

- H. Seed of industrial hemp varieties designated as an *approved variety* shall be exempt from the requirements of Subsection A of this Section.

- I. Seed of industrial hemp varieties designated as a *prohibited variety* shall not be acquired, planted, grown,

offered for sale, or distributed for planting purposes in Louisiana.

J. Upon request from LDAF, a licensed seed producer shall provide a seed distribution list within 48 hours of the request showing locations where and to whom industrial hemp seed was distributed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431, R.S. 3:1436, R.S. 3:1445, 3:1463, R.S. 3:1464, R.S. 3:1465, and R.S. 3:1466.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:174 (February 2020), LR 47:440 (April 2021), amended LR 47:1836 (December 2021), LR 48:1744 (July 2022).

Subchapter E. Restrictions and Prohibitions

§1323. Land Use Restrictions

A. A licensee shall not grow, handle, process, or store industrial hemp in any structure that is used or appears to be used for residential purposes.

B. A licensee shall not grow, handle, process or store industrial hemp in any outdoor field or site that is located within 1,000 feet of a school, daycare or similar public areas frequented by children as determined by LDAF.

C. An applicant may not apply for a license to grow, cultivate, handle, or process industrial hemp on property that is not owned or leased by that applicant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:175 (February 2020), LR 47:440 (April 2021), amended LR 47:1836 (December 2021).

§1325. Restrictions on Sale or Transfer

A. A licensee shall not sell or transfer, or permit the sale or transfer of living industrial hemp plants, viable plant parts, or seeds to any person in the state who does not hold an industrial hemp license issued by LDAF.

B. Licensees may transfer up to one pound of industrial hemp plants or plant parts per transfer to testing laboratories, both within and outside the state for the purpose of measuring THC, CBD, or other phytocannabinoid profile levels. It is the responsibility of the licensee to ensure compliance with laws in other states.

C. A licensee shall not store industrial hemp or industrial hemp plant parts at any location that was not previously approved by LDAF on that licensee's application and/or site modification request form.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental

Sciences, Agricultural Chemistry and Seed Commission, LR 46:175 (February 2020), LR 47:440 (April 2021).

§1327. Prohibitions

A. No person shall:

1. sell, offer for sale, expose, distribute or transport industrial hemp seed not produced in accordance with the provisions of this Chapter;

2. fail to comply with sample collection, and testing requirements prior to harvesting or destroying any industrial hemp plants or plant parts in accordance with this Chapter;

3. detach, alter, deface, or destroy any required documentation specified in this Chapter;

4. alter, substitute, or misrepresent seed in a manner inconsistent with this Chapter;

5. hinder or obstruct in any way any authorized agent(s) of LDAF in the performance of their duties;

6. fail to comply with all licensing and reporting requirements set forth in the Industrial Hemp Law (R.S. 3:1461 *et seq.*) or this Chapter;

7. fail to keep required records as set forth in this Chapter or to provide such records to LDAF for inspection upon request;

8. fail to monitor and/or destroy volunteer industrial hemp plants for three years following cultivation as set forth in this Chapter;

9. provide false, misleading, or incorrect information to LDAF pertaining to the licensee's cultivation, processing, or transportation of industrial hemp including, but not limited to, information provided in any application, report, record, or inspection required or maintained in accordance with the Industrial Hemp Law (R.S. 3:1461 *et seq.*) and this Chapter;

10. plant, grow, store, transfer, or process industrial hemp on any site not listed in the licensing application or site modification request form as set forth in this Chapter;

11. sell or transfer, or permit the sale or transfer of living industrial hemp plants or plant parts to a person in the state who does not hold an industrial hemp license issued by LDAF;

12. commingle harvested industrial hemp plant parts from one plot with harvested industrial hemp plant parts from another plot prior to receipt of compliant THC concentration level test results from LDAF;

13. commingle different varieties of industrial hemp plants in a single plot; or

14. adulterate industrial hemp plants or plant parts in any manner that renders it non-compliant with this Chapter.

15. sell, offer for sale, expose, distribute, transport or plant industrial hemp seed which has been designated by LDAF as a *prohibited variety*;

16. produce industrial hemp with a total THC concentration level greater than 1.0 percent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464, R.S. 3:1465, R.S. 3:1466, R.S. 3:1467, R.S. 3:1468, R.S. 3:1470, and R.S. 3:1471.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:175 (February 2020), LR 47:440 (April 2021), amended LR 47:1836 (December 2021), LR 48:1744 (July 2022).

Subchapter F. Reporting, Research, and Record-Keeping

§1329. Production Reports

A. Industrial hemp grower, seed producer, and processor licensees shall be required to maintain and submit annual production reports to LDAF on forms provided by LDAF by November 15.

1. Annual production reports submitted by licensed growers and seed producers shall include the following:

- a. total amount of industrial hemp sold for processing;
- b. total dollar value of industrial hemp sold for processing; and
- c. total amount of industrial hemp seed sold;
- d. total value of industrial hemp seed sold; and
- e. current industrial hemp plant parts in storage and location of that storage.

2. Annual reports submitted by licensed processors shall include the following:

- a. total amount of industrial hemp processed;
- b. type of processing, including but not limited to fiber, seeds, oil, or other uses; and
- c. total dollar value of industrial hemp processed.

3. Failure to submit a complete and accurate annual production report may constitute a violation of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1466.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:175 (February 2020), LR 47:440 (April 2021), LR 48:1744 (July 2022).

§1330. Industrial Hemp Research

A. Except for those entities exempted pursuant to R.S. 3:1469, all research institutions who intend to perform industrial hemp research shall possess a valid license with LDAF, and submit an annual industrial hemp research plan to LDAF. The research plan shall include, but not be limited to, the following information:

1. a detailed research summary outlining the purpose and objectives that demonstrates to LDAF's satisfaction that research of hemp is being performed;

2. all locations where industrial hemp research will be conducted;

3. strain(s) and/or variety(ies) of industrial hemp used in the research;

4. a timeline of all research activities;

5. a destruction plan for all cannabis plants involved in the research;

6. results of hemp-related research information and findings conducted by the licensee during the previous 12-month period. Trade secret or patent information developed from hemp research may be omitted from the annual research plan so long as it is necessary for the research institution to protect such information; and

7. any other information as may be requested by LDAF.

B. No industrial hemp research shall be performed without first obtaining written approval of a research plan from LDAF;

C. No industrial hemp research shall be performed on strains or varieties not pre-approved by LDAF;

D. Any change(s) to the research plan must be submitted in writing to, and approved by, LDAF prior to implementation of the change(s);

E.

Industrial hemp or industrial hemp plant parts grown for research purposes shall not be offered for sale or enter the stream of commerce, except as otherwise provided in this Chapter;

F.

Industrial hemp grown for research purposes shall be subject to the inspection, record keeping, sampling, and testing requirements as set forth in this Chapter;

G. Licensees producing industrial hemp for both commercial and research purposes at the same location shall meet the following minimum isolation requirements between commercial and research plants and plant parts:

1. material grown or stored indoors shall be separated at all times by contiguous walls extending from the floor to the structure's ceiling; and

2. material grown or stored outdoors shall be separated by a minimum distance of twenty (20) feet at all times;

H. Each industrial hemp lot and harvested plant material produced for research purposes shall be plainly and clearly identified with the following information;

1. "for research purposes," and

2. the name of the strain or variety.

I. Research institutions shall be assessed a negligent violation if the THC content of a sample collected by LDAF exceeds 1 percent total delta-9 tetrahydrocannabinol. Research institutions shall not receive more than one negligent violation in a growing season.

J. If during the course of cultivation, the research institution decides to convert an industrial hemp research plot into commercial production, then the plot shall comply with the sampling and testing requirements set forth in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1469.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 47:1837 (December 2021).

§1331. Records

A. All licensees shall maintain, at a minimum, the following records, where applicable:

1. all records for crop production and crop destruction;
2. documentation of any sales or distribution, including the party to which all product was sold or distributed;
3. for seed producers and growers, documentation of traceability from seed acquisition to harvest or crop termination; and
4. for processors, documentation of industrial hemp acquisition from grower to their final product.

B. All licensees transporting or delivering industrial hemp or industrial hemp plant parts shall have a copy of their license(s) in their possession at all times during transport or delivery.

C. Any person transporting or delivering industrial hemp or industrial hemp plant parts entered into commerce shall also have a dated invoice, bill of lading, or manifest in his or her possession at all times during transport or delivery, which shall include:

1. the seller's and purchaser's name and address;
2. the specific origin and destination of the industrial hemp being transported; and
3. the quantity of industrial hemp being transported.

D. All records required under R.S. 3:1466 and this Chapter shall be maintained by the licensee while the license is valid and for a minimum of three years after the expiration of the license

E. Required records shall be provided for inspection within 48 hours upon request by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1466.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental

Sciences, Agricultural Chemistry and Seed Commission, LR 46:176 (February 2020), amended LR 47:1837 (December 2021).

Subchapter G. Inspections

§1332. Reporting to USDA

A. LDAF shall submit to USDA a report providing the contact information and the status of the license issued for each grower and seed producer. The report shall be submitted by the first of each month. If the first of the month falls on a weekend or holiday, the report is due by the first business day following the due date. The report shall be submitted through the USDA's online Hemp eManagement Platform (HeMP) system or by any other manner of submission that may be required by USDA. The report shall contain the following information:

1. For each new licensee that is an individual, the report shall include:
 - a. the full name of the individual;
 - b. the license number and status;
 - c. the business address;
 - d. telephone number and email address (if applicable); and
 - e. a legal description and GPS coordinates for each field, greenhouse, indoor growing structure, or site where industrial hemp will be cultivated, handled, or stored.
2. For each new licensee that is a business entity, the report shall include:
 - a. the full name of the business entity;
 - b. the principal business location address;
 - c. license number and status;
 - d. the full name, title, and email address (if applicable) of each person for whom the entity is required to submit a criminal background check; and
 - e. a legal description and GPS coordinates for each field, greenhouse, indoor growing structure, or site where industrial hemp will be cultivated, handled, or stored.
3. For each licensee that was included in a previous report and whose reported information has changed, the report shall include the previously reported information and the new information, including the following:
 - a. the status of each grower and seed producer's license;
 - b. the period covered by the report;
 - c. indication that there were no changes during the current reporting cycle, if applicable.

B. LDAF shall submit to USDA a report notifying USDA of any occurrence industrial hemp plants or plant parts that exceed the acceptable industrial hemp THC level by the first of each month. If the first of the month falls on a weekend or

holiday, the report is due by the first business day following the due date. The report shall be submitted using a digital format compatible with USDA's information sharing systems, whenever possible. The report shall contain the following information:

1. the name and address of the licensee;
2. producer license number;
3. location information, such as lot number, location type, and GPS or other location descriptor for the production area subject disposal;
4. information on the agent handling the disposal;
5. disposal completion date;
6. total acreage; and
7. laboratory test results.

C. LDAF shall report to USDA, using a digital format compatible with USDA's information sharing systems, whenever possible, the following information for each sample of industrial hemp tested:

1. license number of licensee;
2. name of licensee;
3. business address of licensee;
4. lot identification number for the sample;
5. name and DEA registration number of laboratory;
6. date of test and report;
7. identification of retest; and
8. test result.

D. LDAF shall submit an annual Report to USDA, using a digital format compatible with USDA's information sharing systems, whenever possible, by December 15 of each year and the report shall contain the following information:

1. total planted acreage;
2. total harvested acreage; and
3. total acreage disposed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:176 (February 2020), LR 48:1744 (July 2022).

§1333. Site Access and Compliance

A. When there is reason to believe that a violation of any provision of R.S. 3:1461 et seq. or this Chapter has occurred, the commissioner or his authorized agent(s) shall have access, during normal working hours, to any premises where industrial hemp plants or plant parts are transported, produced, cultivated, handled, and/or stored for the purpose of inspection, investigation, and/or collection of samples for

testing. The commissioner or his authorized agent(s) may inspect and/or sample any industrial hemp seed, plant, or plant parts located on the premises. LDAF shall not charge a testing fee for samples collected pursuant to an investigation initiated by LDAF.

B. LDAF shall conduct inspections, at least annually, of a random sample of licensees to verify that industrial hemp is not being produced in violation of this R.S. 3:1461 et seq., or this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:176 (February 2020), amended LR 47:1837 (December 2021).

Subchapter H. Sampling, Testing, Remediation, and Destruction

§1335. THC Sampling and Testing

A. All industrial hemp plants or plant parts, whether harvested or unharvested, shall be subject to sampling and testing for THC levels by LDAF as set forth in this Section.

B. The licensee shall be responsible for the cost of all sample testing fees, as set forth in this Chapter.

C. Sample Collection

1. Licensees shall submit a Harvest Report for each field, greenhouse or indoor growing structure to LDAF prior to harvesting any industrial hemp plants.

2. LDAF will attempt to notify the licensee of the date and approximate time when samples will be collected.

3. The licensee or designated responsible party shall be present during the sample collection.

4. LDAF will collect samples from each plot within any field, greenhouse, or indoor growing structure.

5. LDAF may retain and transport samples of industrial hemp plants and plant parts collected from an industrial hemp licensee as required by the Industrial Hemp Law (R.S. 3:1461 et seq.) and this Chapter.

6. All samples collected by LDAF become the property of the LDAF and are non-returnable. No compensation shall be owed by LDAF for samples collected under this Chapter.

7. The licensee shall not harvest industrial hemp plants or plant parts prior to samples being collected by LDAF.

8. The licensee shall harvest industrial hemp plants or plant parts within 30 days of the sample collection by LDAF, unless an exception is authorized in writing by LDAF. Should a licensee fail to complete harvest within 30 days and no exception was authorized by LDAF, a second sample and test of the plot shall be performed and the licensee shall be assessed an additional testing fee per sample in an amount not to exceed \$250 per sample.

D. Performance-based Sampling

1. Industrial hemp lots produced for research purposes may not be subject to sampling and testing requirements outlined in this Section when all of the following requirements are met:

- a. LDAF has a confidence level that 95 percent of the industrial hemp plants in each lot subject to alternate method will not test above the acceptable industrial hemp THC level;
- b. no industrial hemp will enter the stream of commerce;
- c. the research institution has submitted and received written approval of an industrial hemp research plan from LDAF;
- d. the research institution maintains records documenting the strain or variety's compliance with the acceptable industrial hemp THC level.

2. LDAF may inspect, sample, and test any industrial hemp plants or plant parts, at any time to ensure compliance with this Chapter.

3. LDAF shall conduct random inspections, including records reviews on research institutions, regardless of whether or not they are subject to the sampling and testing requirements.

E. Laboratory Testing

1. Quantitative determination of THC levels measured using liquid chromatography with ultraviolet detection (LC-UV) or mass spectral detection if required by matrix interference (LC/MS/MS) shall be the accepted analytical technique to avoid the risk of incomplete decarboxylation, therefore, removing the need for any post-decarboxylation.

2. The testing methodology shall consider the potential conversion of THC-A in industrial hemp into THC and the test result shall measure the total available THC derived from the sum of the THC and THC-A content. Appropriately, the THC-A result will be modified by the molecular weight conversion factor 0.877 prior to summation with THC. The total THC concentration level shall be reported on a dry weight basis.

3. Analytical testing for purposes of detecting the concentration levels of THC shall meet the following standards:

- a. laboratory quality assurance must ensure the validity and reliability of test results;
- b. analytical method selection, validation, and verification must ensure that the testing method used is appropriate (fit for purpose), and that the laboratory can successfully perform the testing;
- c. the demonstration of testing validity must ensure consistent, accurate analytical performance;

d. method performance specifications must ensure analytical tests are sufficiently sensitive for the purposes of detectability requirements of this Chapter;

e. an effective disposal procedure in accordance with DEA regulations for samples of industrial hemp plants and industrial hemp plant parts that do not meet the requirements of R.S. 3:1461 et seq. or this Chapter.

f. the measurement of uncertainty shall be estimated and reported with the results.

4. All testing of industrial hemp samples shall be conducted by LDAF or by any public postsecondary education institution in which LDAF has entered into a contract, cooperative endeavor agreement, memorandum of understanding, or other agreement for THC testing.

5. The results of the THC analysis shall be reported to the licensee and, if tested by an approved third party laboratory, to LDAF.

6. A notification of analysis shall be issued for samples with a THC concentration that do not exceed the acceptable industrial hemp THC level and no further action shall be required. The plot or harvested plant material from which the sample was obtained shall be released for marketing or further processing.

7. A notification of analysis shall be issued for samples that exceed the acceptable industrial hemp THC level and a licensee may request a resample of any harvested cannabis that has undergone remediation as set forth in §1337 of this Chapter. If no request is made within 10 calendar days of the sample results being reported to the licensee, or the retested sample results exceed the acceptable industrial hemp THC level, then the plot or harvested plant material from which the sample was taken shall be subject to destruction as set forth in §1337.

8. A notification of analysis for official LDAF collected samples shall not be released until the licensee has submitted a valid FSA 578 form to LDAF for the lot represented by the sample.

9. No industrial plants or plant parts for which a THC analysis is pending shall be transferred, transported, sold, marketed, or otherwise disposed of until approved by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, R.S. 3:1467, and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:177 (February 2020), LR 47:440 (April 2021), amended LR 47:1838 (December 2021), LR 48:1744 (July 2022).

§1337. Remediation and Destruction

A. All industrial hemp plants or plant parts that are noncompliant with the acceptable industrial hemp THC level shall be remediated or destroyed in compliance with this Chapter. Any industrial hemp plants or plant parts that test greater than 1.0 percent total THC shall be destroyed.

B. Producers may choose to remediate any non-compliant industrial hemp plants by one of the following methods:

1. removing and destroying all flower material, while retaining stalk, stems, leaf material, and seeds; or

2. shredding the entire plant into a biomass-like material.

C. All remediated industrial hemp plants or plant parts shall be resampled and tested for THC concentration levels, and shall comply with the acceptable industrial hemp THC level.

D. Industrial hemp plants or plant parts that are not in compliance with the acceptable industrial hemp THC level after remediation shall be:

1. prohibited from being further handled, processed, or entered into the stream of commerce; and

2. destroyed in accordance with the USDA AMC published list of Hemp Disposal Activities. The method of destruction shall be approved by LDAF.

E. Licensees shall submit a Destruction Report for each plot to LDAF prior to destruction. LDAF shall approve the method of destruction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, R.S. 3:1467, and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:177 (February 2020), amended LR 47:1839 (December 2021), LR 48:1744 (July 2022).

Subchapter I. Enforcement

§1339. Adjudicatory Proceedings; Violations

A. The commissioner may suspend or revoke any license issued under the provisions of R.S. 3:1465 and this Chapter. The commissioner may also assess a civil penalty for violation of any provision of R.S. 3:1461 et seq. or any violation of any regulation enacted under the authority of said statutes.

B. Whenever the commissioner has reason to believe that a licensee has violated any provision of the R.S. 3:1461 et seq. or this Chapter, the commissioner shall notify the licensee of the alleged violation as well as an opportunity to respond thereto, by certified mail, prior to any scheduled hearing date.

C. Each separate day on which any violation occurs shall be considered a separate violation.

D. No penalty may be assessed nor may any license be suspended or revoked by the commissioner prior to the holding of an adjudicatory hearing before the commission. Such adjudicatory hearing shall be conducted in accordance with the requirements of the Administrative Procedure Act; any person alleged to have violated any provision of R.S. 3:1461 et seq. or this Chapter shall be accorded all rights and privileges under said Act.

E. The commission shall make an initial determination on alleged violations and recommend findings of fact and conclusions of law together with penalties, if applicable, in writing.

F. The commissioner shall make the final determination on the disposition of alleged violations. If the commissioner does not accept the recommendations of the commission following an adjudicatory proceeding, the commissioner shall notify the commission, in writing, of the reasons for not accepting the commission's recommendations.

G. Reinstatement of a revoked license shall be by hearing before the commission and approval of the commissioner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1461, 3:1463, R.S. 3:1464, and R.S. 3:1470.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:178 (February 2020).

§1341. Corrective Action Plan for Negligent Violations and Mandatory Reporting

A. In addition to being subject to license suspension, license revocation, civil penalties, and industrial hemp destruction, a person who is determined by LDAF to have negligently committed the following violations may be subject to a corrective action plan:

1. failing to provide a legal description of the field, greenhouse, indoor growing structure, or site where industrial hemp will be cultivated, handled, or stored;

2. failing to obtain a seed producer, grower, handler, or processor license from LDAF; or

3. producing industrial hemp exceeding the acceptable hemp THC level. A person that has made reasonable efforts to grow industrial hemp and produces cannabis that does not have a total THC concentration of more than 1.0 percent shall not be deemed to have committed a negligent violation.

B. A corrective action plan issued by LDAF shall include the following information:

1. a reasonable date by which the person shall correct the negligent violation; and

2. a requirement that the person shall periodically report to LDAF about the person's compliance with the corrective action plan, R.S. 3:1461 et seq., and this Chapter for a period of at least two years from the date of the corrective action plan.

C. LDAF shall conduct an inspection to determine if the corrective action plan has been implemented as submitted.

D. A person who is determined by LDAF to have negligently violated R.S. 3:1461 et seq. and this Chapter three times in a five-year period shall be ineligible to hold an industrial hemp license for a period of five years beginning on the date of the third violation.

E. A person that has negligently violated R.S. 3:1461 et seq. and this Chapter shall not be reported to local, state, or federal government authorities for criminal enforcement action.

F. Licensed growers and seed producers of industrial hemp shall not receive more than one negligent violation per growing season.

G. LDAF shall report a person who is found by LDAF to have violated R.S. 3:1461 et seq. and this Chapter with a culpable mental state greater than negligence to the USDA, United States Attorney General, and the Louisiana Attorney General within 30 days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:178 (February 2020), amended LR 47:1839 (December 2021), LR 48:1744 (July 2022).

§1343. Stop Orders

A. A person believed to be in violation of the Industrial Hemp Law (R.S. 3:1461 et seq.) or this Chapter may be issued a written or verbal stop order by LDAF. Stop orders shall be effective immediately upon notification to the alleged violator.

B. If an alleged violator refuses to accept a written stop order when tendered or refuses or fails to claim such stop order when sent by certified mail, the stop order shall be deemed to have been delivered to the alleged violator.

C. Refusal or failure to abide by the terms of a stop order shall constitute a violation of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1470.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:178 (February 2020).

Title 7
AGRICULTURE AND ANIMALS
Part XIII. Seeds

Chapter 1. General Provisions

**Subchapter A. Definitions;
Administrative Matters**

§101. Definitions

A. The definitions in R.S. 3:1431 and the following definitions are applicable to this Part.

Coated Seed—any seed unit covered with any substance that changes the size, shape, or weight of the original seed. Seeds coated with ingredients such as, but not limited to, rhizobia, dyes, and pesticides that do not significantly change the size, shape, or weight of the original seed are excluded.

Declaration—a written statement of a grower, shipper, processor, dealer, or importer, given for any lot of seed the kind, variety, type, origin, or the use for which the seed is intended.

Hermetically Sealed Container—seed containers that meet the requirements of Part 201; §201.36c of the USDA Federal Seed Act Regulations. See 7 CFR 201.36c.

Hybrid Seed Corn (as applied to field corn, sweet corn, or popcorn)—the first generation seed of a cross produced by controlling the pollination, and by combining two, three, or four inbred lines, or by combining one inbred or a single cross with an open pollinated variety. Hybrid designations shall be treated as variety names.

LAES—Louisiana Agricultural Experiment Station.

LDAF—Louisiana Department of Agriculture and Forestry.

Processing—cleaning, scarifying or blending to obtain uniform quality and other operations which would change the purity or germination of the seed and, therefore require retesting to determine the quality of the seed, but does not include operations such as packaging, labeling, blending together of uniform lots of the same kind or variety without cleaning, any of which would not require retesting to determine the quality of the seed.

Prohibited Noxious Weed Seed—the seeds of weeds that not only reproduce by seed, but also spread underground roots or stems, and which, when established, are highly destructive and difficult to control in the state by ordinary good cultural practices. These seeds are prohibited from being present in agricultural, vegetable, flower, tree, or shrub seed, or from being sold as a labeled seed kind.

Registered Seed Technologist—as applied in these regulations, means a seed technologist who has attained registered membership in the Society of Commercial Seed Technologists (society) through qualifying tests and experiences as required by the society.

Restricted Noxious Weed Seed—seeds of such weeds as are very objectionable in fields, lawns or gardens of this state, but can be controlled by good cultural practices.

Seed Gathered in Elevators—seed gathered in elevators or other establishments to be sold for planting purposes by farmers or other persons who are subject to the provisions of the Seed Law or the rules and regulations in this Part.

Seed Law—R.S. 3:1431 et seq.

Treated—given an application of a substance or subjected to a process designed to reduce, control or repel disease organisms, insects or other pests which attack seeds or seedlings growing therefrom.

B. The terms defined in R.S. 3:1431 and in this Section have the meaning herein given to them, except where a rule or regulation or the context expressly indicates otherwise.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 36:1220 (June 2010), LR 37:270 (January 2011), LR 39:1757 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2702 (October 2013), amended LR 40:744 (April 2014), amended LR 44:1851 (October 2018).

§103. Request for Adoption, Amendment, or Repeal of a Rule

A. Any interested person may, pursuant to R.S. 49:953(C), request the commission to adopt, amend, or repeal a rule (rule change) that the commission has the authority to make.

B. A request for a rule change shall be in writing and shall contain the following information:

1. a draft of the proposed wording of the requested rule change or a statement detailing the content of the requested rule change;

2. the name, address, telephone number, fax number and e-mail address of the requesting party.

C. The request for a rule change shall be addressed to the commission and shall be mailed or delivered to 5825 Florida Boulevard, Baton Rouge, LA 70806.

D. The commission shall consider the request as follows:

1. A request for rule change shall be considered by the commission within a reasonable time, not to exceed 90 days, unless the requesting party consents to the matter being deferred for a longer period of time.

2. Notice of the meeting at which the request is to be considered shall be provided to the person submitting the request.

3. Failure of the requesting party to attend the meeting for purposes of discussing the proposed rule change may be cause for the request to be denied by the commission.

4. The request, with the consent of the requesting party, may be taken under consideration or action deferred.

a. If the matter is taken under consideration or action is deferred then it will be taken up and acted upon at the next regularly scheduled meeting of the commission or at a special meeting of the commission to be held before the next regularly scheduled meeting, as agreed upon between the requesting party and the commission.

E. Any decision by the commission shall be in writing and shall state the reasons for the denial or action being taken. Such notice may be delivered by hand, mail, electronically or by any other means reasonably assured to provide notice to the requesting party.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 49:953(C).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 39:1763 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2703 (October 2013), amended LR 40:744 (April 2014).

§105. Procedure for Declaratory Orders and Rulings

A. This rule provides for the filing and prompt disposition of requests for declaratory orders and rulings as to the applicability of any statutory provision or as to the applicability of any rule or order of the commission, as required by R.S. 49:962 and 49:963(D).

B. A request for a declaratory order or ruling shall be in writing and shall contain the following information:

1. a citation to the specific statutory provision, rule or order that will be the subject of the declaratory order or ruling;

2. a concise statement of why the declaratory order or ruling is being requested;

3. a list of all persons that the requesting party may call to testify and a list of all documents that may be submitted as evidence, if a hearing is called to take evidence;

4. the name, address, telephone number, fax number and e-mail address of the requesting party, either printed or written in legible form.

C. The request for a declaratory order or ruling shall be addressed to the commission and shall be mailed or delivered to 5825 Florida Boulevard, Baton Rouge, LA 70806.

D. The commission shall consider the request as follows.

1. The request shall be considered by the commission within a reasonable time, not to exceed 90 days, unless the requesting party consents to the matter being deferred for a longer period of time.

2. Notice of the meeting at which the request is to be considered shall be provided to the person submitting the request.

3. Failure of the requesting party, after notice, to attend any hearing or meeting regarding the request may be cause for the request to be denied.

4. The request, with the consent of the requesting party, may be taken under consideration or action deferred by the commission. If the matter is taken under consideration or action is deferred then it will be taken up and acted upon at the next regularly scheduled meeting of the commission or at a special meeting of the commission to be held before the next regularly scheduled meeting, as agreed upon between the requesting party and the commission.

E. The commission’s decision shall be sent to the requesting party either by certified mail, return receipt requested; hand delivery; or commercial courier.

F. Failure of the requesting party, after notice, to attend any hearing or meeting regarding the request may be cause for the request to be denied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433, R.S. 49:962 and R.S. 49:963(D).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 39:1763 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2703 (October 2013), amended LR 40:744 (April 2014).

§109. List of Noxious Weeds and Limitations on Noxious Weed Seed

A. The weeds listed in the following table are designated as noxious weeds. The seed of any noxious weed is permitted to be in seed sold, distributed, or offered or handled for sale only as provided in the limitation column of the table, except as otherwise provided in Subsection B. There is no tolerance applied to noxious weeds listed as prohibited.

List of Noxious Weeds and Seed Limitations	
Name	Limitations
1. Balloon Vine (<i>Cardiospermum halicacabum</i>)	Prohibited
2. Field Bindweed (<i>Convolvulus arvensis</i>)	Prohibited
3. Hedge Bindweed (<i>Calystegia sepium</i>)	Prohibited
4. Itchgrass (<i>Rottboellia cochinchinensis</i>)	Prohibited
5. Yellow Nutsedge (<i>Cyperus esculentus</i>)	Prohibited

List of Noxious Weeds and Seed Limitations	
Name	Limitations
6. Purple Nutsedge (Cyperus rotundus)	Prohibited
7. Tropical Soda Apple (Solanum viarum)	Prohibited
8. Cocklebur (Xanthium spp.)	5 per lb.
9. Spearhead; Beaksedge (Rhynchospora spp.)	5 per lb.
10. Purple Moonflower (Ipomoea turbinata)	9 per lb.
11. Red Rice (Oryza sativa)	9 per lb.
12. Wild Onion and/or Wild Garlic (Allium spp.)	9 per lb.
13. Morning Glory (Ipomoea spp.)	18 per lb.
14. Wild Poinsettia (Euphorbia davidii)	18 per lb.
15. Canada Thistle (Cirsium arvense)	100 per lb.
16. Dock (Rumex spp.)	100 per lb.
17. Dodder (Cuscuta spp.)	100 per lb.
18. Horsenettle (Solanum carolinense)	100 per lb.
19. Johnsongrass (Sorghum halepense)	100 per lb.
20. Quackgrass (Elymus repens)	100 per lb.
21. Russian Knapweed (Rhaponticum repens)	100 per lb.
22. Sheep Sorrel (Rumex acetosella)	100 per lb.
23. Silverleaf Nightshade (Solanum elaeagnifolium)	100 per lb.
24. Wild Mustard and Wild Turnips (Brassica spp. and Sinapis spp.)	100 per lb.
25. Blueweed, Texas (Helianthus ciliaris)	200 per lb.
26. Bermudagrass (Cynodon dactylon)	300 per lb.
27. Buckhorn Plantain (Plantago lanceolata)	300 per lb.
28. Cheat (Bromus secalinus)	300 per lb.
29. Corncockle (Agrostemma githago)	300 per lb.
30. Darnel; Poison Ryegrass (Lolium temulentum)	300 per lb.
31. Hairy Chess (Bromus commutatus)	300 per lb.
32. Hemp Sesbania, Coffeebean, Tall Indigo (Sesbania exaltata)	300 per lb.
33. Indian Jointvetch (Aeschynomene indica)	300 per lb.
34. Mexicanweed (Caperonia castaneifolia)	300 per lb.
Sum of Total Noxious Weed	500 per lb.
(Subject to limitations above)	

B. If the noxious weed or weed seed restrictions set out in Chapter 7 of this Part for a field or seed being certified is more restrictive than the limitations in the table in Section A or if any of those rules and regulations provides for limitations on weeds not listed in the table then the rules and regulations in Chapter 7 for that specific crop kind or variety supersedes the limitations listed in the table.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended LR 5:96 (May 1979), LR 7:285 (June 1981), LR 8:563 (November 1982), LR 9:197, 206 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 14:605 (September 1988), LR 23:1282 (October 1997), amended by the Department of Agriculture and Forestry, Office of the Commissioner, Seed Commission, LR 30:199 (February 2004), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2704 (October 2013), amended LR 40:744 (April 2014), LR 43:1895 (October 2017), LR 44:1851 (October 2018).

Subchapter B. Fees

§121. License Fee; Laboratory and Sampling Fees

A. Seed Dealer's License. The annual fee for a seed dealer's license shall be \$150. The seed dealer's license shall be renewed annually, and is based on the fiscal year July 1 through June 30.

B. Laboratory and Sampling Fees. The following laboratory and sampling fees shall be applicable to all seed testing conducted by LDAF.

1. Purity and Germination Examinations Using Association of Official Seed Analysts (AOSA), Canadian, International Seed Testing Association (ISTA) or Federal Seed Act (FSA) Testing Procedures

Seed Kind (1,2)	Purity (3,4)	Germination (4)	Tetrazolium Viability
Alfalfa	\$10.00	\$10.00	\$25.00
Arugula	\$10.00	\$10.00	\$25.00
Asparagus	\$10.00	\$10.00	\$25.00
Bahiagrass	\$20.00	\$20.00	\$25.00
Basil, Sweet	\$10.00	\$10.00	\$25.00
Bean	\$10.00	\$10.00	\$25.00
Beet	\$10.00	\$10.00	\$25.00
Bentgrass	\$20.00	\$20.00	\$25.00
Bermudagrass	\$20.00	\$20.00	\$25.00
Bluegrass	\$20.00	\$20.00	\$25.00
Broccoli	\$10.00	\$10.00	\$25.00
Brussels Sprouts	\$10.00	\$10.00	\$25.00
Buckwheat	\$10.00	\$10.00	\$25.00
Cabbage	\$10.00	\$10.00	\$25.00
Cantaloupe	\$10.00	\$10.00	\$25.00
Carpetgrass	\$20.00	\$20.00	\$25.00
Carrot	\$10.00	\$10.00	\$25.00
Cauliflower	\$10.00	\$10.00	\$25.00
Celery	\$10.00	\$10.00	\$25.00
Centipede grass	\$20.00	\$20.00	\$25.00
Chicory	\$10.00	\$10.00	\$25.00
Chives	\$10.00	\$10.00	\$25.00
Chufa	\$10.00	\$10.00	\$25.00
Clover	\$10.00	\$10.00	\$25.00
Collards	\$10.00	\$10.00	\$25.00
Coriander	\$10.00	\$10.00	\$25.00
Corn	\$10.00	\$10.00	\$25.00
Corn salad	\$10.00	\$10.00	\$25.00
Cotton	\$10.00	\$10.00	\$25.00
Cucumber	\$10.00	\$10.00	\$25.00
Dill	\$10.00	\$10.00	\$25.00
Eggplant	\$10.00	\$10.00	\$25.00
Endive	\$10.00	\$10.00	\$25.00
Fescue	\$20.00	\$20.00	\$25.00
Gourd	\$10.00	\$10.00	\$25.00
Greens	\$10.00	\$10.00	\$25.00
Herb	\$10.00	\$10.00	\$25.00
Kale	\$10.00	\$10.00	\$25.00
Kohlrabi	\$10.00	\$10.00	\$25.00
Lab Lab	\$10.00	\$10.00	\$25.00
Leek	\$10.00	\$10.00	\$25.00
Lespedeza	\$10.00	\$10.00	\$25.00
Lettuce	\$10.00	\$10.00	\$25.00
Melon	\$10.00	\$10.00	\$25.00
Millet	\$10.00	\$10.00	\$25.00
Mustard	\$10.00	\$10.00	\$25.00
Oats	\$10.00	\$10.00	\$25.00

Seed Kind (1,2)	Purity (3,4)	Germination (4)	Tetrazolium Viability
Onion	\$10.00	\$10.00	\$25.00
Orchardgrass	\$20.00	\$20.00	\$25.00
Pak-choi	\$10.00	\$10.00	\$25.00
Parsley	\$10.00	\$10.00	\$25.00
Peanut	\$10.00	\$10.00	\$25.00
Peas	\$10.00	\$10.00	\$25.00
Pepper	\$10.00	\$10.00	\$25.00
Pine	\$10.00	\$10.00	\$25.00
Plantain	\$10.00	\$10.00	\$25.00
Pumpkin	\$10.00	\$10.00	\$25.00
Radish	\$10.00	\$10.00	\$25.00
Rape	\$10.00	\$10.00	\$25.00
Rice	\$10.00	\$10.00	\$25.00
Rutabaga	\$10.00	\$10.00	\$25.00
Rye	\$10.00	\$10.00	\$25.00
Ryegrass	\$20.00	\$20.00	\$25.00
Sage	\$10.00	\$10.00	\$25.00
Sorghum	\$10.00	\$10.00	\$25.00
Soybeans	\$10.00	\$10.00	\$25.00
Spinach	\$10.00	\$10.00	\$25.00
Squash	\$10.00	\$10.00	\$25.00
Sunflower	\$10.00	\$10.00	\$25.00
Thyme	\$10.00	\$10.00	\$25.00
Timothy	\$20.00	\$20.00	\$25.00
Tomato	\$10.00	\$10.00	\$25.00
Triticale	\$10.00	\$10.00	\$25.00
Turnip	\$10.00	\$10.00	\$25.00
Vetch	\$10.00	\$10.00	\$25.00
Watermelon	\$10.00	\$10.00	\$25.00
Wheat	\$10.00	\$10.00	\$25.00
Zoysiagrass	\$20.00	\$20.00	\$25.00
Zucchini	\$10.00	\$10.00	\$25.00

(1) Samples of seeds that are unclean, field run or containing high inert matter shall be charged an additional \$10.00 per sample.

(2) Fees for tests on seed kinds not listed shall be based on the cost of a kind with a similar test.

(3) Louisiana Noxious Weed Seed Examination included in Purity Exam.

(4) For germination tests of mixtures of two or more kinds of seed, the fee is the sum of the fees established for germination tests for the components of the mixture. For a purity analysis performed in conjunction with a germination analysis of seed mixtures, the fee is the same as for that component of the mixture for which the highest charge would be made if separately analyzed. For purity analysis not performed in conjunction with a germination analysis the fee is the sum of the fees established for the purity tests for the components of the mixture if separately analyzed.

2. All State Noxious Weed Seed Examination—\$20. Species appearing on the USDA state noxious-weed seed requirements recognized in the administration of the FSA, reported as number found and rate per unit weight.

NOTE: Excludes AK and HI noxious weed seeds, *Orbanche* spp., *Phelipanche* spp., and *Striga* spp., which can be determined by request for an additional hourly fee.

3. Seed Count—\$10. Used to determine the number of seed per lb. or kg.

4. Seed Vigor Test—\$20. Including, but not limited to, accelerated aging and cool germination tests.

5. Varietal Purity—\$20. Including, but not limited to, seed and seedling morphology and fluorescence tests.

6. Red Rice Examination, 4 lb.—\$10; 8 lb.—\$20. Examination of rice sample for the presence of red rice.

7. Herbicide Bioassay—\$25.

8. Bulk Examination—Hourly Fee. Based on complexity of required examination. Examination conducted to determine the occurrence of particular components, including seeds of individual species or particles of specific inert matter (e.g. soil, ergot, sclerotia) in the sample.

9. Service Sample taken by LDAF Inspector—\$15. Sample taken in accordance with the AOSA or FSA seed sampling procedures.

10. Priority Rush Sample—\$25. A priority rush may be requested by the person submitting a sample for testing. Priority rush samples will be processed immediately upon receipt of sample; however, availability of sample results will depend upon the seed kind and the type of tests requested.

11. Hourly Fee—\$50. Applies to especially contaminated or extraordinary samples; also used for custom work such as sample preparation and special bulk samples. Total final cost to be negotiated and agreed upon by both parties prior to work being performed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended LR 7:164 (April 1981), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 14:603 (September 1988), LR 29:2632 (December 2003), LR 36:1220 (June 2010), LR 37:1373 (May 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2704 (October 2013), amended LR 40:745 (April 2014), LR 41:911 (May 2015), LR 42:211 (February 2016), LR 43:1896 (October 2017).

§123. Regulatory Fee on Seeds

A. A regulatory fee of \$0.30 for each 100 pounds of agricultural and vegetable seed sold, within this state shall be paid to the commission. The regulatory fee shall be due at the first point of sale in this state. However, the payment of a regulatory fee is not required upon the sale of Louisiana certified tagged seed upon which the regulatory fee has already been paid.

B. All seed dealers shall maintain accurate and legible records for all seeds sold, distributed, or offered or handled for sale in this state. These records shall include the following information for each lot of seed:

1. any identification of each lot;
2. the kind and variety of seed in the lot;
3. the number of pounds of seed in the lot; and
4. for each lot sold or distributed, the invoice number, weight, lot number, number of containers, and name of the person receiving the seed.

C. Each seed dealer shall file a quarterly report with LDAF on a form approved by the commission and submit the regulatory fees collected during that quarter.

1. The reports shall cover the following periods:
 - a. 1st quarter—July, August, September;
 - b. 2nd quarter—October, November, December;
 - c. 3rd quarter—January, February, March;
 - d. 4th quarter—April, May, June.

2. Reports and fees shall be filed with LDAF no later than 30 days following the end of each quarter. If a seed dealer has no sales during the quarterly reporting period the LDAF must be notified accordingly.

D. LDAF may assess a 10 percent additional charge as a late payment for failure to timely pay any regulatory fee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Seed Commission, LR 14:603 (September 1988), amended LR 29:2632 (December 2003), LR 38:1558 (July 2012), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2704 (October 2013), amended LR 40:745 (April 2014), LR 42:211 (February 2016), LR 52:347 (March 2026).

§125. Certification, Field Inspection, and Sampling Fees

A. All fees shall be paid before the requested work is performed, as follows.

1. All application fees and fees for inspections, re-inspections, sampling and re-sampling shall be paid at the time the application or request for work is submitted to LDAF, except for those crop kinds where the fee is based on an hourly rate and mileage.

2. Fees for certification of seeds by laboratory analysis shall be paid prior to submission of the certified sample to the State Seed Testing Laboratory.

3. Requests for different payment arrangements shall be made to and must be approved by the director or assistant director.

B. Application Fees

1. The application fee for certification for each producer shall be \$28 for each variety with only one variety per application if the application is timely submitted.

2. The application fee for certification shall be \$100 for each application submitted after the deadline shown in §509 of this Part.

C. Field inspection fees shall be charged as follows:

1. all crop, grass, and other seeds not listed in this Section—\$1.15 per acre;

2. for the following species, California bulrush, sea oats, and smooth cordgrass:

a. an hourly fee of \$25 per hour per inspector for each inspection; and

b. mileage for travel to and from inspection location at the mileage reimbursement rate established by the Division of Administration's state travel regulations;

3. rice—\$1.15 per acre;

4. small grains—\$1.15 per acre;

5. sugarcane—\$3 per acre;

6. sweet potato:

a. field inspection—\$2.25 per acre;

b. greenhouse and seedbed inspections—\$62.50 per crop year;

c. seed storage inspection:

i. a fee of \$25 per hour, per inspector for each seed sweet potato storage inspection, and

ii. mileage for travel to and from the inspection location mileage reimbursement rate established by the Division of Administration's state travel regulations.

7. turf and pasture grass—\$31.25 per acre.

D. Reinspection fees—\$50 for each re-inspection.

E. Fees for phytosanitary inspections—\$1.15 per acre.

F. Fees for resampling certified seed—\$30 for each re-sample.

G. Fees for bulk sampling—\$30 for each bulk sample by vacuum probe.

H. Seed Certification Fees

1. Fees for certified seed shall be 16 cents per weight unit and be calculated on the total weight units in the certifiable lot. The number of weight units for a particular lot of seed shall be reported when the certified sample is taken.

a. The weight unit for all seeds is 50 pounds except for rice which has a weight unit of 100 pounds.

b. A person who sells, distributes, or offers for sale certified seed in Louisiana and who has paid certification fees for a particular lot of seed may request a partial refund, not to exceed 70 percent on the unsold portion of the certified lot.

c. A person requesting a refund must submit a written request, along with all unused tags from the certified lot, within nine months of the certified test date, stating:

i. the lot number for the seed that the request is being made;

ii. the number of weight units sold from the certified lot; and

iii. the number of weight units partitioned for refund from the certified lot.

d. A request for a refund shall be approved upon verification of the unused tags and information submitted with the request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 10:495 (July, 1984), amended by the Department of Agriculture and Forestry, Seed Commission, LR 12:825 (December 1986), LR 14:604 (September 1988), LR 16:847 (October 1990), LR 25:1617 (September 1999), LR 26:235 (February 2000), LR 29:2632 (December 2003), LR 31:420 (February 2005), LR 31:1511 (July 2005), LR 34:2339 (November 2008), LR 37:2979 (October 2011), LR 38:1558 (July 2012), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2705 (October 2013), amended LR 40:745 (April 2014).

§§127-129. Reserved.

Subchapter C. Labels; Records; Samples; Tolerances; Standards; Noxious Weed Seed

§131. Analysis Test; Labeling of Seed

A. Every person whose name appears on the label of seed, except persons exempt pursuant to the authority of R.S. 3:1445, and who sells, transports, distributes, or offers or handles for sale agricultural, or vegetable, shall have a complete analysis test performed on the seed by a registered seed technologist or an official state seed analyst prior to the seed being sold, distributed or offered or handled for sale in Louisiana.

B. Information required to be shown on the label by R.S. 3:1436 or this Part shall be in the English language and in type that is no smaller than eight point.

C. Seed treated with a mercurial or similarly toxic substance that is harmful to humans or other vertebrate animals, if any residue remains in or on the seed, shall be labeled in type no smaller than eight points and shall be in red letters on a distinctly contrasting background. In addition, the label shall show a representation of a skull and crossbones using at least 16 point type.

D. Seed treated with a substance harmful to humans or other vertebrate animals, other than a mercurial or similarly toxic substance, and which is in containers of four ounces or less does not need to contain a cautionary statement on the label.

E. The following substances shall not be deemed harmful if present at a rate less than the number of parts per million (ppm) indicated:

1. allethrin, 2ppm;
2. malathion, 8ppm;
3. methoxychlor, 2ppm: piperonyl butoxide, 8ppm on oat and sorghum and 20ppm on all other seeds; and

4. pyrethrins, 1ppm on oat and sorghum and 3ppm on all other seeds.

F. Seeds labeled "foundation seed," "registered seed" or "certified seed," shall not be sold, distributed, or offered or handled for sale in this state unless the seed has been produced and labeled in compliance with this Part and the procedures and protocols of a seed certifying agency approved by the commissioner.

G. When more than one component is required to be named on the label, the word "mixture" or the word "mixed" shall be shown conspicuously on the label.

H. The label on hybrid corn shall show the state where grown.

I. The name and kind of variety of seed shall not be abbreviated on the label, but shall be written out in full, except in the case of annual and perennial ryegrass where "ann." or "per." may be used for the terms "annual" and "perennial".

J. Germination Test Date Period

1. No seed shall be sold or offered for sale more than nine months, exclusive of the month of testing, after the date on any germination label applicable to the seed or seed lot.

2. For all vegetable seed packaged in hermetically sealed containers, this period shall be extended to 24 months, exclusive of the month of testing.

3. For all vegetable seed containers of one pound or less that are labeled with "packed for year", the period shall not exceed the calendar year stated on the package for which the seed was packed for sale. Seed packages labeled in this manner shall not be sold or offered for sale prior to the year for which they were packaged.

K. Relabeling of Seed Lots with Expired Test Dates

1. The owner or distributor of the seed shall be responsible for relabeling the seed after expiration of the germination test date period to state the new germination percentage, if applicable and germination test date after the seed has been retested.

2. A new tag, label, relabeling sticker, or supplemental label shall be used to state the new germination test date.

3. If relabeling stickers or supplemental labels are used to update the germination information, the month and year of the new germination test date must be stated, as well as the lot number that matches the existing original lot number.

4. Supplemental labels shall be attached to, or in the immediate vicinity of the original label.

5. If the seed lot fails to meet label guarantees, the new germination percentage shall also be stated on the new tag, label, relabeling sticker, or supplemental label.

L. Coated Seed. Each package of coated seed shall have the following additional information stated on the front of each package using a minimum of eight point type. The

following required information shall be set forth in a clear and conspicuous manner:

1. the words “coated seed;”
2. a statement giving the maximum amount of coating material contained within the package;
3. a statement referring purchaser to the product label for additional information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and 3:1436.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 16:492 (June 1990), LR 37:270 (January 2011), LR 37:2979 (October 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2705 (October 2013), amended LR 40:746 (April 2014), LR 43:1897 (October 2017), LR 44:1852 (October 2018), LR 48:1745 (July 2022), effective January 1, 2023.

§133. Tag Requirements

A. The analysis tag shall carry the information required by the Louisiana Seed Law, R.S. 3:1431 et seq. using the example below as a labeling guideline.

Kind and Variety _____

Origin _____ Net Wt. _____ Lot No. _____

Pure Seed _____ Percent Germination _____ Percent _____

Inert Matter _____ Percent Hard Seed _____ Percent _____

Crop Seed _____ Percent Total Germ and Hard Seed _____ Percent

Weed Seed _____ Percent _____ Date of Test _____

Name and No. of Noxious Weed Seed per lb. _____

Name _____

Address _____

B. Tags for certified seed, foundation seed or registered seed shall be adopted by the certifying agency, approved by the commissioner and meet the requirements of the Louisiana Seed Law.

C. All information required on the seed analysis tag or label shall be placed on one side of the tag or label without intervening matter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1436 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2706 (October

2013), amended LR 40:746 (April 2014), LR 44:1852 (October 2018).

§135. Invoices and Records; Inspection of Records

A. Each person selling, distributing, or offering or handling for sale agricultural or vegetable seed shall keep for a period of three years complete records of each container or lot of seed sold, distributed, or offered or handled for sale by that person. Complete records shall, at a minimum, include the information required in §123.A.2 of this Part.

B. These records shall be accessible for inspection by the commissioner, commissioner, or LDAF or their authorized agent at any time during customary business hours.

C. Trucks and other carriers transporting seed for delivery in this state shall have available for examination at any time a bill of lading, waybill or a delivery receipt showing:

1. the name of the shipper or party from whom purchased;
2. the name and address of the party to whom the seed is to be delivered;
3. the kind and amount of each separate lot of seed; and
4. the name of the truck line or owner and driver of the truck or other carrier transporting the seed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1435 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013), amended LR 40:747 (April 2014).

§137. Sampling

A. The manner of sampling and handling seed in the field and analyzing and testing seed in the laboratory, greenhouse and trial plots shall be the same as that recommended in the latest rules for testing seed adopted by the Association of Official Seed Analysts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1434 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013).

§139. Tolerances

A. Except as otherwise provided in this Section, the tolerances published in the latest rules and regulations for testing seed by the Association of Official Seed Analysts shall be applicable in the administration of the Louisiana Seed Law.

B. Germination Tolerances. The following tolerances, which are recognized by the Federal Seed Act, 7 USC 1551-1611, are adopted and are applicable to the percentage of germination and also to the sum of the germination plus the hard seed. Maximum tolerance values for comparing two 400-seed germination tests of the same or different submitted samples tested in the same or different laboratories.

Average Percent Germination		Tolerance*
A	B	C
99	2	2
97 - 98	3 - 4	3
94 - 96	5 - 7	4
91 - 93	8 - 10	5
87 - 90	11 - 14	6
82 - 86	15 - 19	7
76 - 81	20 - 25	8
70 - 75	26 - 31	9
60 - 69	32 - 41	10
51 - 59	42 - 50	11

*When only 200 seeds of mixtures are tested, 2 percent shall be added to the above germination tolerances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 33:1609 (August 2007), LR 34:2338 (November 2008), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013).

§141. Germination Standards for Vegetable Seed

A. Germination standards for vegetable seed shall be the same as those published under USDA Agricultural Marketing Service Federal Seed Act Regulations Part 201. Minimum germination, which shall also include hard seed, of vegetable or garden seed shall be as follows.

Seed Kind	Percent
Artichoke	60
Asparagus	70
Asparagus bean	75
Bean, garden	70
Bean, lima	70
Bean, runner	75
Beet	65
Broadbean	75
Broccoli	75
Brussels sprouts	70
Burdock, great	60
Cabbage	75
Cabbage, tronchuda	70
Cardoon	60
Carrot	55
Cauliflower	75
Celeriac	55
Celery	55
Chard, Swiss	65
Chicory	65
Chinese cabbage	75
Chives	50
Citron	65
Collards	80

Seed Kind	Percent
Corn, sweet	75
Cornsalad	70
Cowpea	75
Cress, garden	75
Cress, upland	60
Cress, water	40
Cucumber	80
Dandelion	60
Dill	60
Eggplant	60
Endive	70
Kale	75
Kale, Chinese	75
Kale, Siberian	75
Kohlrabi	75
Leek	60
Lettuce	80
Melon	75
Mustard, India	75
Mustard, spinach	75
Okra	50
Onion	70
Onion, Welsh	70
Pak-choi	75
Parsley	60
Parsnip	60
Pea	80
Pepper	55
Pumpkin	75
Radish	75
Rhubarb	60
Rutabaga	75
Sage	60
Salsify	75
Savory, summer	55
Sorrel	65
Soybean	75
Spinach	60
Spinach, New Zealand	40
Squash	75
Tomato	75
Tomato, husk	50
Turnip	80
Watermelon	70

B. The minimum germination standard for all other vegetable and garden seed, for which a standard has not been established, shall be 50 percent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013), LR 43:1897 (October 2017), LR 44:1852 (October 2018).

§143. Standards for Agricultural Seed

A. No agricultural seed shall be offered for sale if the germination percentage, including hard seed, is below 60 percent, except Dallisgrass. Dallisgrass shall not be offered for sale if the pure live seed percentage (purity times germination) is below 10 percent.

B. No agricultural and vegetable seed shall be sold, offered for sale or exposed for sale containing in excess of one percent of total weed seed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1444 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2708 (October 2013), LR 43:1898 (October 2017).

Chapter 3. Enforcement of Law and Regulations

§301. Acts which Constitute Violations

A. The following acts shall be considered as violations under the Seed Law or this Part:

1. selling, distributing, or offering or handling for sale any agricultural or vegetable seed without registering with the commissioner as a seed dealer or maintaining a seed dealer's license;

2. failing to timely file any required report or pay any required regulatory fee on agricultural or vegetable seed sold within or into Louisiana;

3. selling, distributing, offering or handling for sale, or transporting, unless exempted under R.S. 3:1445, any agricultural or vegetable seed within or into this state which is not labeled in accordance with the Seed Law or this Part;

4. selling, distributing, offering or handling for sale, or transporting except for common carriers exempted under R.S. 3:1445, within or into this state, any agricultural or vegetable seed that is:

- a. labeled in a false or misleading manner; or that is
- b. advertised in a false or misleading manner; or that
- c. contain conflicting labeling or label information;

5. failing to comply with a written stop order issued by an authorized agent of the commissioner, commission or LDAF;

6. failing to comply with labeling requirements when selling, distributing, or offering or handling for sale "treated" seed;

7. detaching, defacing, damaging, falsifying, altering or destroying any required label, certificate, seal, tape, test data, records or other documents provided for in the Seed Law or this Part unless any such action is performed by the ultimate consumer or end user of the seed after purchase by that person;

8. failing to keep accurate records or to make any such records available for inspection, as required by the Seed Law or this Part;

9. selling, distributing, or offering or handling for sale agricultural or vegetable seed as certified, registered or foundation class without being produced and labeled in compliance with the Seed Law or this Part;

10. representing a lot as "certified seed" without an official seed certifying agency label, tape, certificate or other approved documentation attached to or accompanying each container or shipment;

11. obstruct in any way the commissioner, the commission, LDAF or any of their authorized agents in the performance of their duties;

12. selling, distributing, offering or handling for sale, or transporting except for common carriers exempted under R.S. 3:1445, any agricultural or vegetable seed that has not been tested in accordance with the Seed Law or this Part;

13. using relabeling stickers or supplemental labels without having both the calendar month and year that the germination test was completed, and the lot number that exactly matches the original lot number;

14. failure of labeled seed to be within the limitations allowed or recognized tolerances of analysis on label;

15. failure to comply and obtain a written release of a stop order within the 30-day period required by R.S. 3:1440.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1444 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:567 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2708 (October 2013), amended LR 40:747 (April 2014), LR 44:1853 (October 2018).

Chapter 5. General Seed Certification Requirements

§501. Definitions also Applicable to this Chapter

Certification—the process by which official recognition is given to seeds produced under a limited generation system which ensures genetic purity and identity and a given minimum level of quality.

Clonally Propagated Plant—a plant that is duplicated or propagated as a plant clone from vegetative cuttings or plant divisions using one or more of an aerial stem, rhizome, stolon, leave, or root.

Germination—the percentage of seeds capable of producing normal seedlings under ordinarily favorable growing conditions.

Hybrid—one or more crosses of inbred lines of the same kind of seed.

Inbred Line—a relatively true-breeding strain resulting from at least five successive generations of controlled self-

fertilization or of backcrossing to a recurrent parent with selection, or its equivalent for specific characteristics.

Inert Matter—all matter not seeds, including pieces of broken and damaged seeds one-half or less than the original size, sterile florets, fungus bodies, stones and all matter considered as inert by the Association of Official Seed Analysts Rules for Testing Seeds.

Inseparable Seeds—seeds that are similar in size, shape and weight to the seed offered for certification, which are difficult to remove.

Isolation—the distance required between a crop or variety entered for certification and other plantings of the same crop or variety, not entered for certification, which are pollinating at the same time.

Kind—one or more related species singly or collectively known by one common name (examples: corn, beans, wheat).

Land Requirement—the period of time during which a field entered for certification cannot have grown or been seeded to the same species or variety except a certified class of the same species or variety which was equal to or superior to that of the species or variety entered for certification. If a field(s) is(are) entered for certification in the foundation class, only the foundation class of seeds could have been grown in that field during the time period specified.

Lot of Seed—a definite quantity of seeds identified by a lot number or mark, every portion or bag of which is uniform, within permitted tolerances, relative to the factors which appear in the labeling.

Noxious or Prohibited Weeds—all weeds designated as noxious or prohibited weeds under §109.

Off-Type (Mutations)—plants or seeds which deviate in one or more characteristics from the breeder description filed with LDAF.

Open-Pollination—pollination that occurs naturally as opposed to controlled pollination such as by detasseling cytoplasmic male sterility, self-incompatibility or similar processes.

Originator—a person, company, agent or institution developing a new variety of seed.

Other Weeds/Weed Seeds—all weeds and/or weed seeds which have not been designated as noxious weeds by the Commission.

Plant Clone—a genetically identical plant or plant material derived originally from a single ancestor individual over one or more vegetative generations.

Recertification—the official approval of a second or subsequent generation of a certified class of seed.

Roguing—the removal from the field of noxious weeds, off-type plants, varietal mixtures and any other plants producing seeds which are inseparable from seeds of the crop to be certified.

Species—plants designated by a common name and having common characteristics.

Unit of Certification—any clearly defined field(s) or portion(s) of a field entered for certification.

Variety—a subdivision of a kind, characterized by growth, plant, fruit, seed or other characteristics by which it can be differentiated from other seeds of the same kind.

Volunteer Plants—plants of a crop kind or species other than the crop being certified that are present in a field.

Weight Unit—unit of measure, designated by the Commission, based on the most common industry accepted packaging weight in pounds for a specific commodity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and 3:1436.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:564 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:642 (June 1994), LR 31:420 (February 2005), LR 37:2979 (October 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2709 (October 2013), amended LR 40:748 (April 2014).

§503. Classes of Seed

A. The following classes of seed are recognized for purposes of this Chapter.

1. *Breeder Seed (White Tag)*—seed directly controlled by the originating or sponsoring plant breeding institution, firm or individual which is the source for the production of seed of the certified classes.

2. *Foundation Seed (White Tag)*—progeny of breeder or foundation seed, handled so as to maintain specific genetic purity and identity, production of which must be acceptable to LDAF.

3. *Registered Seed (Purple Tag)*—progeny of breeder or foundation seed, handled under procedures acceptable to LDAF to maintain satisfactory genetic purity and identity.

4. *Certified Seed (Blue Tag)*—progeny of breeder, foundation or registered seed, handled under procedures acceptable to LDAF to maintain satisfactory genetic purity and identity.

5. *Tree Seed*—

a. *Certified Tree Seed (Blue Tag)*—seed from trees of proven genetic superiority, produced so as to assure genetic identity. Seeds from interspecific hybrids of forest trees may be included.

b. *Selected Tree Seed (Green Tag)*—progeny of rigidly selected trees or stands of untested parentage that have promise but not proof of genetic superiority and for which geographic source and elevation is stated on the label.

c. *Source-Identified Tree Seed (Yellow Tag)*—seed from a natural stands with known geographic source and

elevation, or plantations of known geographic origin and which is acceptable to LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:564 (November 1982), amended by the Department of Agriculture and Forestry, Seed Commission, LR 12:825 (December 1986), LR 31:1510 (July 2005), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2710 (October 2013), amended LR 40:748 (April 2014).

§505. General Requirements for Certification

A. The crop or variety to be certified must have been approved for certification by LDAF.

B. The originator, developer, owner, or agent seeking to have the crop or variety of seed certified shall provide the following information to LDAF.

1. the name of the variety;
2. a statement concerning the variety's origin and the breeding procedure used in its development;
3. a detailed description of the morphological, physiological and other characteristics of the plants and seed that distinguish it from other varieties;
4. evidence supporting the identity of the variety, such as comparative yield data, insect and disease resistance, or other factors supporting the identity of the variety;
5. a statement delineating the geographic area or areas of adaptation of the variety;
6. a statement on the plans and procedures for the maintenance of seed classes, including the number of generations through which the variety may be multiplied;
7. a description of the manner in which the variety is constituted when a particular cycle of reproduction or multiplication is specified;
8. any additional restrictions on the variety specified by the breeder, with respect to geographic area of seed production, age of stand or other factors affecting genetic purity;
9. a sample of seed representative of the variety as marketed.

C. To be certified, all crops and/or varieties must conform to:

1. all general requirements for certification; and
2. all specific requirements for certification of a particular crop or variety. (See §§701-811 for specific requirements. In §§701-811, the percentages shown for pure seed and germination are the minimum acceptable levels of performance required for certification; the percentages shown for all other factors are maximum allowable percentages.)

D. The grower must submit the application described in §507 on or before the date specified in §509 for the crop or

variety to be certified. (See §507.B and §125.B for provisions concerning late applications.)

E. The crop or variety to be certified must be of breeder, foundation or registered seed, or seed approved by the commission.

F. The grower must maintain genetic purity during seeding, production, harvesting, storage, conditioning and labeling.

G. The grower must hand-rogue all off-type plants, varietal mixtures, noxious weeds or any other plants producing seed that are inseparable from seed of the crop or variety to be certified.

H. Other varieties or crops, volunteer plants and/or off-type plants cannot be present in the field, and seeds thereof cannot be present in seed to be certified, unless permitted under the specific certification standards for the crop or variety entered for certification. Noxious weeds are permitted in the field and seed thereof are permitted in seed to be certified, within the limitations specified in §109, unless a specific limitation on noxious weeds is contained in the specific requirements for the crop or variety entered for certification. (See §§701-811 for specific requirements.)

I. One or more field inspections will be made to determine genetic identity and purity. The crop or variety to be certified must be standing, reasonably free of weeds and of relatively uniform maturity at the time of field inspection(s). A copy of the field inspection report will be furnished to the grower.

J. All planting, harvesting, bin storage and cleaning equipment must be free of contamination by other seeds, insects, or plant diseases.

K. Storage facilities must be:

1. suitable for maintaining germination and varietal purity;
2. constructed so that a representative sample can be drawn; and
3. all such facilities are subject to approval by LDAF.

L. The grower must maintain complete records accounting for all production and final disposition of all certified seeds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:642 (June 1994), LR 20:1257 (November 1994), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2710 (October 2013), amended LR 40:748 (April 2014).

§507. Application for Field Certification

A. The grower must apply for certification on or before the application deadline shown in §509 for seed stock to be certified by LDAF. The grower must submit a completed application on the form provided by LDAF.

B. Applications for certification of seed stock for a crop or variety listed in §509 which are submitted after the deadline specified in §509 will not be approved unless field inspection(s) can be completed prior to harvest.

C. Information to accompany application:

1. name of variety;
2. GPS coordinates at or about the center point of each field presented for certification;
3. copy of the purchase invoice, or statement showing class of seed purchased;
4. one sample tag from each lot number (If the grower plants seed of his own production, the class of seed and lot number shall be identified by documentation acceptable to LDAF); and
5. a map of each field presented for certification.

D. It is the duty of the grower to notify LDAF at least two weeks prior to harvest of the anticipated harvest date for each field presented for certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 34:863 (May 2008), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2711 (October 2013), amended LR 40:749 (April 2014).

§509. Application Deadlines

- A. Onion bulbs and seed, and shallots—March 1.
- B. Tissue Culture Sugarcane—April 1.
- C. Clover (crimson, red, white), rescue grass, harding grass, vetch, and Irish potatoes—April 1.
- D. Oats, wheat, ryegrass, singletary peas—April 15.
- E. Watermelon—May 1.
- F. Sweet potatoes and sweet potato plants:
 1. greenhouse plantings (virus-tested)—45 days prior to planting;
 2. field plantings—June 1.
- G. Okra—June 15.
- H. Rice—July 1.
- I. Cotton, millet, sesame, sunflower, tree—July 15.

J. Tomatoes (Spring)—June 1, (Fall)—July 15.

K. Soybeans—August 1.

L. Corn—a minimum of 30 days prior to pollination.

M. Cowpeas—a minimum of 30 days prior to harvest.

N. Grasses:

1. Bermuda grasses:
 - a. new plantings—minimum of 30 days prior to harvest;
 - b. established stands (fields certified the previous year)—June 1. Renewal application must be submitted;
2. turf and pasture grass:
 - a. new plantings—at least 15 days prior to land preparation for planting;
 - b. established stands (fields certified the previous year)—June 1. Renewal application must be submitted.

O. Clonally propagated plant species, except for plant species for which a deadline is specifically provided in this Section:

1. new plantings-submit application at least 15 days prior to land preparation for planting;
2. established stands (fields certified the previous year)- submit renewal application by April 15.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:195 (April 1983), amended by the Department of Agriculture and Forestry, Seed Commission, LR 12:825 (December 1986), LR 13:155 (March 1987), LR 13:232 (April 1987), LR 14:603 (September 1988), LR 23:1283 (October 1997), LR 25:1617 (September 1999), LR 34:863 (May 2008), LR 37:2979 (October 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2711 (October 2013).

§511. Limitations on Generations

A. The originator of the variety may specify the number of generations through which a variety may be multiplied.

B. No variety may be multiplied more than two generations beyond the foundation class, except as follows:

1. older varieties of certified seed may be recertified when foundation seed is not being maintained;
2. one additional generation of certified seed may be permitted on a one-year basis when, prior to planting season, the Commission declares that there are insufficient supplies of foundation and registered seed to plant the needed acreage of the certified variety. Permission of the variety's originator, if existent, must be obtained. In this situation, the additional generation will not be eligible for recertification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2712 (October 2013), amended LR 40:749 (April 2014).

§513. Lot of Seed

A. The applicant shall assign a specific, unique number or other mark when the seed is conditioned and bagged.

B. Each container in a given lot of seed shall be marked with the number or other mark assigned to that lot.

C. Seed lots may be blended if the variety and class are the same.

D. All seed must be bagged in new bags, unless other types of containers are approved by LDAF prior to bagging.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:195 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2712 (October 2013), amended LR 40:749 (April 2014).

§515. Seed Sampling

A. Seed sampling will be performed at the request of the grower.

B. Except as provided by §515.D.2, official samples to determine eligibility for certification shall be drawn only after the seed is conditioned.

C. Sampling of Bagged Seed

1. Each lot of seed must be stacked so as to facilitate sampling.

2. A LDAF inspector will sample at random, by probing, a specific number of bags from each lot. The number of bags to be sampled from each lot is as follows: five bags, plus 10 percent of the total number, not to exceed 30 bags per lot. In lots containing six bags or less, every bag will be sampled.

D. Sampling of Bulk Seed

1. Cleaned Seed in Bulk

a. A LDAF inspector will collect a minimum of four samples, at intervals of 4 feet, by probing the entire depth of the bin or storage area.

b. All samples will be blended into one representative sample for each bin or storage area.

2. Uncleaned Seed in Bulk

a. A LDAF inspector will collect a minimum of four samples, at intervals of 4 feet, by probing the entire depth of the bin or storage area. All samples will be blended into one representative sample for each bin or storage area.

b. A second representative sample will be drawn within 60 days after the first sample, after conditioning, for determining purity.

E. Analysis of samples shall be performed according to the current rules of the Association of Official Seed Analysts.

F. Resampling Policy

1. Except in special instances, as described below, only one sample shall be obtained from each certified lot.

a. When a certified seed lot fails certification requirements due to physical or mechanical purity factors, such as excess inert matter or weed seed, the seed may be reconditioned if the contaminants are separable. A complete purity analysis and germination test will be required on the reconditioned lot of seed. Certified seed rice which fails certification due to the presence of red rice seed in the sample shall be subject to the terms of Subparagraph e below.

b. Should a seed lot fail certified seed germination standards on the first laboratory test, a re-sample for germination test only for that seed lot will be permitted. Only one re-sample per seed lot will be permitted.

c. Whenever a certified seed lot is divided into sub-lots, both a purity and a germination test will be required for all sub-lots.

d. The last and most recent laboratory test report for a seed lot shall be the final analysis used to establish the eligibility for certification and will determine the information to be placed on the tag.

e. When a certified seed rice lot fails certification requirements due to the presence of one red rice seed in the original four pound sample, then a second 8 pound sample may be drawn from the lot. If one or more red rice seeds are found in the second sample, the lot will be disqualified on the basis of red rice content. If no red rice seed is found in the second sample, the lot would meet certification requirements. Certified seed rice whose original sample contains the presence of more than one red rice seed may not be re-sampled.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:195 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 19:888 (July 1993), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2712 (October 2013), amended LR 40:750 (April 2014).

§517. Listing of Certified Seed Conditioning Plants

A. Seed conditioning plants desiring to be listed in LDAF roster of seed conditioning plants must make a written application for inclusion on the list.

B. LDAF will issue certificates to all seed conditioning plants making application for inclusion on the listing, on an annual basis, each such certificate to expire on June 30 following date of issue.

C. The following requirements must be met by processors of all classes of certified seed.

1. Facilities shall be available to perform processing without introducing admixtures.

2. Identity of the seed must be maintained at all times.

3. Records of all operations relating to certification shall be completed and adequate to account for all incoming seed and final disposition of seed.

4. Processors shall permit inspection by the certifying agency of all records, equipment, storage and processing facilities pertaining to all classes of certified seed.

5. Processors shall designate an individual who shall be responsible to the certifying agency for performing such duties as may be required by the certifying agency.

6. Seed lots of the same variety and class may be blended and the class retained. If lots of different classes are blended, the lowest class shall be applied to the resultant blend. Such blending can only be done when authorized by the certifying agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 9:196 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:642 (June 1994), LR 31:35 (January 2005), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2713 (October 2013), amended LR 40:750 (April 2014).

§519. Processing of Certified Seed**A. Bagging**

1. All seed approved for certification must be packaged in new 100 pound containers or less, except as provided by this Subsection.

2. Registered class of rice and small grains (wheat and oats):

a. new super-bags or Q-bit bulk containers (or its equivalent as determined by LDAF).

3. Certified class of rice and small grains (wheat and oats):

a. new or reusable super-bags or Q-bit bulk containers (or its equivalent as determined by LDAF).

Reusable containers shall be cleaned in a manner approved by LDAF.

B. General Labeling Requirements

1. Each container, regardless of size, of all classes of certified seed offered for sale must bear an official certification label issued by the LDAF.

2. Labeling requirements may vary with the crop and methods of handling, but, in all instances, labels shall be attached to the containers in a secure manner.

3. The lot number of the label attached to each container must be the same as the lot number marked on the container.

4. The label shall contain the following information:

a. kind and variety;

b. where grown;

c. percentage of pure seed, crop seed, weed seed and inert matter;

d. name and number of noxious weed seeds per pound;

e. grower's name and address or code number;

f. germination percentage;

g. hard seed;

h. total germination and hard seed percentage;

i. net weight;

j. lot number; and

k. date of test.

5. Certified seed lots carried over from a previous crop year that fail to meet the minimum required germination percentage for the specific commodity shall have a new certified label affixed to the container. The label shall state the new germination percentage, month and year of test, the wording "Substandard Germination" and all other required label information. These seed lots shall meet the standards set forth in §143. Standards for Agricultural Seed.

6. Labels will be issued only for seed proven by laboratory analysis to meet required germination and purity standards.

7. The number of labels issued will be determined by the inspector's estimate of the quantity of seed at the time of sampling. All unused labels must be returned to LDAF.

8. Prelabeling

a. In order to permit owners or certifiers of seed to bag and label seed in advance of final laboratory reports, certification labels may be issued in advance. Such labels can be pre-issued upon receipt of completed field inspection reports showing that field production standards have been met. The state may grant a waiver on the movement of seed if an acceptable preliminary test is made on the seed lot. If

prelabeled lots fail laboratory analysis standards, all labels shall be destroyed or returned to the LDAF. Failure to comply with this regulation will result in suspension of future prelabeling privileges.

9. The official certification label may be printed directly on the container with prior approval of LDAF.

10. When separate seed analysis labels containing warranties, treatment information, etc., are attached to containers they shall be positioned so as not to obscure certification labels.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 9:196 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:643 (June 1994), LR 31:35 (January 2005), LR 31:1510 (July 2005), LR 39:1758 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2713 (October 2013), amended LR 40:750 (April 2014), LR 42:211 (February 2016), LR 44:1853 (October 2018).

§521. Bulk Certification Requirements

A. Bulk certification shall be limited to the certified class of the following commodities:

1. small grains (wheat and oats);
2. rice.

B. Seed eligible for bulk certification shall meet all field and laboratory standards established for certified seed as specified in these regulations.

C. Seed certified in bulk shall not be eligible for recertification.

D. Seed certified in bulk shall only be sold by the applicant producer or by a retail facility approved by LDAF.

1. Each retail outlet shall have a procedure for handling bulk certified seed that is acceptable to LDAF for the purpose of assuring genetic purity and that the identity of the seed is maintained.

E. The seed owner is responsible for making application for bulk certification to LDAF and for securing LDAF's approval to use the facility in which the seed will be stored prior to storage of the seed at the facility.

F. Storage Requirements

1. A separate storage bin shall be available for each variety that will be sold in bulk.

2. Storage bins shall be constructed so that all bin openings can be sealed to prevent contamination and maintain genetic purity.

3. All bins shall be clearly and prominently marked to show crop and variety, until disposal of the entire lot is

completed and the bin is properly cleaned to remove all remaining seeds or seed residue.

G. Seed sampling shall be conducted as provided in §515.D.

H. Certification

1. No certified seed tags will be issued for seed certified in bulk, except as provided by subsection I of this Section.

2. For sales to an approved retail facility within the state, a bulk certified seed transfer form shall be issued to cover all bulk certified seed which meets the general requirements for seed certification and the specific requirements for the crop/variety being certified.

a. The seller shall provide a copy of the bulk certified seed transfer form to each purchaser at time of delivery.

b. The seller shall provide a copy of each issued Bulk Certified Seed Transfer Form to LDAF at the time the form is completed.

c. The seller shall maintain a copy of each issued bulk certified seed transfer form in his file, which shall be available for examination by LDAF upon reasonable request.

3. For sales to the end user, a bulk certified seed sales certificate shall be issued to cover all bulk certified seed which meets the general requirements for seed certification and the requirements for the crop/variety being certified.

a. The seller shall provide a copy of the bulk certified seed sales certificate to each purchaser at the time of delivery.

b. The seller shall provide a copy of each issued bulk certified seed sales certificate to LDAF at the time the form is completed.

c. The seller shall maintain a copy of each issued bulk certified seed sales certificate in his file, which shall be available for examination by LDAF upon reasonable request.

I. If the owner of seed certified in bulk elects to package any portion of the lot, the owner shall give prior notification of his intention to package the seed to LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:567 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1283 (October 1997), LR 26:235 (February 2000), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2714 (October 2013), amended LR 40:750 (April 2014).

§523. Interagency Certification (Out-of-State Seed)

A. Seed to be certified by interagency action must meet the seed certification standards established by the Seed Law and this Part or comparable standards of a seed certifying agency recognized by the commissioner.

B. Seed to be certified by interagency action must contain, on the package, evidence from another recognized certifying agency that the seed is eligible for certification.

C. The following information must accompany each lot of seed:

1. kind and variety;
2. quantity (pounds);
3. class; and
4. lot number issued by previous certifying agency.

D. Seed to be certified by interagency action must be sequentially numbered.

E. A Louisiana tag for the appropriate class of seed must be attached to all seed to be certified by interagency action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 9:196 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1283 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2714 (October 2013), amended LR 40:751 (April 2014).

Chapter 7. Certification of Specific Crops/Varieties

Subchapter A. Grasses and Clovers

§701. Crimson Clover Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Required	Certified
Land Requirement	5 yrs.	5 yrs.	3 yrs.	2 yrs.
Isolation	1,000 ft.	1,000 ft.	1,000 ft.	600 ft.
Other Varieties	None	None	0.20%	0.50%
Noxious Weeds	None	None	None	None

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%	2.00%
Other Varieties	None	0.10%	0.25%	1.00%
Other Crops	None	None	45 seed/lb.	90 seed/lb.
Noxious Weeds	None	None	None	None
Other Weeds	25 seed/lb.	50 seed/lb.	180 seed/lb.	360 seed/lb.
Germination	None	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:569 (November 1982), amended LR 9:198 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental

Sciences, Agricultural Chemistry and Seed Commission, LR 39:2715 (October 2013).

§703. Louisiana White; Louisiana White S 1, Ladino and Other White Clover Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Registered	Certified
Land Requirement	5 yrs. ¹	5 yrs. ¹	3 yrs. ¹	2 yrs. ²
Isolation	1,320 ft.	1,320 ft.	660 ft.	330 ft.
Other Varieties and/or Species that can be differentiated from the variety being certified	None	None	None	None
Other Crops (inseparable)	10 Plants per Acre	10 Plants per Acre	50 Plants per Acre	100 Plants per Acre

¹A foundation and/or registered field may produce only two successive seed crops following seeding except that each may be reclassified to the next lower class after being harvested for seed for two years. A stand will not be eligible to produce any class of seed after four successive seed crops.

²A certified field on which a stand of perennial plants is maintained may produce a maximum of four successive seed crops following seeding.

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	99.00%	98.00%	98.00%	98.00%
Inert Matter	1.00%	2.00%	2.00%	2.00%
Other Crops	None	None	45 seed/lb.	100 seed/lb.
Other Varieties	None	None	None	10 seed/lb.
Other Kinds	None	None	45 seed/lb.	90 seed/lb.
Sweet Clover	None	None	45 seed/lb.	80 seed/lb.
Other Clovers	None	None	None	None
Noxious Weeds: Bracted plantain Buckhorn plantain	None	None	None	None
Other Weeds	0.04%	0.04%	0.07%	0.14%
Wild Carrot	None	None	None	None
Germination	None	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:569 (November 1982), amended LR 9:198 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2715 (October 2013).

§705. Red Clover Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
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*Land Requirement	5 yrs.	3 yrs.	2 yrs.
Isolation	1,320 ft.	660 ft.	330 ft.
Other Varieties	None	0.20%	0.50%
*No stand of red clover will be eligible to produce any class of certified seed after two successive seed crops. These seed crops may be produced in the same or consecutive years.			

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	99.00%	99.00%	99.00%	99.00%
Inert Matter	1.00%	1.00%	1.00%	1.00%
Other Varieties	None	0.10%	0.25%	1.00%
Other Crops	None	18 seed/lb.	90 seed/lb.	180 seed/lb.
Noxious Weeds: Dock, Cheat, Darnel, Johnsongrass, Wild Mustard	None	45 seed/lb.	90 seed/lb.	100 seed/lb.
Dodder	None	None	None	None
Other Weeds	0.05%	0.15%	0.15%	0.25%
Germination	None	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:570 (November 1982), amended LR 9:199 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2715 (October 2013).

§707. Bahia Grass Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	1 yr.	1 yr.
Isolation	1,320 ft.	660 ft.	330 ft.
Other Varieties*	1:1,000	1:100	1:50
Other Grass with Inseparable Seed	10 Plants per Acre	10 Plants per Acre	25 Plants per Acre
Other Crops	Other crops with seed that can be separated will be permitted in the field.		

*Maximum permitted ratio

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	65.00%	65.00%	65.00%
Inert Matter	35.00%	35.00%	35.00%
Total Other Crop Seed	0.20%	1.00%	2.00%
Other Kinds	0.10%	0.25%	0.50%
Other Varieties	0.10%	1.00%	2.00%
Noxious Weed Seed	None	None	None
Other Weed Seed	0.50%	0.50%	1.00%
Percent Total Viability*	70.00%	70.00%	70.00%

*Percent germination plus percent dormant seed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:568 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2716 (October 2013), amended LR 51:1568 (October 2025).

§709. Bermuda and Zoysia Grass Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	1 yr.	1 yr.
Isolation	33 ft.	33 ft.	33 ft.
*Other Varieties (per 1,000 plants)	None	1 plant	3 plants
Noxious Weeds: Johnsongrass, Cheat Yellow Nutsedge and Purple Nutsedge	None	None	None
*Including all other Bermuda and Zoysia grass that can be differentiated from the variety to be certified			

B. Planting Stock Standards

Factor	Foundation	Registered	Certified
Pure Live Sprigs containing roots (minimum by count)	90.00%	90.00%	90.00%
Other Living Plants (maximum by count)	2.00%	2.00%	2.00%
Noxious Weeds: Johnsongrass, Cheat Yellow Nutsedge and Purple Nutsedge	None	None	None

C. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	None	98.00%	98.00%	98.00%
Inert Matter	None	2.00%	2.00%	2.00%
Other Crops	None	0.01%	0.01%	0.25%
Noxious Weeds	None	None	None	None
Other Weeds	None	0.01%	0.01%	0.05%
Germination	None	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:568 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2716 (October 2013), LR 44:1853 (October 2018).

§711. Dallis Grass Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	3 yrs.	3 yrs.
Isolation	60 ft.	50 ft.	50 ft.

Other Crops	10 Plants per Acre	10 Plants per Acre	100 Plants per Acre
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B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	40.00%	40.00%	40.00%
Inert Matter	60.00%	60.00%	60.00%
Other Varieties	0.10%	1.00%	2.00%
Other Crops	None	None	10 seed/lb.
Noxious Weeds	None	None	None
Germination	50.00%	50.0%	50.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, LR 8:571 (November 1982), amended LR 9:200 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2716 (October 2013).

§713. Annual Ryegrass Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs	1 yr.	1 yr.
Isolation	900 ft.	900 ft.	350 ft.
Other Varieties	None	1.00%	2.00%
Other Crops	0.10%	0.20%	0.30%

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	97.00%	97.00%	96.00%
Inert Matter	3.00%	3.00%	4.00%
Other Varieties	0.10%	1.00%	2.00%
Other Crops	0.10%	0.25%	0.25%
Noxious Weeds	None	None	None
Other Weeds	0.25%	0.25%	0.25%
Germination	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, LR 8:572 (November 1982), amended LR 9:197 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2717 (October 2013).

§715. California Bulrush (*Schoenoplectus californicus*) Clonally Propagated Plant Certification Standards

A. LDAF shall issue numbered certified bulk sales certificates or tags when requested to do so by a grower who has met the requirements and standards set forth in this Section. The numbered certified certificates or tags shall

accompany each shipment of certified vegetatively propagated stock.

B. DNA Fingerprinting Requirements

1. DNA fingerprinting samples shall be taken by LDAF and submitted to an LDAF approved laboratory for testing in accordance with the following guidelines:

a. Foundation Class

i. Fingerprinting is required within one year of transplant and every other year thereafter.

ii. Ponds—one sample/1000 sq. ft., with a minimum of five samples per pond.

iii. Containers—10 percent, with a minimum of five samples.

b. Registered Class

i. Fingerprinting is required within one year of transplant and every three years thereafter.

ii. Ponds—one sample/1000 sq. ft., with a minimum of five samples per pond.

iii. Containers—5 percent, with a minimum of five samples.

c. Certified Class—certified class is not required to be DNA fingerprinted.

2. LDAF shall have the right to re-inspect, re-sample and re-test production ponds or containers/tanks that are out-of-tolerance for DNA fingerprinting prior to final certification. Resampling of plots or containers/tanks that are out-of-tolerance for DNA fingerprinting shall be at the request of the producer.

3. Additional DNA fingerprinting samples shall be required of a certified grower when the integrity of the genetic purity of a production plot or container/tank has been jeopardized by any means prior to final certification.

C. Production Requirements. To be eligible for the production of all certified classes, production ponds and containers/tanks shall be left undisturbed for a minimum of four weeks prior to planting, and found to be free of California bulrush and noxious and objectionable weeds.

1. Pond Requirements

a. Ponds shall be contained by levees.

b. Only one variety shall be grown per pond.

c. Ponds of different varieties must be separated by the minimum isolation distance at all points.

d. Ponds must have individual water supplies and water drainage capabilities for each produced variety.

e. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

2. Container/Tank Requirements

a. Soil used for container/tank production shall:

i. come from an area that has not produced californian bulrush for a minimum of one year; and

ii. be free of visible californian bulrush rhizomes and stems prior to transplanting.

b. Only one variety shall be grown per container/tank.

c. Different varieties shall be grown in separate tanks and shall have individual water supplies and drainage capabilities.

d. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

D. Grower Inspections

1. Ponds and containers shall be inspected by grower to ensure that all requirements of this Section are being met.

E. LDAF Inspections. Production ponds and containers/tanks shall be made accessible for inspection by the grower.

1. Ponds and containers/tanks shall be inspected by LDAF within four weeks prior to transplanting to ensure ponds and containers/tanks are free of volunteer californian bulrush plants and noxious and objectionable weeds. All ponds and containers/tanks shall be non-flooded at time of pre-plant inspection.

2. Ponds and containers/tanks shall be inspected by LDAF a minimum of once a year, after transplanting, to ensure that all requirements of this Section are being met.

3. Additional inspections may be performed at the discretion of LDAF at any time without prior notice.

F. Field Standards Production Ponds/Containers/Tanks

Factor	Foundation	Registered	Certified
Maximum Unit Life ⁽¹⁾	4 years	6 years	Unlimited
Land Requirements	1 year	1 year	1 year
Isolation:			
Pond Production	20 ft.	20 ft.	20 ft.
Tank Production	One variety per tank	One variety per tank	One variety per tank
Container Production	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified
Plant Variants:			
Fingerprints	1%	2%	Not Applicable
Visual Inspections	3 plants per 5,400 ft ²	5 plants per 5,400 ft ²	10 plants per 5,400ft ²
Harmful Diseases ⁽²⁾	None	None	None
Noxious or Objectionable Weeds ⁽³⁾	None	None	≤ 5 plants per 5,400 ft ²

Factor	Foundation	Registered	Certified
Other Crops ⁽⁴⁾	None	None	≤ 5 plants per 5,400 ft ²

(1) Production unit life from date of transplant. No maximum age for a certified class production unit so long as the unit continues to meet all requirements of this Section.

(2) Diseases determined in accordance with the Louisiana Ag Experimental Station and LDAF to seriously affect the quality of seed or vegetatively propagated stock.

(3) Including, but not limited to following weed species: *Cyperus spp.* (Sedge), *Eleocharis spp.* (Spikerush), *Phragmites australis* (Roseau cane), *Typha spp.* (Cattail).

(4) Including, but not limited to the following crop species: *Spartina alterniflora* (Smooth cordgrass), *Spartina patens* (Marshhay cordgrass), *Spartina cynosuroides* (Big cordgrass), *Spartina spartinae* (Gulf cordgrass), *Distichlis spicata* (Saltgrass), *Paspalum vaginatum* (Seashore paspalum).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 37:2980 (October 2011), LR 39:1759 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2717 (October 2013), amended LR 40:751 (April 2014).

§717. Sea Oats (*Uniola paniculata*) Clonally Propagated Plant Certification Standards

A. LDAF shall issue numbered certified bulk sales certificates or tags when requested to do so by a grower who has met the requirements and standards set forth in this Section. The numbered certified certificates shall accompany each shipment of certified vegetatively propagated stock.

B. Production Requirements. To be eligible for the production of all certified classes, plots and containers/tanks shall be left undisturbed for a minimum of four weeks prior to planting, and found to be free of sea oats and noxious and objectionable weeds.

1. Plot Requirements

a. Only one variety of sea oats shall be grown per plot.

b. Plots of different varieties must meet the minimum isolation distance at all points.

c. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

2. Container/Tank Requirements

a. Soil used for container/ tank production shall:

i. come from an area that has not produced sea oats for a minimum of one year

ii. be free of visible sea oats rhizomes and stems prior to transplanting.

b. Only one variety of sea oats shall be grown per production tank.

c. Different varieties shall be grown in separate tanks units unless individual varieties are separated by solid sided partition that will not allow rhizomes or stem material to spread between or within tank units.

d. All seed heads shall be routinely removed from plants after flowering begin to ensure viable seed are not produced.

C. Grower Inspections. Plots and containers shall be routinely inspected by grower to ensure that all requirements of this Section are being met.

D. LDAF Inspections. Production plots and containers/tanks shall be made accessible for inspection by the grower.

1. Plots and containers/tanks shall be inspected by LDAF within four weeks prior to transplanting to ensure they are free of volunteer sea oat plants and noxious and objectionable weeds.

2. Plots and containers shall be inspected by LDAF inspectors a minimum of once a year, after transplanting, to ensure that all requirements of this Section are being met.

3. Additional inspections may be performed at the discretion of LDAF at any time without prior notice.

E. Field Standards—Production Plots/Containers/Tanks

Factor	Foundation	Registered	Certified
Maximum Unit Life ⁽¹⁾	4 years	6 years	Unlimited
Land Requirements	1 year	1 year	1 year
Isolation:			
Plot Production	30 ft.	30 ft.	30 ft.
Tank Production	One variety per tank	One variety per tank	One variety per tank
Container Production	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified
Plant Variants	3 plants per 5,400 ft ²	5 plants per 5,400 ft ²	10 plants per 5,400 ft ²
Harmful Diseases ⁽²⁾	None	None	None
Noxious or Objectionable Weeds ⁽³⁾	None	None	≤ 5 plants per 5,400 ft ²
Other Crops ⁽⁴⁾	None	None	≤ 5 plants per 5,400 ft ²

(1) Maximum production unit life from transplant date. No maximum age for a certified production unit so long as the unit continues to meet all requirements of this Section.

(2) Diseases determined in accordance with the Louisiana Ag Experiment Station and the LDAF to seriously affect the quality of seed or vegetatively propagated stock.

(3) Including but not limited to the following weed species: *Cyperus* spp. (Sedges), *Panicum repens* (Torpedograss), *Phragmites australis* (Roseau cane), *Fimbristylis* spp. (Fimbristylis), *Tamarix* spp. (Salt cedar), *Cenchrus* spp. (Sandbur), *Suaeda linearis* (Sea-blite), *Acacia farnesiana* (Sweet acacia).

(4) Including but not limited to the following crop species: *Spartina patens* (Marshhay cordgrass), *Spartina Spartinae* (Gulf cordgrass), *Sporobolus virginicus* (Dropseed), *Distichlis*

spicata (Saltgrass), *Schizachyrium maritimum* (Seacoast bluestem), *Paspalum vaginatum* (Seashore paspalum), *Panicum amarum* (Beach panicgrass).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 37:2982 (October 2011), LR 39:1760 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2718 (October 2013), amended LR 40:752 (April 2014).

§719. Smooth Cordgrass (*Spartina alterniflora*) Certification Standards

A. LDAF shall issue numbered certified bulk sales certificates or tags when requested to do so by a grower who has met the requirements and standards set forth in this Section. The numbered certified certificates or tags shall accompany each shipment of certified seed or vegetatively propagated material.

B. Definitions. The following words and terms when used in this Section, shall have the following meanings, unless the context clearly indicates otherwise.

Generation 1 (G1)—the vegetative increase of tested class G0.

Generation 2 (G2)—the seed production or vegetative increase of tested class G1.

Generation 3 (G3)—the seed production of tested class G1 or G2.

Tested Germplasm—the progeny of plants whose parentage has been tested and has proven genetic superiority or possess distinctive traits for which the heritability is stable.

C. Production Requirements. To be eligible for the production of all certified classes, production ponds and containers/tanks shall be left undisturbed for a minimum of four weeks prior to planting, and found to be free of smooth cordgrass and noxious and objectionable weeds.

1. Pond Requirements of Vegetatively Propagated Stock

- a. Ponds shall be contained by levees.
- b. Only one variety shall be grown per pond.
- c. Ponds of different varieties must be separated by the minimum isolation distance at all points.
- d. Ponds must have individual water supplies and water drainage capabilities for each produced variety.
- e. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.
- f. Vegetative production ponds of the “certified class” only may be located within natural tidal influenced areas.

2. Container/Tank Requirements of Vegetatively Propagated Plant Stock

- a. Soil used for container/tank production shall:
 - i. come from an area that has not produced smooth cordgrass for a minimum of one year; and
 - ii. be free of visible smooth cordgrass rhizomes and stems prior to transplanting.
- b. Only one variety shall be grown per container/tank.
- c. Different varieties shall be grown in separate tanks and shall have individual water supplies and drainage capabilities.

d. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

3. Seed Production Pond Requirements

- a. Ponds shall be contained by levees.
- b. Ponds containing different varieties must be separated by the minimum isolation distance at all points.

D. Grower Inspections

1. Production ponds, tanks, and containers shall be routinely inspected by the grower to ensure that all requirements of this Section are being met.

E. LDAF Inspections. Production ponds and containers/tanks shall be made accessible for inspection by the grower.

1. Production ponds and containers/tanks shall be inspected by LDAF within four weeks prior to transplanting to ensure production ponds and containers/tanks are free of volunteer smooth cordgrass plants and noxious and objectionable weeds. All ponds and containers/tanks shall be non-flooded at time of pre-plant inspection.

2. Shall be inspected by LDAF a minimum of once a year, after transplanting, to ensure that all requirements of this Section are being met.

3. Additional inspections may be performed at the discretion of LDAF at any time without prior notice.

F. Field Standards Production Ponds/Containers/Tanks

Factor	Foundation and Tested G1 Germplasm	Registered and Tested G2 Germplasm	Certified and Tested G3 Germplasm	Seed Production Fields (All Generations)
Maximum Unit Life (1)	4 years	6 years	Unlimited	5 years
Land Requirements	1 year	1 year	1 year	1 year
Isolation:				
Pond Production	20 ft.	20 ft.	20 ft.	1200 ft.
Tank Production	One variety per tank	One variety per tank	One variety per tank	N/A

Factor	Foundation and Tested G1 Germplasm	Registered and Tested G2 Germplasm	Certified and Tested G3 Germplasm	Seed Production Fields (All Generations)
Container Production	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified	Different varieties must be separated and clearly identified	N/A
Plant Variants:				
Visual Inspections	3 plants per 5,400 ft ²	5 plants per 5,400 ft ²	10 plants per 5,400 ft ²	10 plants per 5,400 ft ²
Harmful Diseases (2)	None	None	None	None
Noxious or Objectionable Weeds (3)	None	None	≤ 5 plants per 5,400 ft ²	≤ 5 plants per 5,400 ft ²
Other crops (4)	None	None	≤ 5 plants per 5,400 ft ²	≤ 5 plants per 5,400 ft ²

- (1) Production unit life from date of transplant. No maximum age for a certified class production unit so long as the unit continues to meet all requirements of this Section.
- (2) Diseases determined in accordance with the Louisiana Ag Experiment Station and LDAF to seriously affect the quality of seed or vegetatively propagated stock
- (3) Including, but not limited to the following weed species: *Salvinia* spp. (*Salvinia*), *Cyperus* spp. (*Sedge*), *Eleocharis* spp. (*Spike rush*), *Phragmites australis* (*Roseau cane*), *Typha* spp. (*Cattail*)
- (4) Including, but not limited to the following crop species: *Spartina patens* (*Marshhay cordgrass*), *Spartina cynosuroides* (*Big cordgrass*), *Spartina spartinae* (*Gulf cordgrass*), *Distichlis spicata* (*Saltgrass*), *Schoenoplectus californicus* (*California bulrush*), *Paspalum vaginatum* (*Seashore paspalum*)

G. Seed Standards

- 1. All generations of seed shall contain a pure seed content, excluding coating material, of not less than 90 percent.
- 2. All seed packages shall be labeled in such a manner as to meet the minimum seed labeling requirement of the seed law, this Part, and the Federal Seed Act and accompanying rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 37:2983 (October 2011), LR 39:1761 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2720 (October 2013), amended LR 40:753 (April 2014), LR 41:912 (May 2015).

§721. Tall and Meadow Fescue Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	2 yrs.	2 yrs.
Isolation	900 ft.	330 ft.	330 ft.
Other Varieties	10 Plants per Acre	10 Plants per Acre	100 Plants per Acre

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	95.00%
Inert Matter	2.00%	2.00%	5.00%
Other Varieties	0.01%	1.00%	2.00%
Other Crops	None	None	10 seed/lb.
Noxious Weeds	None	None	None
Other Weeds	50 seed/lb.	50 seed/lb.	360 seed/lb.
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:586 (November 1982) amended LR 9:197 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2721 (October 2013).

§723. Turf and Pasture Grass Certification Standards

A. Classes of Seed. The word *seed* shall be understood to include all propagated materials in this Section.

1. Foundation shall be the vegetative increase of Breeder seed.

2. Registered shall be the vegetative increase of Foundation seed.

3. Certified shall be the vegetative increase of Registered seed.

B. A grower may increase their acreage of Registered class of seed on their own farm on a limited basis with the approval of LDAF.

C. Land Requirements

1. Sod and Sprigs (pre-planting inspections)

a. A field to be eligible for the production of all certified classes of sod shall be left undisturbed for a minimum of four weeks prior to planting and found to be free of noxious and objectionable weeds.

b. A recommended soil fumigation may be applied by a licensed applicator, followed by an inspection by LDAF a minimum of four weeks after the application, to ensure no emergence of noxious and objectionable weeds prior to planting.

D. Field Inspections. Turf Grasses and Pasture Grasses entered into the certification program shall be inspected at least three times a year: first (April-May); second (August-September); third (December-January) to ensure the quality of the grasses has met or exceeded the minimum standards set forth in these regulations. If a field is found to be deficient in meeting the standards then the producer has the option of spot roguing the undesirable, if LDAF deems possible, and call for a re-inspection of the crop.

E. Field Standards

Factor	Foundation	Registered	Certified
Turf Grasses (Sprigs and Sod)			
Other Varieties	None	None	1 Plant/ 1000 sq. ft.
Other Crops	None	None	1 Plant/ 1000 sq. ft.
Noxious and Objectionable Weeds	None	None	None
Harmful Diseases	None	None	None
Isolation	6 ft.	6 ft.	6 ft.
Pasture Grass (Sprigs)			
Other Varieties	None	1 Plant/ 1000 sq.ft.	3 Plants/ 1000 sq.ft.
Other Crops	None	None	3 Plants/ 1000 sq. ft.
Noxious and Objectionable Weeds	None	None	None
Harmful Diseases	None	None	None
Isolation	30 ft.	30 ft.	30 ft.

1. Other varieties consist of other strains of the species that can be differentiated from the variety or varieties that are being inspected.

2. Noxious and objectionable weeds. Noxious and objectionable weeds are with the inclusions of, but not limited to, the following plants: Virginia button weed (*Diodia virginiana*); dallisgrass (*Paspalum dilatatum*); crabgrass (*Digitaria* spp.); goosegrass (*Eleusine indica*); bahiagrass (*Paspalum notatum*); torpedograss (*Panicum repens*); Nutsedge (*Cyperus esculentus*, *C. rotundus*).

3. Harmful Diseases. Harmful diseases are diseases that seriously affect the quality of grasses and are transmitted by planting stock.

4. Isolation. Isolation shall be a barren strip or an approved crop to maintain purity without the risk of contamination.

F. Planting Stock Standards

Factor	Foundation	Registered	Certified
Turf Grass			
Pure Live Plants	90.00%	90.00%	90.00%
Noxious and Objectionable Weeds	None	None	None
Other Varieties	None	0.05%	0.05%
Other Crop	None	None	0.05%
Harmful Diseases	None	None	None
Pasture Grass			
Pure Live Sprigs containing roots (minimum by count)	90.00%	90.00%	90.00%
Other Live Plants (maximum by count)	2.00%	2.00%	2.00%
Noxious Weeds	None	None	None

G. Reporting System

1. Issuing Certificates

a. The grower will be issued numbered certificates of certification and tags by LDAF upon request that must accompany each load of certified grass sold.

b. The grower is responsible for completing the forms and returning the appropriate copies to LDAF within 10 working days of issuance.

2. Tagging System

a. Upon meeting the standards set forth in these regulations the certified crop must have attached to the invoice two tags:

- i. one from the seed certification division; and
- ii. one from the horticulture division of LDAF.

b. This two-tag system shall distinguish the crop to have met or exceeded the requirements set by both divisions of LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 9:204 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 16:847 (October 1990), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2721 (October 2013), amended LR 40:755 (April 2014), repromulgated LR 40:992 (May 2014), LR 44:1854 (October 2018).

§725. Vetch Seed Certification Standards

A. Classes of Vetch Seed

1. Non-Reseeding Varieties. Recognized certified seed classes shall be breeder, foundation, registered and certified vetch seed.

2. Hard-Seeded Varieties. Whenever a field of hard-seeded vetch has been established to produce either breeder, foundation, registered or certified seed, the same certified seed class can be produced from that field as long as it remains in production and meets minimum seed certification standards.

B. Field Inspection. Field inspection shall be made at flowering time or before harvest when off-types and varietal mixtures can best be identified.

C. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	3 yrs.	2 yrs.
Isolation	10 ft.	10 ft.	10 ft.
Self-Pollinating Varieties	400 ft.	400 ft.	400 ft.
Cross-Pollinating Varieties			
Other Varieties and Off-Types	1 per 1,000	1 per 400	1 per 100
Other Crops	1 per 4,000	1 per 2,000	1 per 400
Noxious Weeds (inseparable)	None	None	None

D. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Total Other Crops	0.35%	0.75%	1.50%
Other Varieties	0.10%	0.25%	1.00%
Noxious Weeds	None	None	None

Other Weeds	0.10%	0.25%	0.25%
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 9:205 (April 1983), amended LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2722 (October 2013).

§§727.-739. Reserved.

Subchapter B. Grain and Row Crop Seeds

§741. Cottonseed Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Registered	Certified
Isolation**		15 ft.	15 ft.	15 ft.
Other Varieties and Off-Type Plants	None	None	1 Plant per Acre	5 Plants per Acre
Noxious Weeds: Cocklebur	None	5 Plants per Acre	8 Plants per Acre	10 Plants per Acre

**Fields entered for certification must be isolated at least 600 feet from Sea Island cotton, red leaf cotton, or other cottons which vary greatly in plant characteristics from the variety entered for certification, and at least one-half mile from G. barbadense and interspecific hybrids involving G. barbadense.

B. Handling and Storage Requirements

1. Ginning. Cottonseed in all classes of certification, to be certified, shall be ginned on a thoroughly cleaned, one-variety gin approved by LDAF prior to ginning. With special permission of the Department of Agriculture and Forestry:

- a. cottonseed for all classes of certification may be ginned on thoroughly cleaned, mixed variety gins either with:
 - i. a notarized ginner's agreement previously approved by LDAF, or
 - ii. in the presence of a LDAF inspector.

b. cottonseed produced for only the certified class may be ginned on a mixed-variety gin if a minimum of three bales are "blown" through the gin prior to catching of the cottonseed to be certified. An inspector of LDAF may be present if cottonseed for certification is ginned under special permission.

2. Delinting. Delinters must conform to the same requirements set forth for ginners. No cottonseed entered for certification may be delinted outside the state of Louisiana except by special permission of LDAF.

C. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	99.00%	99.00%	99.00%	99.00%
Inert Matter	1.00%	1.00%	1.00%	1.00%
Other Varieties	None	0.03%	0.05%	0.10%

Factor	Breeder	Foundation	Registered	Certified
Other Crops	None	None	3 seed/lb.	5 seed/lb.
Noxious Weeds: Cocklebur	None	None	1 seed/2 lbs.	1 seed/2 lbs.
Germination	None	70.00%	70.00%	70.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, LR 8:570 (November 1982), amended LR 9:199 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 13:156 (March 1987), repromulgated LR 13:232 (April 1987), amended LR 18:954 (September 1992), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:3060 (November 2013), amended LR 40:755 (April 2014), repromulgated LR 40:993 (May 2014).

§743. Hybrid Seed Corn Certification Standards

A. Eligibility Requirements. Hybrid corn may be one of the following.

1. *Single Cross*—the first generation hybrid between two inbred lines.
2. *Double Cross*—the first generation hybrid between two single crosses.
3. *Three-Way Cross*—a first generation hybrid between a single cross and an inbred line.
4. *Top Cross*—the first generation hybrid of a cross between an inbred line and an open-pollinated variety or the first generation hybrid between a single cross and an open-pollinated variety.
5. *Foundation Single Cross*—a single cross used in the production of a double cross, a three-way, or a top cross.

B. Field Inspection

1. Seed fields shall be inspected at least once prior to the pollination period for purity as to plant type. Any off-type or doubtful plants must be destroyed before they shed pollen.
2. At least three field inspections shall be made during the pollinating period, said inspections to be made without previous notification to the grower.

C. Field Standards

1. Unit of Certification. The entire acreage of any one specific commercial hybrid must be entered for certification.
2. Isolation Requirements. Fields in which commercial hybrid corn is being produced must be so located that the female parent is not less than 660 feet in all directions from other corn of a different kernel color or type (sweet, pop, flint, white, red, etc.).
3. Border Rows. When the kernel type and color of the corn in the contaminating field are the same as those of the parent in the crossing field, the isolation distance may be modified by the planting of border rows of the pollen parent. The following table indicates the minimum number of border

rows required for fields of various sizes when located at different distances from other corn.

Minimum Distance from Other Corn	Field Size	
	1 to 20 acres	20 acres or more
Feet	(Minimum)	Border Rows
410	0	0
370	2	1
330	4	2
290	6	3
245	8	4
205	10	5
165	12	6
125	14	7
85	16	8
0		10

a. The above isolation requirements do not apply to crossing fields when the same male or pollen parent is used in each. In such cases the two fields must be clearly divided by use of an area not less than 14 feet or a natural boundary which is permanent and distinctive (e.g., ditch, road, headland, etc.).

4. Detasseling

- a. A commercial hybrid will be disqualified for certification when 5 percent or more of the female seed parent plants have receptive silk:
 - i. if more than 1 percent of the female seed parent plants have shed pollen on one inspection; or
 - ii. if a total of 2 percent of the female seed parent plants have shed pollen on three inspections.

b. Sucker tassels, portions of tassels or tassels on main plants will be counted as shedding pollen when 2 inches or more of the central stem, the side branches, or a combination of the two have anthers extended from the glumes. In cases where a few silks are out and tassels of the seed parent have begun to shed pollen, the field can be approved by immediate and complete detasseling of the seed parent and removal of the ear shoots with exposed silks, if done to the satisfaction of LDAF.

D. Seed Standards

Factor	Certified Class
Pure Seed	98.00%
Inert Matter	2.00%
Other Varieties	0.50%
Noxious and Other Weeds	None
Off-Color, Off-Type Kernels	0.10%
Germination	90.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:572 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 13:156 (March 1987), repromulgated LR 13:232 (April 1987), amended LR 15:613 (August 1989), LR 20:643 (June 1994), repromulgated by the Department of Agriculture and Forestry, Office

of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2723 (October 2013), amended LR 40:755 (April 2014), repromulgated LR 40:993 (May 2014).

Sciences, Agricultural Chemistry and Seed Commission, LR 39:2724 (October 2013).

§745. Seed Corn (Open-Pollinated) Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
*Isolation	1,200 ft.	1,200 ft.	1,200 ft.
Other Varieties	None	None	0.50%
Off-type Plants	0.20%	0.20%	0.50%
*Does not apply to other corn with different maturity dates.			

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Crops	None	None	5 seed/lb.
Other Varieties	None	None	3 seed/lb.
Noxious and Other Weeds	None	None	None
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:574 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:200 (December 1986), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2724 (October 2013).

§747. Millet Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	1,320 ft.	1,320 ft.	825 ft.
Other Varieties	None	1 Plant per Acre	10 Plants per Acre

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Crops	None	None	None
Other Varieties	None	5 seed/lb.	10 seed/lb.
Noxious Weeds	None	None	None
Other Weeds	5 seed/lb.	5 seed/lb.	5 seed/lb.
Germination	75.00%	75.00%	75.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:575 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental

§749. Rice Seed Certification Standards

A. Isolation Requirements

1. Fields offered for certification must be clearly separated from other fields by a ditch, levee, roadway, fence, or barren strip a minimum of 10 feet if the adjoining crop is the same variety and class.

2. In addition to the preceding regulations, the following isolation distances will pertain if the adjoining crop is a different class or different variety.

Number of Feet from Same Variety/Different Class Planted by			
Ground		Air	
Drill	Broadcast	Right Angle	Parallel
10	10	1,320	10
Number of Feet from Other Varieties/All Classes Planted by			
Ground		Air	
Drill	Broadcast	Right Angle	Parallel
20	100	1,320	100

3. Any part of the applicant's field or fields which are closer than these distances must be harvested prior to final inspection or plowed up. Failure to comply with this requirement will disqualify the entire field.

B. Field Standards

Factor	Breeder	Foundation	Registered	Certified
Land Requirement				
Conventional Varieties	1 yr.	1 yr.	1 yr.	1 yr.
Hybrid Varieties	5 years	5 years	5 years	5 years
Other Varieties	None	None	10 Plants per Acre	25 Plants per Acre
*Harmful Diseases	None	None	None	None
Noxious Weeds: Red Rice (including Black Hull Rice)	None	None	None	1 Plant per 10 Acres
Spearhead	None	None	None	2 Plants per Acre
Indian Jointvetch	None	None	4 Plants per Acre	4 Plants per Acre
*Diseases seriously affecting quality of seed and transmissible by planting stock.				

C. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%	2.00%
Other Crops, including Other Varieties	None	None	None	2 seed/lb.
Off-Color Grains, if of similar size, quality and maturity	None	5 seed/lb.	10 seed/lb.	20 seed/lb.

Factor	Breeder	Foundation	Registered	Certified
Noxious Weeds: Red Rice (including Black Hull Rice)	None	None	None	None**
Spearhead, Indian Jointvetch and Mexican Weed	None	None	None	None
Other Weeds	0.05%	0.05%	0.05%	0.10%
Germination		80.00%	80.00%	80.00%

*Four pounds shall be hulled from each lot to determine red rice content.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:576 (November 1982), amended LR 9:201 (April 1983), LR 9:754 (November 1983), LR 10:495 (July 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 13:157 (March 1987), LR 13:233 (April 1987), LR 14:606 (September 1988), LR 14:694 (October 1988), LR 15:613 (August 1989), LR 19:888 (July 1993), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences and Agricultural Chemistry and Seed Commission, LR 39:2724 (October 2013), amended LR 42:212 (February 2016), LR 44:1855 (October 2018).

§751. Seed Irish Potato Certification Standards

A. Inspections

- At least two field inspections shall be made.
- An inspection shall be made of the tubers at the time of shipment.

B. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	10 ft.	10 ft.	10 ft.
Other Varieties and Off-type Plants	None	None	0.10%
Diseases*	0.20%	0.20%	0.20%
Mild Mosaic	0.50%	0.50%	5.00%
Sclerotium Rolfsii Wilt	0.50%	0.50%	1.00%
Potato Wart, Ring Rot, Late Blight	1.00%	1.00%	1.00%
Total Diseases	0.30%	0.30%	0.30%
Harmful Insects: Tuber Moth	None	None	None

*Rugose mosaic, leafroll, spindle tuber, yellow dwarf, witches' broom, haywire, giant hill, rosette, spinach leaf, curly dwarf.

C. Tuber Standards

Factor	Foundation	Registered	Certified
Stem End Discoloration	2.50%	2.50%	5.00%
Hair Sprout	0.50%	0.50%	5.00%
Spindle Tuber	0.20%	0.20%	1.00%
Scab and Rhizoctonia*	6.00%	6.00%	6.00%
Net Necrosis	0.50%	0.50%	5.00%
Late Blight, Golden and Potato Rot, Potato Wart and Ring Rot	1.00%	1.00%	1.00%
Tuber Moth	None	None	None
Sclerotium Rolfsii Wilt	0.50%	0.50%	1.00%

Factor	Foundation	Registered	Certified
Nematodes (Root-Knot)**	1.00%	1.00%	1.00%

*6 percent of tubers by weight have more than 5 percent of the surface covered by scab or rhizoctonia.
**1 percent of tubers by weight showing nematode (root-knot) infection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:577 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:643 (June 1994), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013).

§753. Seed Irish Potato Certification Standards (Out-of-State)

A. Conditions governing shipment or movement of seed Irish potatoes into Louisiana shall conform to the following.

1. Seed Irish potatoes must have passed field and storage seed certification requirements of the proper certifying agency. The tolerances for insects and diseases shall be the same as those set forth in the certified seed regulation for seed Irish potatoes (§751).

2. Each container of seed moved into, offered for sale, or sold in Louisiana shall have attached thereto an official foundation, registered, or certified seed tag issued by the proper certifying agency in the state of origin.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:578 (November 1982), amended LR 9:201 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 14:606 (September 1988), LR 15:78 (February 1989), LR 20:644 (June 1994), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013).

§755. Sweet Potato (Ipomoea batatas) Certification Standards

A. The General Seed Certification Requirements provided in this Part apply to all crops, and together with the following specific standards constitute the certified Sweet Potato seed standards.

B. Requests for exemptions to any requirement set forth in this Section shall be submitted to LDAF in writing. In the case that LDAF approves an exemption, the grower may be required to implement additional LDAF approved safeguards to insure the health and integrity of the certified plants or roots.

C. Breeder Seed Stock entering the certification program shall be sourced from an LDAF approved virus elimination program, maintained in tissue culture, and tested for known

pathogens proven to be detrimental to the health of the seed stock.

D. Definitions. The following definitions apply to this Section only.

Clean Plant Center—sweet potato plant propagation facility approved by state certifying agencies that provide micropropagated, virus-tested, and apparently pest-free nuclear plant stock.

Field—a clearly defined contiguous area containing sweet potato production of the same variety throughout the area.

Generation—age of material; generation number advances upon exposure to subsequent unprotected environments (growing seasons).

LDAF—the Louisiana Department of Agriculture and Forestry.

Mericlone—is a plant clonally propagated from a single apical meristem.

Micropropagation—is the art and science of plant multiplication in-vitro. Sweet potato is most commonly micropropagated in tissue culture by aseptic transfer of stem segments containing one to three nodes placed in sterile medium to produce nuclear plants.

Symptomatic Plant - a plant that exhibits an indication or symptom of a disease, mutation, pest, virus, or other problem that may affect sweet potato production.

Vine cutting or Slip—a stem section of suitable length with at least 2 - 3 nodes for transplanting in the greenhouse or field.

Virus-Tested—a plant that has been tested for the presence of viruses by grafting a sweet potato shoot to the Brazilian morning glory (*Ipomoea setosa*), by negative PCR assay for destructive sweet potato viruses, or by other standards established by the National Clean Plant Network - Sweet Potato.

E. Classes and sources of certified planting stock

1. Breeder Seed Stock is sweet potato propagation material identified and described by the breeder or developer and is entered into and maintained by a Clean Plant Center. This material is obtained through methods approved by LDAF.

2. Nuclear Plant is a plant derived from Breeder Seed Stock. It is virus-indexed, apparently free of other pests, and evaluated in field test for trueness-to-type. This material is maintained under strict isolation by Clean Plant Centers. Nuclear Plants may exist as in-vitro tissue culture plantlets, or plants grown in an approved greenhouse. LDAF inspections begin with the inspection of Nuclear Plants located at Clean Plant Centers.

3. G0 Plants are greenhouse plants produced by certified growers from Nuclear Plants. G0 plants may be used to produce G0 plants when located within a greenhouse

unexposed to a field environment. When exposed to a field environment, G0 plants become G1 plants.

4. G1 Seed are produced from G0 and G1 plants. Vine cuttings may be taken repeatedly from this original G1 planting to establish subsequent G1 plantings. All subsequent cuttings must occur within the same year. Vines and roots produced during this first year in the field are designated as G1.

5. G2 Seed (second field generation) is established from G2 plants grown from G1 roots. Vine cuttings may be taken repeatedly from this original G2 planting to establish subsequent G2 plantings. All subsequent cuttings must occur within the same year. Vines and roots produced during this second year of field production are designated as G2.

6. G3 Seed (third field generation) is established from G3 plants grown from G2 roots. Vine cuttings may be taken repeatedly from this original G3 planting to establish subsequent G3 plantings. All subsequent cuttings must occur within the same year. Vines and roots produced during this third year of field production are designated as G3.

7. Certified Plant Cutting Designations

a. *G0 Cuttings*—vine cuttings from G0 plants grown in a certified greenhouse.

b. *G1 Cuttings*—vine cuttings from G1 plants that are established in the field from G0 cuttings which become G1 cuttings once they leave the greenhouse or from vine cuttings from G1 plants. G1 cuttings produce G1 roots.

c. *G2 Cuttings*—vine cuttings from sprouts from bedded G1 roots or from vine cuttings from G2 plants. G2 cuttings produce G2 roots.

d. *G3 Cuttings*—vine cuttings from sprouts from bedded G2 roots or from vine cuttings from G3 plants. G3 cuttings produce G3 roots.

F. Greenhouse Requirements

1. Greenhouses containing certified sweet potato plants or roots of any generation are subject to these requirements.

2. LDAF must approve greenhouses before Nuclear Plants are released to the grower for the production of G0 stock.

3. Grower shall provide a copy of the LDAF greenhouse inspection report to the Clean Plant Center before plants are released to the grower.

4. Greenhouses shall meet the following requirements:

a. Greenhouses shall be sanitized or maintained free of all plants a minimum of six weeks prior to receiving plants at the beginning of the crop year.

b. Greenhouses shall only contain nuclear stock or G0 plants that originated from nuclear stock; no other plants allowed in the greenhouse except for approved indicator plants.

c. Entry points shall be double doors or single door with air curtain to prevent aphid, whitefly or other injurious pest entry, and designed to restrict entry by unauthorized personnel.

d. A system for sanitizing hands and feet prior to entry into the growing areas of the greenhouse shall be maintained and proper signage relaying that information posted at entries.

e. Yellow sticky traps shall be used in an amount to adequately monitor aphids, whiteflies and other injurious insects.

f. Any openings such as vents, and windows shall be covered with insect-proof screens to prevent entry of aphids, whiteflies and other injurious insects.

g. An integrated pest management program shall remain in place to control aphids, whiteflies and other injurious insects.

h. Cutting tools shall be decontaminated on a regular basis and always decontaminated prior to being used between groups of plants.

i. All growing media and containers must be new, or sanitized by a method approved by LDAF.

j. Isolation

i. No plants are allowed to grow within 10 feet of the greenhouse, except for turf grass used for stabilization of the soil. Weeds shall be controlled by grower.

ii. The perimeter of the greenhouse shall be a minimum of 250 feet away from any non-certified sweet potatoes, greenhouses containing non-certified plants, sweet potato storage sheds, cull piles or other potential sources of sweet potato viruses. Upon written request of the grower, LDAF may allow an isolation distance of less than 250 feet.

iii. Different varieties/cultivars shall be clearly identified and separated within the greenhouse.

5. Producer Inspections

a. Producer shall inspect plants routinely. If symptomatic plants are found, they shall be removed and destroyed.

b. The grower shall keep a log book documenting routine inspections and the variety and number of plants that were removed. The log book shall be made available to LDAF upon request.

c. Grower shall inspect each greenhouse and its perimeter routinely to ensure that the greenhouse isolation requirements are being met.

6. LDAF Inspections

a. LDAF will inspect certified greenhouses monthly and at other times as needed if problems are observed. If symptomatic plants are found during these inspections the grower shall rogue and dispose of these plants properly in order to maintain certification status.

b. A unit of certification shall be the entire greenhouse and such unit cannot be subdivided for the purpose for certification.

7. Specific Greenhouse Requirements

Maximum Tolerance Allowed		
Factor	Nuclear Plants	G0 Plants
Bacterial Stem Rot (<i>Erwinia chrysanthemi</i>)*	0	0
Black Rot (<i>Ceratocystis fimbriata</i>)*	0	0
Scurf (<i>Monilochaetes infuscans</i>)*	0	0
Root-Knot Nematode (<i>Meloidogyne spp.</i>)	0	0
Feathery Mottle (sweet potato feathery mottle virus [SPFMV])*	0	0
Russet Crack (a strain of SPFMV)*	0	0
Internal Cork*	0	0
Wilt (<i>Fusarium oxysporum f. sp. batatas</i>)*	0	0
Sweetpotato Weevil (<i>Cylas formicarius</i>)	0	0
Exotic or hazardous pests	0	0
Variety mixture	0	0
Off-types (mutations)	0	0

*Plants or mini-roots exhibiting symptoms

G. Field Requirements

1. Individual certified fields shall only contain certified sweet potato plants. Upon written request of the grower, LDAF may allow non-certified G0 plants, that originated from nuclear stock, to be produced in certified fields.

2. Sweet potato seed shall not be eligible for certification if produced on land which:

a. has produced sweet potatoes, received manure or sweet potato residue in the previous two years;

b. is subject to drainage from fields in which sweet potatoes are currently growing or have been grown in the previous three years.

3. Production fields shall be a minimum of 750 feet from any non-certified sweet potato plants. LDAF may allow an isolation distance of less than 750 feet upon written request of the grower.

4. Different generations and varieties must be clearly identified and separated by a minimum of five feet clean and tilled break.

5. An LDAF approved program shall be in place to control perennial morning glory species and volunteer sweet potato plants.

6. Inspections

a. Grower shall inspect fields weekly during the growing season and rogue any symptomatic plants found. LDAF shall be informed if any problems concerning certification requirements are found.

b. LDAF will perform a minimum of one seed bed inspection to determine that quality plants are being produced and that plants are apparently free of injurious insects and

harmful diseases. LDAF may perform additional seed bed inspections as required to confirm standards are being met.

c. LDAF will perform a minimum of two inspections on each production field during the growing season. The first field inspection shall be made before vines have covered the ground so that symptomatic plants may be easily identified. The second inspection shall be made within two weeks prior to harvest or no earlier than ninety days after planting.

d. The unit of certification for production is a field and cannot be subdivided for the purpose for certification.

7. Specific Field Plant Requirements (Vine inspection standard)

Maximum Tolerance Allowed			
Factor*	G1 Plants	G2 Plants	G3 Plants
Bacterial Stem Rot (<i>Erwinia Chrysanthemi</i>)	None	None	None
Fusarium Wilt (<i>Fusarium oxysporum f. sp. Batatas</i>)	None	None	None
Sweetpotato Weevil (<i>Cylas Formicarius</i>)	None	None	None
Exotic or hazardous pests**	None	None	None
Off-types (Mutations)	0.05%	0.05%	0.10%
Variety or cultivar mixture	0.3%	0.5%	0.5%

*If other severe factors are observed at time of inspection, rejection of all or a portion of a field may occur.

**If sampled roots report presence of guava root-knot nematode (*Meloidogyne enterolobii*), the entire field will not be eligible for certification.

H. Seed Root Storage Requirements

1. The procedures for cleaning and sanitizing the structure where certified sweet potatoes are stored shall be in accordance with recommendations from the Louisiana Agricultural Experiment Station and approved by LDAF prior to any sweet potatoes being stored in the structure.

2. LDAF will perform one seed root storage inspection after harvest and before shipment. A minimum of twenty percent of sweet potatoes entered for certification shall be inspected during the storage inspection.

3. Sweet potatoes grown for certification shall be stored in new containers (crates, pallet boxes, etc.) or used containers that have been sanitized by a method approved by LDAF.

4. Certified seed roots shall be stored in a separate room from any non-certified roots, properly identified, separated by a minimum of two feet wide aisles between crates, and shall not be exposed to dust from grading and packing lines.

5. Specific Seed Root Tolerance Standards

Maximum Tolerance Allowed	
Factor	G1, G2, G3 Seed Roots
Surface rots (<i>Fusarium spp.</i>) & Soft Rots (<i>Rhizopus spp.</i>)	5.0%
Bacterial Root Rot (<i>Erwinia spp.</i>)	None
Black Rot (<i>Ceratocystis fimbriata</i>)	None
Scurf (<i>Monilochaetes infuscans</i>)	None
Streptomyces soil rot (<i>Streptomyces ipomoeae</i>)	0.5%
Root-Knot Nematode (<i>Meloidogyne spp.</i>)	5.0%
Guava Root-Knot Nematode (<i>Meloidogyne enterolobii</i>)	None
Russet Crack (a strain of SPFMV)	None
Wilt (<i>Fusarium oxysporum f. sp. batatas</i>)	None
Internal Cork	None
Wireworm (<i>Conoderus spp.</i>)	*
Sweetpotato Weevil (<i>Cylas formicarius</i>)	None
Exotic or hazardous pests	None
Variety mixture	None
Off-types (mutations)	0.50%

*Severe damage shall be reason for rejection of certified status.

I. General Standards for Plants and Seed Roots

1. Plants and roots shall be apparently free of harmful diseases, injurious insects, and other harmful pests and true to variety characteristics.

2. All cuttings shall be made at least one inch above the surface of the soil or growing medium.

3. Cuttings shall be of satisfactory size for commercial planting, approximately 5"-12" in length.

4. Cuttings shall be loosely packed and shipped in boxes and shall not be shipped with non-certified plants.

5. Roots shall be the correct color, fresh, firm, and a minimum of one inch in diameter, four inches in length and 30 ounces maximum weight.

J. Tagging and Certificate Reporting System

1. An official, LDAF issued Bulk Retail Sale Certificate shall accompany each sale of certified sweet potato cuttings/slips. An official, LDAF issued certified tag shall accompany each sale of certified seed roots.

2. The grower shall send a copy of each completed Bulk Retail Sales Certificate to LDAF at the end of each quarter (March 31, June 30, September 30, December 31), or upon request by LDAF. Grower shall maintain a copy of each issued certificate for their records.

3. A complete record of certified sweet potato cuttings/slips and seed roots sales shall be maintained and made available to LDAF upon request. The record shall include, but not limited to:

- a. purchaser's name,
- b. kind and variety/cultivar,
- c. class,
- d. date of shipment; and
- e. number of cuttings/slips or bushels shipped.

K. Quarantine of Certification Area

Title 7, Part XIII

1. If sweetpotato weevil (*Cylas formicarius*) is found in any field, greenhouse, storage, packing shed, or other structure or area affiliated with the production of certified sweet potatoes plants or roots, or within 300 yards of any such structure or area, then the entire area and all structures affiliated with the certification process shall be immediately quarantined in accordance with the sweetpotato weevil quarantine regulations found in Subchapter C of Part XV of Title 7 of the Louisiana Administrative Code (LAC 7:XV.133 et seq.).

2. If any plant pest or disease subject to regulation or quarantine under Part II or Part III of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950, (R.S. 3:1651 et seq.) that may affect sweet potato production is found in any field, greenhouse, storage or packing shed, other structure, or area affiliated with the production of certified sweet potatoes plants or roots, then the entire area and all structures affiliated with the certification process may be subject to quarantine in accordance with applicable law and regulations.

3. Any sweet potato plants or roots produced or stored in a field, greenhouse, storage shed, packing shed, or other structure located within an area quarantined as a result of the detection of sweetpotato weevil shall be ineligible for final certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:579 (November 1982), amended LR 9:202 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 22:1210 (December 1996), LR 36:1220 (June 2010), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013), amended LR 40:755 (April 2014), LR 44:1855 (October 2018), LR 45:1168 (September 2019), repromulgated LR 45:1438 (October 2019), amended LR 51:1568 (October 2025), LR 52:347 (March 2026).

§757. Small Grain (Oats, Wheat, Rye) Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.	1 yr.
Isolation	None	10 ft.	10 ft.	10 ft.
Rye	660 ft.	660 ft.	660 ft.	660 ft.
Other Crops	None	None	10 Plants per Acre	30 Plants per Acre
Other Varieties	None	None	10 Plants per Acre	30 Plants per Acre
Diseases:				
Loose Smut	None	1.00%	1.00%	1.00%

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%	97.00%
Inert Matter	2.00%	2.00%	2.00%	3.00%
Other Crops	None	5 seed/lb.	5 seed/lb.	10 seed/lb.
Other Varieties	None	1 seed/lb.	5 seed/lb.	10 seed/lb.
Noxious Weeds:				

Johnsongrass	None	None	None	None
Cheat and Damel	None	6 seed/lb.	6 seed/lb.	12 seed/lb.
Other Weeds	None	0.01%	0.02%	0.03%
Oats	None	0.02%	0.05%	0.10%
Germination	None	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:582 (November 1982), amended LR 9:203 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2728 (October 2013).

§759. Sorghum Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
*Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	1,300 ft.	1,300 ft.	1,300 ft.
Other Varieties	None	1 Head per 5 Acres	1 Head per 2 Acres
Head Smut	None	1 Head per Acre	1 Head per Acre
Kernel Smut	None	None	1 Head per 2,500 Heads
*No field will be eligible for certification if it grew sudan grass, broomcorn, or sorghum of another variety the previous year.			

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Varieties	None	None	9 seed/lb.
Other Crops	None	5 seed/lb.	5 seed/lb.
Noxious Weeds	None	None	None
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:583 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2729 (October 2013).

§761. Soybean Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Registered	Certified
*Land Requirement	1 yr.	1 yr.	1 yr.	1 yr.
Isolation		10 ft.	10 ft.	10 ft.
Other Varieties	None	None	3 Plants per Acre	10 Plants per Acre
Noxious Weeds:			2 Plants per Acre	5 Plants per Acre
Purple Moonflower	None	None		
Balloonvine	None	None	None	None

Factor	Breeder	Foundation	Registered	Certified
*Land requirement will be waived if the previous crop was grown from certified seed of the same variety, or of a variety having different plant pubescence or hilum color from the variety to be certified.				

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%	2.00%
Other Crops	None	2 seed/lb.	2 seed/lb.	5 seed/lb.
Other Varieties	None	2 seed/lb.	2 seed/lb.	5 seed/lb.
Noxious Weeds	None	None	None	None
Other Weeds	0.05%	10 seed/lb.	10 seed/lb.	10 seed/lb.
Germination	None	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:585 (November 1982), amended LR 9:203 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 15:613 (August 1989), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2729 (October 2013), LR 44:1855 (October 2018).

§763. Sugarcane (Tissue Culture) Certification Standards

A. Limitation of Stand Eligibility

1. Source of foundation stock is limited only to material obtained from the Louisiana State University Agricultural Center (LSUAC) or USDA-ARS Sugarcane Research Unit sugarcane variety selection programs that has been processed through the LSUAC sugarcane quarantine program.

2. Additional propagation of original foundation stock shall be according to procedures determined by the American Sugar Cane League, LDAF, the LSUAC, and the USDA-ARS Sugarcane Research Unit.

3. Source of registered stock is limited to plantlets produced through tissue culture of foundation material or the second ratoon. Stock that meets all standards except insect and/or weeds standards be maintained in the program as seed increase fields only, but may not be marketed to producers. Such stocks are eligible for re-certification once they come in compliance with applicable regulations.

4. Source of certified stock is limited to:

- a. three consecutive years from planting of registered stock; and
- b. two consecutive harvests of certified stock.

B. Greenhouse Requirements

1. Foundation plants and plantlets shall be kept in certified greenhouses.

2. Certified greenhouses shall comply with the following requirements:

- a. all sugarcane plants within the certified greenhouse must have been processed through the LSUAC sugarcane quarantine program;
- b. greenhouses shall be clearly marked to warn workers that they shall not enter if they are coming from the field or from other non-certified greenhouses;
- c. doors shall be kept locked when the greenhouse is not in use;
- d. sticky traps or other monitoring devices shall be used to monitor aphids and other insects;
- e. screens of such mesh as to prevent entry of aphids and other insects shall be placed over all openings (vents, fans, windows, etc.);
- f. aphids, whiteflies or other harmful insects shall be controlled within the greenhouse;
- g. cutting tools shall be decontaminated on a regular basis and always when moving to another group of foundation plants or plantlets;
- h. different varieties must be clearly identified and separated.

3. Foundation stock shall be tested on a yearly basis for sugarcane ratoon stunting disease (RSD) and sugarcane yellowleaf virus.

a. Tissue sample testing and protocol shall be provided by the LSU Ag Center Sugarcane Disease Detection Lab. The certifier shall provide to LDAF verification that foundation stock has been tested for sugarcane ratoon stunting disease (RSD) and sugarcane yellowleaf virus.

4. LDAF must approve greenhouses before foundation plants can be entered into the certification program.

5. Inspections

a. Producer shall inspect and/or sample the greenhouse on a regular basis for harmful diseases and insects. If symptomatic plants are found either visually or by sample test results, they will be removed and destroyed. The grower will keep a log showing that inspections were made and if plants were removed.

b. If problems are observed during these inspections the producer should notify LDAF.

c. LDAF may inspect certified greenhouses several times during the year as needed. If symptomatic plants are found during these inspections they must be rogued and disposed of properly.

C. Field Inspections and Sampling

1. At least three field inspections by LDAF inspectors shall be made each year to determine if certified seedcane is being produced that apparently meets field standards.

2. The second inspection to be conducted in June by LDAF inspectors will include the collection of leaf samples for the detection of Sugarcane Yellow Leaf Virus.

3. Individual fields shall be sampled by LDAF inspectors for the detection of Sugarcane Yellow Leaf Virus according to the following guidelines.

Field Size in Acres	# Leaf Tissue Samples per Field
Less than 5 Acres *	25
5 - 10 Acres	50
Greater than 10 Acres	75
*Minimum of 25 Leaf Tissue Samples per Field	

4. Tissue samples shall be submitted to the LSU Ag Center Sugarcane Disease Detection Lab for analysis.

5. LDAF shall have the right to re-inspect, re-sample and re-test fields that are out of tolerance for Sugarcane Yellow Leaf Virus prior to certification.

D. Land Requirements. The land shall be fallowed one summer from the previous crop.

E. Field Standards

Factor	Foundation	Registered	Certified
Isolation	10 ft.	10 ft.	10 ft.
Other Varieties (obvious)	None	1.00%	1.00%
Off-Type (definite)	None	1.00%	1.00%
Noxious Weeds:			
Johnsongrass	None	5 Plants/Acre	5 Plants/ Acre
Itchgrass	None	1 Plant/Acre	1 Plant/ Acre
Black Nightshade	None	3 Plants/Acre	3 Plants/Acre
Harmful Diseases:			
*Sugarcane Yellow Leaf Virus	None	20.00%	20.00%
**Sugarcane Mosaic	None	10.00%	10.00%
**Sugarcane Smut	None	0.50%	0.50%
Harmful Insects:	None	None	None
***Sugarcane Stem	None	5.00%	5.00%
*Determined by lab analysis for the LSU Sugarcane Disease Detection Lab			
**Plants exhibiting symptoms			
***Determined by percentage of internodes bored			

F. Stock Handling

1. General Requirements

a. During harvest, constant care should be taken in the handling of certified seed to ensure genetic identity and purity.

b. Stock shall be labeled or identified in a manner such as to represent a lot or field.

c. Planting stock shall be subject to inspection by LDAF at any time during the harvest season.

G. Reporting System

1. No certified seed tags will be issued for certified sugarcane stock.

2. The certifier shall be furnished certification forms by the LDAF and shall:

a. issue a copy of the certification form to the purchaser for each load;

b. send a copy of each issued certification form to LDAF within 10 days after each sale; and

c. maintain a copy of each issued certification form on file, which shall be available for examination by LDAF upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 23:1284 (October 1997), amended by the Department of Agriculture and Forestry, Office of the Commissioner, Seed Commission, LR 30:1143 (June 2004), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:1609 (August 2007), LR 36:1223 (June 2010), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2729 (October 2013), amended LR 40:756 (April 2014), LR 42:212 (February 2016), LR 43:1898 (October 2017), LR 51:1571 (October 2025).

§765. Sunflower Seed Certification Standards

A. Field Inspections. Two inspections shall be made of the growing crop, the first at early blooming stage and the second just before harvest. Only one inspection shall be required in the case of open-pollinated varieties.

B. Field Standards

1. Sunflower seed grown for certification shall not be on land that was planted the previous year to sunflower of another variety.

2. The isolation distance between varieties for all classes shall be at least 2,640 feet.

3. Flowering. In a crossing field for the production of hybrid sunflower seeds, the male parent must be in bloom and producing pollen at the time the female parent is in bloom. If the female sunflower heads produce pollen before the male parent heads, then the female pollen must be removed to prevent cross-pollination.

4. Maximum Impurity Tolerances (maximum limits per 1,000 plants)

Hybrid Production Foundation and Certified	Female Seed Parent	Male Pollinating Parent
Maximum (including Off-Types)	1	1
Wild-Type Branching	1	1
Purple Plants	1	1
White Seeded	1	0
Obvious Off-Types	4	4

C. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	99.00%	99.00%	98.00%
Inert Matter	1.00%	1.00%	2.00%

Other Crops	None	None	1 seed/lb.
Other Varieties	1 seed/lb.	1 seed/lb.	1 seed/lb.
Weed Seeds	None	None	None
Germination	90.00%	90.00%	90.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:586 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2731 (October 2013).

§767. Peanut Seed Certification Standards

A. Field Inspection. A field inspection shall be made by LDAF at maturity, but prior to harvesting.

Factor	Standards for classes		
	Foundation	Registered	Certified
Land requirement	1 year	1 year	1 year
Isolation	50 feet	25 feet	25 feet
Other varieties or types	None	0.2 percent	0.5 percent

B. Seed Standards. A representative sample of at least one pound of seed in its saleable condition and 1-1/2 pounds of untreated seed shall be submitted to the LDAF for laboratory analysis.

Factor	Standards for classes		
	Foundation	Registered	Certified
Pure seed (minimum allowed)	90.00 percent	90.00 percent	90.00 percent
Inert matter (maximum allowed)	10.00 percent	10.00 percent	10.00 percent
Prohibited weeds (maximum allowed) ¹	None	None	None
Weed seed (maximum allowed) ²	0.01 percent	0.01 percent	0.01 percent
Other kinds including other varieties (maximum allowed) ³	None	0.21 percent	0.52 percent
Other kinds (maximum allowed)	None	0.01 percent	0.02 percent
Other varieties (maximum allowed)	None	0.20 percent	0.50 percent
Germination (minimum allowed)	75.00 percent	75.00 percent	75.00 percent

¹Refer to Section §109

²Total weed seed shall not exceed five seeds per lb.

³Other kinds shall not exceed two seeds per lb. for Foundation; two seeds per lb. for Registered; three seeds per lb. for Certified.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 41:913 (May 2015).

§§769-779. Reserved.

Subchapter C. Fruits and Vegetables

§781. Okra Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
*Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	1,320 ft.	1,320 ft.	825 ft.
Other Varieties	None	None	1 per 1,250 Plants
Off-Type Plants	None	1.25%	1.25%

*Requirement can be waived if previous crop was grown from certified seed of the same variety.

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Varieties	None	None	None
Other Crops	None	5 seed/lb.	10 seed/lb.
Noxious Weeds	None	None	None
Other Weeds	5 seed/lb.	5 seed/lb.	5 seed/lb.
Germination	75.00%	75.00%	75.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:575 (November 1982), amended LR 9:200 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 15:613 (August 1989), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2731 (October 2013).

§783. Onion Bulb Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	5,280 ft.	2,640 ft.	1,320 ft.
Varietal Mixtures and Off-Type Plants	0.50%	0.50%	0.50%
Diseases:			
Onion Mosaic	1.00%	1.00%	1.00%
Pink Root	10.00%	10.00%	10.00%
Onion Smut	2.00%	2.00%	2.00%
Mildew	5.00%	5.00%	5.00%

B. Field Inspections. Two field inspections shall be made, one after seed heads are formed and one at harvest.

C. Handling and Storage of Bulbs

1. Bulbs must be inspected once at harvest and once in a storage house prior to planting, except that when a grower follows a seed-to-seed system, no bulb inspection shall be necessary.

2. Bulbs of any class must be free from decay; uniform in size, shape, and color; and not to exceed one-half of 1 percent varietal mixture.

D. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	99.50%	99.50%	98.00%
Inert Matter	0.50%	0.50%	2.00%
Other Varieties	None	None	None
Other Crops	0.20%	0.20%	0.20%
Noxious Weeds	None	None	None
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:575 (November 1982), amended LR 9:200 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 15:613 (August 1989), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2731 (October 2013).

§785. Shallot Seed Certification Standards

A. Land Requirement. The unit of certification shall be a field, which must be at least 300 feet from garlic, onions, or uncertified shallots and shall not have been planted to shallots for two previous years.

B. Field Inspections. Three or more inspections shall be made of the shallots while growing.

1. The first inspection shall be in the seed bed, between November 15 and December 15. On first inspection, more than 5 percent severe yellow dwarf shall cause the shallots in the entire plot to be ineligible for certification.

2. The second inspection shall be after transplanting, during March or April. On second inspection, yellow dwarf infection shall not exceed 1 percent in any area of a unit plot.

3. The third inspection shall be just prior to or at harvest time, generally around May 1 through May 15. A field having in excess of 3 percent plants or irregular growth and maturity and/or more than 3 percent pink root infection shall be ineligible for certification.

C. Storage Requirements

1. There shall be at least one inspection of the seed while in storage between June 15 and July 15.

2. The identity of shallot seed produced in each unit plot must be maintained by the grower.

3. Shallot seed with more than 3 percent storage rot and/or pink root infection shall not be eligible for certification.

4. Seed severely infested with bulb mites shall not be eligible for certification. Seed lightly infested with bulb mites must be treated in a manner prescribed by LDAF before certified permit tags will be issued.

D. Use of Certified Tags for Shallots. Shallot certificate permit tags shall be valid only during the season (June 1 of

one year through May 31 of the succeeding year) in which issued and shall be invalid after being used one time only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:583 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2732 (October 2013), amended LR 40:756 (April 2014).

§787. Singletary Pea Seed Certification Standards

A. Field Standards

Factor	Foundation	Registered	Certified
*Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	12 ft.	12 ft.	12 ft.
Other Varieties	3 Plants per Acre	3 Plants per Acre	6 Plants per Acre
*Land must be free from vetch.			

B. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	97.00%	97.00%	97.00%
Inert Matter	3.00%	3.00%	3.00%
Other Crops	2 seed/lb.	2 seed/lb.	3 seed/lb.
Other Varieties	2 seed/lb.	2 seed/lb.	5 seed/lb.
Noxious Weeds	None	None	None
Other Weeds	10 seed/lb.	10 seed/lb.	10 seed/lb.
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:583 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2732 (October 2013).

§789. Southern Field Pea (Cowpea) Seed Certification Standards

A. Field Standards

Factor	Breeder	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.	1 yr.
Isolation	None	10 ft.	10 ft.	10 ft.
Other Varieties and Off-type Plants	None	3 plants per acre	3 plants per acre	3 plants per acre

B. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	99.00%	98.00%	98.00%	98.00%
Inert Matter	1.00%	2.00%	2.00%	2.00%
Other Crops	None	None	None	1 seed/lb.
Other Varieties	None	None	None	1 seed/lb.
Noxious Weeds	None	None	None	None
Other Weeds	None	None	None	1 seed/lb.
Germination	80.00%	80.00%	80.00%	80.00%

§793. Watermelon Seed Certification Standards

A. Field Inspection

1. The initial inspection will be made before the first blooms are open. At this time, volunteer plants and citron must be removed from the field to be certified and the isolation zone by the grower.

2. The second inspection will be made when the melons are ready to harvest. The presence of any citron plants within 2,640 feet of a unit entered for foundation or registered classes or within 1,320 feet of a unit entered for certified class will disqualify the unit for certification.

B. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	1 yr.	1 yr.	1 yr.
Isolation	2,640 ft.	2,640 ft.	1,320 ft.
At Harvest Time:			
Citron	None	None	None
White Heart Fruits	None	2.00%	5.00%
Total Off-Type Plants or Varietal Mixtures	None	None	2 Plants per Acre
*Plants Free from Fusarium Wilt	93.00%	93.00%	90.00%
Plants Free from Anthracnose	95.00%	95.00%	90.00%
*Applies to wilt-resistant varieties only			

C. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Crops	None	2 seed/lb.	5 seed/lb.
Other Varieties	None	None	4 seed/lb.
Citron	None	None	None
Weed Seeds	None	None	0.05%
Germination	80.00%	80.00%	80.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:588 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2733 (October 2013).

§§795-809. Reserved.

Subchapter D. Tree Seed

§811. Tree Seed Certification Standards

A. Classes of Seed

1. Only the following classes of tree seed shall be recognized in tree seed certification:

- a. certified (blue tag);
- b. selected (green tag); and
- c. source-identified (yellow tag).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:585 (November 1982), amended LR 9:204 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2732 (October 2013).

§791. Tomato Seed Certification Standards

A. Inspections

- 1. At least two field inspections shall be made.
- 2. One inspection shall be made when crop is at or near full fruit.

B. Field Standards

Factor	Foundation	Registered	Certified
Land Requirement	2 yrs.	2 yrs.	2 yrs.
Isolation	200 ft.	100 ft.	30 ft.
Other Varieties and Off-type Plants	None	0.05%	0.10%
Tomato Mosaic Virus	0.20%	0.20%	0.50%
Bacterial Spot	0.50%	1.00%	1.00%
Bacterial Speck	0.50%	1.00%	1.00%
Bacterial Canker	None	None	0.10%
Early Blight	0.50%	1.00%	1.00%
Phytophthora Foot Rot	1.00%	1.00%	1.00%
Septoria Foliage Blight	0.50%	1.00%	1.00%
Nailhead Spot	0.50%	1.00%	1.00%
Phoma Rot	0.50%	1.00%	1.00%
Fusarium Wilt	1.00%	1.00%	1.00%
Late Blight	1.00%	1.00%	1.00%

C. Management. Fields designated for production of any certified class of seed shall have no fruits removed for marketing purposes.

D. Seed Standards

Factor	Foundation	Registered	Certified
Pure Seed	99.00%	98.00%	98.00%
Inert Matter	1.00%	2.00%	2.00%
Other Crops	None	None	0.01%
Other Varieties	None	0.10%	0.20%
Noxious Weeds	None	None	None
Other Weeds	None	0.01%	0.03%
Germination	75.00%	75.00%	75.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Seed Commission, LR 14:604 (September 1988), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2733 (October 2013).

2. For all classes of forest tree seed, the exact geographic source of the parent trees and the stand must be known. Location of the source shall be given at least down to the section or comparable land survey unit. (Alternatively, in the case of seed from seed orchards containing selected stocks from a number of separate sections, the location of the orchard shall be given and the exact source of its individual components shall be kept on file and furnished on request.)

B. Land Requirements. Elevation to the nearest 500 feet of the original geographic source and the average height and age of the trees from which seed has been collected shall be shown on the tag for all forest tree seed. If available, site index (the capacity of a given site to produce trees as measured by the height of the trees at a specified age) may be recorded instead of tree height and age.

C. Field Inspection. A field inspection must be made prior to flowering.

D. Field Standards

1. Unit of Certification. An individual tree, clone or stand of trees may be certified in producing certified or selected seed.

2. Isolation. For certified or selected seed, an adequate isolation zone shall be maintained free of off-type plants and other species which might crosspollinate producing trees. There shall be no isolation requirements for source-identified trees.

3. Progeny Testing. All clones used in seed orchards shall be progeny tested.

E. Seed Standards

Factor	Certified	Select	Source Identified
Pure Seed	98.00%	98.00%	98.00%
Inert Matter	2.00%	2.00%	2.00%
Other Species	0.01%	0.01%	0.50%
Germination	85.00%	85.00%	85.00%

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:587 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2733 (October 2013).

Chapter 9. Approved Plant Breeders

§901. Authority

A. In accordance with the provisions of part I of chapter II of title 3 of the *Louisiana Revised Statutes* of 1950, the following qualifications herein are prescribed for approving plant breeders for growing and/or supervising the growing of breeder, foundation and/or registered agricultural seeds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013).

§903. Definition of Terms Used

Agricultural Seeds—the seeds and/or propagation materials of grain, forage, cereal, fibre and nut crops and any other crops commonly recognized within the state as horticultural and agricultural field crops.

Approved Plant Breeder—a person qualified in accordance with the requirements set forth herein and approved by the commission.

Breeder Seed—the limited amount of seed used by the plant breeder in actually breeding or maintaining a strain or variety. Breeder seed is always under the direct supervision and control of the plant breeder and is never available for sale and use by the general public. Breeder seed is used for the production of foundation seed. Breeder seed must be tagged with a tag labeled Breeder Seed.

Certificate—an official document signed by the commissioner certifying that the holder is an approved plant breeder.

Commission—the Seed Commission as created in R.S. 3:14.32.

Commissioner—the Commissioner of Agriculture and Forestry of the State of Louisiana.

Entomologist—the LDAF entomologist.

Foundation Seed—the first generation progeny from breeder seed that has been tested for at least three years by the Louisiana Experiment Station, or similar institutions in other states and has proven its merit and has been released for commercial use.

Registered Seed—the first generation progeny from foundation seed that is so handled as to maintain satisfactory genetic identity and purity and has been approved and certified by the certifying agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013), amended LR 40:756 (April 2014).

§905. Professional Services for which an Approved Plant Breeder is Required

A. The supervision of an approved plant breeder is required for the growing of breeder seed according to the

requirements of the rules and regulations of the Association of Seed Certifying Agencies.

B. Any individual, firm or corporation desiring to be granted the status of a commercial plant breeding firm must submit to the commission a general outline of their proposed methods of seed production for the breeder class of seed. This outline of methods of production must be approved by the commission. This firm must also have an approved plant breeder who has qualified under §907 of these regulations. Production of all breeder seed must be under the direct and active supervision of the plant breeder. This firm's complete plant breeding and seed increase setup must be open to inspection by personnel of the state seed certifying agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013), amended LR 40:756 (April 2014).

§907. Qualifications for Approved Plant Breeders

A. To be recognized officially by LDAF as an approved plant breeder, a person must either:

1. hold an advanced degree with plant breeding as a major subject;
2. hold an advanced degree in agronomy or horticulture and show evidence of having at least one year's experience assisting a plant breeder at an experiment station or private seed farm;
3. hold a bachelor's degree in agronomy or horticulture with at least one course in plant breeding and show evidence of at least two years' experience as in Paragraph 2;
4. hold a bachelor's degree in general agriculture, but not qualified under either Paragraphs 1, 2 or 3 above, must pass an examination at the direction of the state entomologist to indicate his knowledge of the subject (especially developing new varieties, variety testing, and increasing pure seed) and must show evidence of two years' experience as under Paragraph 2 (applicants qualifying under this Subsection may supervise the production of the class registered seed only); or
5. must show evidence of competence in the form of the development of a distinct new variety of a crop and produced pure seed of it meeting the requirements for breeder seed. (The person may supervise the production of breeder and/or foundation and/or registered only of the crop variety or varieties developed by him.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December

1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013), amended LR 40:756 (April 2014).

§909. Conditions Governing the Approval of Plant Breeders

A. Persons desiring to obtain a certificate as an approved plant breeder shall make application to the commission on a form supplied by the state entomologist.

B. Applicants must qualify under the eligibility requirements set forth in §907.

C. Applicants for a certificate qualifying under Paragraphs 1, 2, 3 and 4 of §907 shall supply with their application a copy of his college or university transcript; and in the cases of Paragraphs 2, 3 and 4, affidavits supporting the experience requirements indicated under Paragraph 2; and under Paragraph 5, supply affidavits and/or other documentary evidence supporting the requirements set forth herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013).

§911. Plant Breeder Examination

A. Applicants to qualify for certification as plant breeders under §907.A.4, must pass a satisfactory examination, which may be either written or oral, or both, on the principles of plant breeding with special emphasis on the development of new varieties or strains of horticultural and agricultural crops and the handling of them thereafter.

B. Examinations will be given by the state entomologist, or his designee, in his office in Baton Rouge, 10 days or later, at the convenience of the applicant, after the application has been approved by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013).

§913. Issuance and Duration of Certificates

A. The issuance of certificates of approved plant breeders shall be by the commission after reviewing evidence of the commissioner that the requirements set forth in §909 have been complied with, or by the commissioner with the approval of the commission.

B. Certificates of recognition of plant breeders shall be valid indefinitely, but may be canceled at any time for cause.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013).

Chapter 11. Adulterated Seed Stock and other Propagating Stock

Subchapter A. Rice Seed Stocks Containing the Presence of LibertyLink Traits

§1101. Planting of Rice Seed Stock with LL Traits

A. The following seeds may not be sold, offered for sale, or planted in Louisiana as seed for purposes of producing a new plant, except as otherwise provided by this Chapter.

1. Any portion of any variety of rice that tests positive, according to tolerances established by the department, for LL traits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013), amended LR 40:757 (April 2014).

§1103. Planting of all Rice Seed Stocks

A. Rice seed stocks, where the variety as a whole is found to test positive, according to tolerances established by LDAF, for LL traits may be sold, offered for sale or planted in Louisiana only for the purpose of seed stock increase, subject to the sampling and testing requirements set out in this Chapter.

B. If a portion of a variety of rice seed stock is found to test positive for LL traits, according to tolerances established by LDAF, the portion found to test positive shall be placed under a "stop-sale" order.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 ((December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013), amended LR 40:757 (April 2014).

§1105. Sampling of Rice Seed Stock to Detect LL Traits

A. Samples of all rice seed stocks shall be taken by the Louisiana Department of Agriculture and Forestry (LDAF) for testing. LDAF shall conduct the testing or cause the testing to be done in laboratories approved by LDAF. LDAF shall determine the method and manner of sampling and the number of samples that are needed.

B. Each sample must test negative for LL traits according to tolerances established by LDAF.

C. All costs incurred by LDAF in regard to sampling, including but not limited to the taking, transportation, testing, and disposal of samples, shall be paid by the person or entity requesting the sampling.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013), amended LR 40:757 (April 2014).

§1107. Rice Seed Stock Originating from Out-of-State

A. All rice seed stocks originating from out-of-state must meet the requirements for sampling, testing, and handling, as established by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013), amended LR 40:757 (April 2014).

§1109. Carry-Over Rice Seed Stock

A. Any carry-over rice seed stocks that have been processed, repackaged, or otherwise adulterated in any manner that would jeopardize the integrity of the seed lot are subject to the sampling and testing requirements set out in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 ((December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013).

§1111. Stop-Sale

A. Any lot of rice seed that is subject to the requirements of this Chapter that tests positive for LL traits, according to tolerances established by LDAF, shall be placed under a "stop-sale" order and moved, handled or disposed of only with the express permission of the commissioner or his designate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2593 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013), amended LR 40:757 (April 2014).

§§1113-1119. Reserved.

Chapter 12. Hemp (*Cannabis sativa* L. *Subsp. sativa*) Seed Certification Standards

§1201. General Hemp Seed Certification Standards

A. The General Seed Certification Standards provided in this Part apply to all crops, and together with the following specific standards constitute the certified Hemp standards.

B. Definitions. The following definitions apply only to this Section.

AOSCA—the Association of Official Seed Certifying Agencies

Approved Cultivar—any variety designated as eligible for production by federal or local regulatory authorities.

Breeder Plant Stock—propagation material identified and described by the breeder or developer. The breeder must also declare and document the methods in which parent lines are selected and how the Plant Stock is maintained.

Clones—asexually propagated progeny genetically identical to the stock plant.

Cuttings—portions of stems containing leaves which are rooted to produce clones.

Dioecious Type—hemp plant with male and female flowers on separate plants.

Feminized Hemp Seed—the progeny of a dioecious female hemp plant that has been pollinated with pollen derived from the same or another dioecious female hemp plant that has been induced to produce pollen. It is a true female plant with XX chromosomes.

Field—the production area enclosed by natural borders such as a head lane, ditch, tree line, building, or road.

Hemp—is defined by the U.S. Domestic Hemp Production Program as the plant species *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis or as otherwise defined by federal law.

Hermaphroditic Plants—hemp plants exhibiting male and female flowers, not true females.

LDAF—the Louisiana Department of Agriculture & Forestry.

Micropropagation—the science of plant multiplication in-vitro.

Monoecious type—hemp plant with male and female flowers on the same plant.

Pollen Parent—a reversed female hemp plant from the female line or another reversed female line to create a hybrid.

Reversed Female—female hemp plants that are induced to produce pollen in replacement of true male plants.

Seed—a flowering plant's unit of reproduction capable of developing into another such plant.

Seed Parent—female hemp plants used to produce feminized hemp seed.

Sporting Male—is a female hemp plant that produces sterile male flowers.

Structure—an enclosed growth facility.

THC—total delta-nine ($\Delta 9$) tetrahydrocannabinol, which is the component of hemp regulated by federal or local regulatory authorities.

Transplants—hemp plants produced from seeds or vegetatively from cuttings, prior to stock plant flowering.

Variety—a subdivision of a kind that is distinct, uniform, and stable; "distinct" in the sense that the variety can be differentiated by one or more identifiable morphological, physiological, or other characteristics from all other varieties of public knowledge; "uniform" in the sense that variations in essential and distinctive characteristics are describable; and "stable" in the sense that the variety will remain unchanged in its essential and distinctive characteristics and its uniformity when reproduced or reconstituted as required by the different categories of varieties.

Volunteer Plant—a hemp plant that was not intentionally planted and is the result from a previous crop.

C. General Certification Standards for Hemp Seed, Feminized Hemp Seed, Vegetatively Propagated Hemp and Hemp Transplants

1. All certified production of hemp crops is subject to license application approval that may be required by LDAF or other regulatory authority.

2. Growers must meet all applicable state and federal hemp regulations and requirements.

3. Only varieties of hemp approved by LDAF are eligible for certification.

4. The allowable area of certified hemp production shall be determined by LDAF.

5. Growers may be required to obtain additional tests and submit results to LDAF before the seed can be certified.

6. The presence of Broomrape (*Orobancha spp.*) is prohibited in all certified hemp crops and shall be cause for rejection of certified status.

7. Excessive weeds obscuring required inspections or any other condition which prevents thorough inspection shall be cause for rejection.

8. Seed coated or pelleted by non-approved conditioners shall not be eligible for certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1572 (October 2025).

§1203. Hemp Seed Certification Standards

A. Land Requirements

1. Hemp crops for Foundation and Registered classes shall not be grown on land which produced a hemp crop in any of the preceding 3 years.

2. Hemp crops for certified class shall not be grown on land which:

i. Produced a certified crop of the same variety in the preceding year.

ii. Produced a non-certified crop of hemp or a different variety of hemp in either of the preceding 2 years.

3. Inspections

a. LDAF will inspect fields at a stage of growth when varietal purity is best determined. Crops not inspected at the proper stage for best determining varietal purity may be cause for rejection of certified status.

b. LDAF will perform a minimum of two inspections on monoecious types and unisexual hybrids. The first inspection for all classes of monoecious types shall be made just before or at the early flowering stage.

c. LDAF will perform at least one inspection on the Registered and Certified classes of dioecious types. The first inspection for all classes of dioecious types must be made after flowering when male plants are beginning to senesce.

d. The second inspection for monoecious types, unisexual hybrids and Foundation class of dioecious types must be made during seed development.

e. The presence of volunteer hemp plants within isolation areas may be cause for rejection of certified status.

4. Isolation Requirements

a. There shall not be any *Cannabis sativa* L. plants within the isolation area.

b. The isolation requirements shall be met prior to flowering and crop inspection.

Table 1. Minimum Isolation Distances Required Between Classes of Certified Hemp and Other Hemp Crops		
Certified Hemp Crop	Other Hemp Crops	Isolation Distance (feet)
Dioecious type – Foundation	- Different varieties of Hemp	15,750
	- Non-certified crop of Hemp	15,750
	- Lower certified class seed crop of same variety	6460
Dioecious type – Registered	- Same class of certified seed crop of same variety	10
	- Different varieties of Hemp	15,750
	- Non-certified crop of Hemp	15,750
Dioecious type – Certified	- Seed crop of same variety that meets certified standards for varietal purity	5250
	- Seed crop of same variety that meets registered standards for varietal purity	3
	- Different varieties of Hemp	2630
	- Non-certified Hemp	2630
Monoecious type – Foundation	- Planted with certified seed of the same variety that meets certified standards for varietal purity	660
	- Seed crop of same variety that meets certified standards for varietal purity	3
	- Dioecious variety of Hemp	15,750
Monoecious type – Registered	- Non-certified crop of Hemp	15,750
	- Other Monoecious varieties	9690
	- Lower certified class seed crop of same variety	16
	- Same class of certified seed of same variety	16
	- Dioecious variety of Hemp	15,750
Monoecious type – Certified	- Non-certified crop of Hemp	15,750
	- Different varieties of the same type of Hemp (Monoecious or Female Hybrid)	6460
	- Seed crop of same variety that meets certified standards for varietal purity	3230
	- Seed crop of same variety that meets Registered standards for varietal purity	3
Monoecious type – Certified	- Dioecious variety of Hemp	3230
	- Non-certified crop of Hemp	3230
	- Different varieties of the same type of Hemp (Monoecious or Female Hybrid)	660
Monoecious type – Certified	- Planted with certified seed of the same variety that meets certified standards for varietal purity	660
	- Seed crop of same variety that meets certified standards for varietal purity	3

5. Impurity Standards

- a. Impurities shall be removed by the grower prior to crop inspection.
- b. Any combination of impurities may be cause for rejection of certified status.

§1205. Feminized Hemp Seed Certification Standards

A. Designation of Classes of Seed

- 1. Only the certified class is allowed for the production of feminized hemp seed, except for foundation class for the purpose of variety maintenance.
- 2. Feminized seed varieties must be produced from seed or clonal stocks approved by LDAF. These seed and clonal stocks shall consist of female lines and chemically assisted pollen shedding female lines of any class of certified seed or clones.

B. Growth Facility Requirements

- 1. Growth facility shall only contain certified hemp plants or plant material.
- 2. Multiple feminized hemp seed varieties may be maintained in the growth facility.
- 3. Other hemp plants are prohibited, except for pollen parent plants that are the intended pollen source.
- 4. Growth facility shall be free of all plants for a minimum of six weeks prior to receiving plants at the beginning of the crop year or production cycle unless the previous crop was the same certified variety.
- 5. If pollen sanitation is used to reduce the six-week hemp free period, a sanitation plan must be submitted to and approved by LDAF prior to introducing the new certified plant material into the growth facility.

- 6. Pollen sanitation is not required if the entire greenhouse facility produces only one pollen source, and other female lines are continually rogued to prevent contaminating pollen sources.

C. Land Requirements

- 1. Certified feminized hemp seed crops shall not be grown on land in which:
 - a. Produced a non-certified crop of hemp or a different variety of hemp in either of the preceding two years, or
 - b. Produced a certified crop of the same variety in the preceding year.

D. Inspections

- 1. It is the grower’s responsibility to request and ensure that the growth facility and field inspections are conducted by LDAF at least twice prior to swathing or harvesting.
- 2. Certified plants within a growth facility or field that have been cut, swathed or harvested prior to all required inspections shall be ineligible for certification.
- 3. Inspections of pollen parent plants and seed parent plants shall be at a stage of growth when varietal purity is best determined. Crops not inspected at the proper stage for best determining varietal purity may be cause for rejection.
- 4. LDAF will perform a minimum of two inspections.

Type and Class	Maximum Impurity Standards per 10,000 Plants in Hemp Seed Crops	
	Maximum Number of Dioecious Male Plants Shedding Pollen	Maximum Number of Off-Types or Other Varieties
Dioecious type – Foundation	None	3
Dioecious type – Registered	None	10
Dioecious type – Certified	None	20
Monoecious type – Foundation	1	3
Monoecious type – Registered	2	10
Monoecious type – Certified	100	20

6. Seed Standards

Factor	Foundation	Registered	Certified
Pure seed (minimum)	98.00%	98.00%	98.00%
Inert matter (maximum) ¹	2.00%	2.00%	2.00%
Weed seeds (maximum)	0.10%	0.10%	0.10%
Total other crop seeds (maximum)	0.01%	0.03%	0.08%
Other varieties (maximum)	0.01%	0.05%	0.10%
Other kinds (maximum) ²	0.01%	0.03%	0.07%
Germination (minimum) ³	80.00%	80.00%	80.00%

¹ Inert matter shall not include more than 0.5 percent of material other than seed fragments of the variety under consideration.

² Other crop kinds shall not exceed 2 per lb. (454 grams) for Foundation; 6 for Registered; 10 for Certified.

³ Exclusive of dormancy, firm or hard seed, or any other reference to viability.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1572 (October 2025).

a. First inspection for pollen parent and seed parent plants will be made just before or at early flowering. The pollen parent will be inspected prior to pollen collection or dispersal.

b. Second inspection for pollen parent and seed parent types will be completed after pollen shed and seed fill.

5. LDAF will inspect for the presence of volunteer hemp plants within isolation areas.

E. Specific Requirements. For the production of feminized hemp seed varieties via pollen shedding by the chemically reversed female plants.

1. Detailed records shall be maintained on the pollen parent, including, but not limited to, the chemical application dates, concentration, and pollen collection date.

2. Pollen storage containers, if used, shall be labeled with a unique ID or lot number and the source of pollen.

3. Pollen parents shall be removed and destroyed after pollen collection is complete.

4. Male, sporting male, and hermaphroditic plants shall be removed from the growth facility or field by grower and a record of roguing activities maintained and made available to LDAF upon request.

F. Isolation Requirements

1. Certified feminized hemp seed fields shall be isolated from all other contaminating pollen sources by the minimum distances provided in Table 4 of this section.

2. Roguing to eliminate all possible contaminating pollen sources shall be completed prior to visible flower formation.

3. Greenhouse production of certified feminized hemp seed is allowed if mechanical isolation of pollen sources is provided, and the following additional greenhouse requirements are met:

a. Method of pollen exclusion must be documented and submitted to LDAF.

b. Each greenhouse facility is limited to one variety, except in the case when one pollen parent is utilized for all varieties.

c. Each variety shall be clearly labeled and easily identifiable from one another.

4. LDAF may approve a reduction in isolation distances for off-season greenhouse production when outside pollen sources are not present.

Certified Crop	Other Hemp Crops	Minimum Isolation Distance Required (feet)
Feminized Hemp Seed	- Varieties of hemp, or other contaminating pollen source that has pollen shedders present, including other greenhouse complexes - Non-certified crops of hemp - Different varieties of the same type of hemp with no male shedders present in field that is not for seed production. - Planted with certified seed of the same variety that meets certified standards	15,748
	- Certified seed crop of the same variety that meets certified standards for varietal purity	3

H. Seed Standards

G. Impurity Standards

1. Impurities shall be removed prior to crop inspection.

2. Any combination of impurities may be cause for rejection of certified status.

3. Table 5 indicates the maximum number of impurities permitted in approximately 10,000 plants of the certified feminized hemp seed crop.

Factor	Foundation	Certified
Pure seed (minimum)	98.00%	98.00%
Inert matter (maximum) ¹	2.00%	2.00%
Weed seeds (maximum)	0.10%	0.10%
Total other crop seeds (maximum)	0.01%	0.08%
Other hemp varieties (maximum)	0.005%	0.05%
Other seed kinds (maximum) ²	0.01%	0.07%
Germination (minimum)	80.00%	80.00%
Feminized Seed ³	99.00%	99.00%

¹ Inert matter shall not include more than 0.5 percent of material other than seed fragments of the variety under consideration.

Maximum Impurity Standards per 10,000 Plants		
Crop	Maximum Number of Plants Shedding Pollen	Maximum Number of Off-Types or Other Varieties
Feminized Hemp Seed	0	20

² Other seed kinds shall not exceed 2 per lb. (454 grams) for foundation class; 10 for certified class.

³ Determined by variety verification trial or approved molecular testing

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1574 (October 2025).

§1207. Vegetatively Propagated Hemp Seed Certification Standards

A. Classes and sources of certified vegetatively propagated planting stocks.

1. Mother Plant is a plant produced from a Breeder Plant Stock.

2. Certified Plants are plants produced from Mother Plants.

3. Certified plants may be used to produce certified stock when produced in a Structure or D1 Daughter stock.

4. Certified plants are propagated as follows:

a. Mother Plants may be cut repeatedly to produce D1 Daughter Plants. D1 Daughter Plants are produced by cuttings from Mother Plants.

b. D1 Daughter plants may be cut repeatedly to produce D2 Daughter Plants. D2 Daughter plants are produced by cuttings from D1 Daughter Plants.

c. D2 Daughter plants may be cut repeatedly to produce D3 Daughter plants. D3 Daughter plants are produced by cuttings from D2 Daughter plants.

5. The grower shall maintain detailed documentation of the parent used to generate clones.

6. All required grower records related to the production of hemp clones shall be made available for inspection by LDAF upon request.

B. Growth Facility Production Requirements

1. The facility shall be free of visually detectable diseases, insects, and other harmful pests.

2. Hemp clones shall be handled in such a manner as to prevent co-mingling of varieties or types.

3. Isolation

a. Varieties produced in the same facility shall have a minimum of 18” unplanted isolation area between the varieties.

b. The production area, flats and/or containers for each variety shall be clearly labeled in a manner that prevents mixing or misidentification.

c. Growers shall handle transplants throughout the growing, harvesting, and sales in a manner that prevents the mechanical mixture of containers of different varieties.

C. Field Production Requirements

1. Land Requirements

a. Crops for the production of mother plants shall not be grown on land that produced a hemp crop within the previous five years.

b. Crops for the certified class shall not be grown on land that produced a hemp crop in the previous three years.

2. Isolation Requirements

a. There shall be a minimum of ten feet isolation area, or an appropriate barrier between different certified varieties or between certified and any non-certified production.

b. LDAF may approve an alternate isolation distance or barrier sufficient to prohibit the mixing of plants.

c. Isolation areas shall remain free of volunteer hemp plants throughout the production cycle.

D. General Production Standards

1. Plants shall remain apparently free of diseases, insects, and other injurious pests.

2. Maximum off-types or other varieties shall not exceed 0.2 percent, or 20 in 10,000 plants. Non-conforming plants shall be removed and destroyed by the grower.

E. Inspections

1. LDAF will inspect mother plants within seven days before first cutting of daughter plants for certification.

2. LDAF will inspect daughter plants at least once during the course of production.

3. LDAF will perform a minimum of two inspections to determine:

a. all field and indoor growth facility produced plants and transplants are properly labeled by variety and meet phenotypic purity, isolation, and are in good physical condition.

b. the number of transplants produced at the time of the final inspection.

4. Transplants may be rejected for certification due to unsatisfactory physical condition, including but limited to, diseased plants, plants with insect infestation, or plants that are otherwise stressed.

5. LDAF may reject unlabeled or inadequately labeled transplants.

6. LDAF may conduct additional inspections as necessary to ensure all certification requirements are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1575 (October 2025).

§1209. Hemp Transplants Certification Standards

A. General Hemp Transplant Standards

1. All certified transplants shall be produced from a class of certified seed or certified planting stock.

2. Proof of seed eligibility shall be established by providing to LDAF a certified label, issued by a member agency in good standing with AOSCA, and accompanying invoice showing the variety, lot number and pounds received. In the case of clones, documentation of clone propagation issued by a member agency in good standing with AOSCA.

3. All containers must be labeled in a manner that maintains the source, identity and certification eligibility of the transplants. All containers offered for sale must be identified by the official seed certification tag/label. The tag/label must be securely affixed to trays, so the tag/label remain with the plants until the final disposition.

4. Off-types and other varieties shall not exceed 0.2 percent, or 20 in 10,000 plants. Off-types and other varieties must be removed and destroyed by grower.

B. Inspections

1. LDAF will inspect all fields and other outdoor plant growing sites at least two times for phenotypic purity, isolation, physical condition, and appearance of plants.

2. LDAF will inspect transplants produced in a growth facility at least two times for varietal labeling, phenotypic purity, isolation, physical condition, and appearance of plants.

3. LDAF may reject transplants due to unsatisfactory appearance, such as plants that are diseased, insect infestation, or otherwise stressed or in a condition which prevents thorough inspection.

4. Unlabeled or inadequately labeled transplants shall be ineligible for certification.

5. LDAF will verify the number of transplants produced at the time of the final inspection.

6. Upon the final inspection, transplants may be collected by LDAF for post-control grow outs or other identification verification tests.

7. LDAF may conduct additional inspections as necessary to ensure all certification standards are met.

C. Field Land Requirements

1. Hemp transplants shall not be grown on fields which:

a. Produced a non-certified crop of hemp or a different variety of hemp in either of the preceding two years.

b. Produced a certified crop of a same variety in the preceding year.

D. Plant Bed Soil Mix Requirements

1. Growth facilities shall develop and follow Standard Operating Procedures (“SOP”) designed to prevent contamination of hemp plant material from a previous crop and maintain written documentation that the facility is free of any plant material from a previous crop. This information shall be made available to LDAF upon request.

2. The soil mixes for growth facility production of transplants shall be new, soil-less, or sanitized in a method approved by LDAF.

E. Isolation Requirements

1. When two or more varieties are being grown in the same growth facility, there shall be an adequate unplanted area between the varieties to prohibit mixing or misidentification. The production area, flats and/or containers for each variety must be clearly labeled in a manner that prevents mixing or misidentification.

2. Different varieties being grown in fields shall be separated by an adequate, but no less than six feet, unplanted area between the varieties to prohibit mixing or misidentification.

3. Growers shall handle transplants throughout the growing, harvesting, and transplant sales in a manner that prevents mechanical mixture of containers of different varieties.

F. Labeling Requirements

1. All certified hemp transplants offered for sale shall be labeled with official LDAF issued certification tags or labels. Each container of hemp transplants shall have an LDAF issued certified label firmly attached to be sold as certified transplants. Failure to properly label transplants at the time of sale shall be cause for rejection of certification status and may become ineligible for sale as certified transplants.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1576 (October 2025).

Chapter 13. Industrial Hemp

Subchapter A. General Provisions

§1301. Authority

A. The Louisiana Department of Agriculture and Forestry adopts these regulations under the authority of R.S. 3:1461 et seq. for the purpose of regulation, licensure, and enforcement of the cultivation, processing, and handling of industrial hemp.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:170 (February 2020), amended LR 47:1833 (December 2021).

§1303. Definitions

A. The provisions of R.S. 3:1462 relating to definitions, words, and terms are hereby incorporated by reference and made a part hereof and will therefore apply and govern the interpretation of these rules. Any word or term not defined in these rules shall have the same meaning ascribed to it in R.S. 3:1462. Any word not defined in R.S. 3:1462 or this Chapter shall be construed in accordance with its plain and ordinary meaning.

B. The following words and terms shall have the following meanings.

Acceptable Industrial Hemp THC Level—when the application of the measurement of uncertainty to the reported total delta-9 tetrahydrocannabinol content concentration level on a dry weight basis produces a distribution range that includes 0.3 percent or less.

AOSCA—Association of Official Seed Certifying Agencies.

AOSCA-Certified Seed, AOSCA-Registered Seed, and AOSCA Foundation Seed—seed that has been produced and labeled in accordance with the procedures and in compliance with the rules and regulations of an AOSCA seed certifying agency or by the Organization for Economic Co-operation and Development (“OECD”) Seed Schemes. AOSCA certified seed programs provide standards and procedures approved by the United States Secretary of Agriculture to maintain and make available to the public high quality seed and propagating materials of superior crop plant varieties grown and distributed to insure genetic identity and purity.

Approved Variety—industrial hemp variety or strain that has been tested a minimum of three years in Louisiana and all official LDAF test results have shown the variety or strain at or below the compliant THC level.

Cannabis—all parts of the *Cannabis* plant, whether growing or not, including its seeds, resin, compounds, salts, derivatives, and extracts.

CBD—cannabidiol.

Commission—the Louisiana Agricultural Chemistry and Seed Commission.

Commissioner—the Louisiana Commissioner of Agriculture and Forestry.

Controlled Substances Act (“CSA”)—The Controlled Substances Act as codified in 21 U.S.C. 801 et seq.

Corrective Action Plan—a plan proposed by LDAF for correcting a negligent violation or non-compliance for any

licensed industrial hemp grower, seed producer, handler or other person(s) found to be in violation of these rules.

DEA—U.S. Drug Enforcement Administration.

Delta-9-THC A (“THC-A”)—delta-9-tetrahydrocannabinolic acid.

Designated Responsible Party—the natural person designated by a business applicant or licensee as responsible for daily business operations.

Destruction Report—an official document issued by LDAF that must be completed by a licensed producer of industrial hemp and submitted to LDAF prior to destruction of any industrial hemp plot.

Employee—any person working under the direct supervision of a licensee who performs services for wages or salary, and whose work the licensee has control over in respect to the work to be done and how it will be done.

Farm Service Agency (FSA) Lot ID—a unique number generated by the USDA Farm Service Agency consisting of the farm number, tract number, field number, and subfield number. This unique number is generated from the submittal of the FSA 578 Form.

GPS—global positioning system.

Grower—a licensee authorized to obtain industrial hemp seed, possess industrial hemp seed for planting cultivating, cultivate an industrial hemp crop, harvest industrial hemp plant parts, as well as possess, store, transport, and market unprocessed plant parts grown under their grower’s license, pursuant to this Chapter.

Growing Season—the calendar year in which an industrial hemp crop is produced.

Guarantor—an individual, partnership, corporation, company, association, or other legal entity whose name appears on the analysis label of industrial hemp seed.

Handle or Handling—includes all of the following:

- a. transporting or delivering industrial hemp material in intrastate commerce for compensation;
- b. commercially harvesting, storing, or grinding industrial hemp material received from a grower;
- c. cleaning or packaging industrial hemp seed received from a seed producer;
- d. brokering industrial hemp material; or
- e. receiving industrial hemp material for testing.

Handler—a licensee authorized to engage in handling as defined herein.

Harvest/Destruction Report—an official document issued by LDAF that must be completed by a licensed grower of industrial hemp and submitted to LDAF prior to harvest or destruction of any industrial hemp field, greenhouse, or indoor growing structure.

Harvesting—the process of cutting or collecting industrial hemp crop or crop parts grown in a plot, field, greenhouse, or indoor growing structure.

Harvest Report—an official document issued by LDAF that must be completed by a licensed grower or seed producer of industrial hemp and submitted to LDAF prior to harvest of any industrial hemp plot.

Independent Contractor—a person or business entity that provides services under a written contract or verbal agreement or is issued a 1099 tax form for the work performed.

Industrial Hemp—the plant *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total delta-9 tetrahydrocannabinol concentration level of not more than 0.3 percent on a dry weight basis.

Industrial Hemp Greens—hemp leaves from immature plants germinated from seed in which the plants are no more than ten (10) inches tall and which are also not yet flowering.

Industrial Hemp Microgreens—immature hemp seedlings intended for human consumption that are:

- a. cut off above the soil or substrate;
- b. harvested prior to flowering;
- c. not more than 14 days after germination; and
- d. not taller than 5 inches.

Industrial Hemp Plant Parts—any floral buds, leaves, roots, seeds, stalks, or stems of the plant *Cannabis sativa L.* with a total delta-9 tetrahydrocannabinol concentration level of not more than 0.3 percent on a dry weight basis.

Industrial Hemp Products—products derived from, or made by, processing industrial hemp plants or plant parts.

Industrial Hemp Transplants—hemp seedlings, rooted cuttings, or immature plants produced from tissue culture or other means of reproduction, which are not harvested, but transplanted into a larger container or field to allow for maturing and harvesting.

Law Enforcement Agency—the Louisiana State Police, DEA, or other federal, state, or local law enforcement agency or drug suppression unit.

License Application—a document executed by a person and LDAF authorizing the person to grow, handle, store, or transport industrial hemp at one or more specified locations in Louisiana under the terms set forth in the document, R.S. 3:1461 et seq., and this Chapter.

Licensee—any person possessing a contract carrier, grower, processor or seed producer license issued by LDAF under the authority of this Chapter.

Location ID—the unique identifier established by the applicant for each unique set of GPS coordinates where

industrial hemp will be grown, stored, or processed, and which may include a field name or building name.

LDAF—the Louisiana Department of Agriculture and Forestry.

License Application—a document executed by a person and LDAF authorizing the person to grow, handle, process, or store industrial hemp at one or more specified locations in Louisiana under the terms set forth in the document, R.S. 3:1461 et seq., and this Chapter.

Licensee—any person possessing a handler, grower, processor or seed producer license issued by LDAF under the authority of this Chapter.

Market or Marketing—promoting or selling a product within Louisiana, in another state, or outside of the United States. Marketing includes efforts to advertise and gather information about the needs or preferences of potential consumers or suppliers.

Measurement of Uncertainty—the parameter, associated with the result of a measurement, that characterizes the dispersion of the values that could reasonably be attributed to the particular quantity subject to measurement.

Negligence or Negligent Violation—failure to exercise the level of care that a reasonably prudent person would exercise in complying with the requirements set forth in this Chapter.

Non-Consumable Hemp—any product derived from industrial hemp that does not contain any cannabinoid, including cannabidiol, and is not intended for consumption or topical use.

Notice of Analysis—an official document issued by a laboratory approved by LDAF which includes, along with other sample information, the unique sample number and THC level test results of the submitted sample.

Person—any individual, partnership, corporation, company, association, or other legal entity.

Planting Report—an official document issued by LDAF that must be completed by an industrial hemp licensee and submitted to LDAF after each planting of industrial hemp in any field, greenhouse, or indoor growing structure.

Plot—a contiguous area in a field, greenhouse, or indoor growing structure containing the same variety or strain of industrial hemp throughout the area and which is identified by a FSA Lot ID.

Processing—converting industrial hemp into a non-consumable, marketable form.

Processor—any licensed individual, partnership, corporation, cooperative association, or other business entity that receives industrial hemp for processing into non-consumable hemp commodities or products. Processor shall not include a consumable hemp processor as defined in R.S. 3:1481.

Subchapter B. Licenses

Prohibited Variety—an industrial hemp variety or strain that meets one or more of the following:

- a. more than 50 percent of official LDAF sample test results are above the 0.30 percent total THC concentration level;
- b. an official LDAF sample test result that is greater than 1.0 percent total THC;
- c. information in the public domain that supports the fact that the variety or strain is not industrial hemp.

Remediate or Remediation—the process of rendering non-compliant cannabis compliant by removing and destroying, in the presence of and by a method approved by LDAF, all flower material, while retaining stalk, stems, leaf material, and seeds, or by shredding the entire plant into a biomass-like material. All hemp plant material that has undergone remediation shall be sampled and retested for THC compliance.

Research Institution—an accredited institution of higher learning or a research facility that conducts scientific research on industrial hemp, or any licensee producing industrial hemp for research purposes, when none of the industrial hemp grown is intended for commerce.

School—a public or private institution or that portion of a public or private institution which provides teaching for any grade from kindergarten through twelfth grade.

Seed Producer—a licensee authorized to obtain, produce, transport, and sell industrial hemp seed pursuant to this Chapter.

Seed Source—the origin of any industrial hemp seed.

USDA—United States Department of Agriculture

Variety—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.

Variety Designation List—a list of industrial hemp varieties published by LDAF that, based on official LDAF test results, designates the varieties in the following categories: not yet tested, non-designated, variety of concern, approved or prohibited.

Volunteer Industrial Hemp Plant—an industrial hemp plant that was not intentionally planted, but results from a previous crop, growing on its own accord from seeds or roots following an intentionally planted industrial hemp crop.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462 and R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:170 (February 2020), LR 47:438 (April 2021), amended LR 47:1833 (December 2021), LR 48:1743 (July 2022), repromulgated LR 48:2083 (August 2022).

§1305. Licensing

A. Each industrial hemp seed producer, grower, processor, or handler shall obtain a license from LDAF prior to engaging in the regulated activity.

B. Each licensee shall be assigned a license number in the form prescribed by the USDA.

C. The effective dates of all industrial hemp licenses shall be from the date of issuance through December 31 of any given year, and licenses must be renewed annually by November 30.

D. Applications shall be handled and processed by LDAF and reviewed for approval or denial. Upon completion of the review process, the applicant will be notified of the application status.

E. The licensee shall be responsible for the cost of all licenses and sample testing fees.

F. No unlicensed person who is not an employee of a licensee shall grow, cultivate, handle, store, process, or commence transporting industrial hemp at any location within Louisiana. No licensee shall allow any unlicensed person who is not an employee of that licensee to grow, cultivate, handle, store, process, or transport industrial hemp under his or her license. For purposes of this Chapter, employees of a licensee shall not include independent contractors or persons issued a 1099 tax form by that licensee.

G. No person under the age of 18 years of age shall be granted a license under this Chapter.

H. No person shall be eligible to obtain a license if the applicant:

1. was convicted of a felony within the ten years immediately preceding the application date.
2. was convicted of a drug-related misdemeanor conviction within the two years immediately preceding the application date;
3. fails to provide all application requirements and documentation; or
4. materially falsifies any information contained in the application.

I. A person applying for multiple licenses must complete a license application and submit the associated fee for each application.

J. The licensee shall submit to LDAF in writing any requests for license modification if there is any change to the information submitted in the application including but not limited to: sale of a business or any modifications to any information concerning the licensee's approved fields, greenhouses, indoor growing structures, or any other sites where that licensee stores, processes or handles industrial hemp plants or plant parts. Requests for license modifications

shall be submitted to LDAF within 15 days of any change of the information submitted in the application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:171 (February 2020), LR 47:438 (April 2021), amended LR 47:1834 (December 2021).

§1307. Seed Producer License

A. No person shall produce industrial hemp seed for planting purposes without first applying for and being granted a seed producer license from LDAF.

B. A seed producer license issued by LDAF shall authorize the licensee to obtain, produce, transport, and sell industrial hemp seed pursuant to this Chapter.

C. All producers of industrial hemp seed shall comply with the requirements set forth in R.S. 3:1431 et seq., including but not limited to the testing and labeling requirements of agricultural seeds.

D. The application shall include, at a minimum, the following information for consideration:

1. type of license being requested as set forth in R.S. 3:1465;
2. applicant's full name, Louisiana mailing and physical address, telephone number, email address, and proof of identification;
3. physical address, legal description, location ID, and GPS coordinates for each field, greenhouse, indoor growing structure, or site where industrial hemp will be grown, handled, or stored;
4. if the applicant is a business entity:
 - a. the full name of the business;
 - b. the principal Louisiana business physical address;
 - c. the full name, title and email address of the individual applying for the license;
 - d. the full name, title, and email address of the designated responsible party;
 - e. the full name and mailing address of the registered agent; and
 - f. the employer identification number.
5. detailed maps depicting each site where industrial hemp seed will be produced, handled, and stored, with appropriate designations for entrances, field boundaries, and the specific locations corresponding to GPS coordinates;
6. proposed field acreage or square footage for all greenhouse(s) or indoor growing structure(s) to be planted for seed production; and

E. LDAF shall maintain all information obtained pursuant to this Section for a period of not less than three years and all information received in accordance with this Section shall be transmitted to the United States Secretary of Agriculture not more than 30 days after the date on which the information is received.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:171 (February 2020), LR 47:439 (April 2021), amended LR 47:1834 (December 2021).

§1309. Grower License

A. No person shall grow industrial hemp without first applying for and receiving an industrial hemp grower license from LDAF.

B. A grower license issued by LDAF shall authorize the licensee to obtain industrial hemp seed, possess industrial hemp seed for planting, cultivate an industrial hemp crop, harvest industrial hemp plant parts, as well as possess, store, transport, and market plant parts grown under their grower's license pursuant to this Chapter.

C. The application shall include, at a minimum, the following information for consideration:

1. type of license being requested as set forth in R.S. 3:1465;
2. applicant's full name, Louisiana mailing and physical address, telephone number and email address;
3. physical address, legal description, location ID, and GPS coordinates for each field, greenhouse, indoor growing structure, or site where industrial hemp will be cultivated, handled, or stored;
4. if the applicant is a business entity:
 - a. the full name of the business;
 - b. the principal Louisiana business physical address;
 - c. the full name, title and email address of the individual applying for the license;
 - d. the full name, title, and email address of the designated responsible party;
 - e. the full name and mailing address of the registered agent; and
 - f. the employer identification number;
5. detailed maps depicting each site where industrial hemp will be cultivated, handled, or stored, with appropriate designations for entrances, field boundaries, and the specific locations corresponding to GPS coordinates; and
6. proposed field acreage or square footage for all greenhouse(s) or indoor growing structure(s) to be planted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:172 (February 2020), LR 47:439 (April 2021), amended LR 47:1834 (December 2021).

§1311. Processor License

A. No person shall process industrial hemp into a non-consumable product without first applying for and receiving an industrial hemp processor license from LDAF.

B. A processor license issued by LDAF shall authorize the licensee to possess, process, store, or transport industrial hemp plant parts for processing pursuant to this Chapter.

C. The application shall include, at a minimum, the following information for consideration:

1. applicant’s full name, Louisiana mailing and physical address, telephone number, email address, and proof of identification;
2. if the applicant is a business entity:
 - a. the full name of the business;
 - b. the principal Louisiana business physical address;
 - c. the full name, title and email address of the individual applying for the license;
 - d. the full name, title, and email address of the designated responsible party;
 - e. the full name and mailing address of the registered agent; and
 - f. the employer identification number.
3. detailed maps, legal description, physical address, location ID, and GPS coordinates for each building or site where industrial hemp will be processed, handled, or stored.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:172 (February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021).

§1313. Handler License

A. No person shall handle industrial hemp without first applying for and receiving an industrial hemp handler license from LDAF.

B. A handler license issued by LDAF shall authorize the licensee to:

1. transport or deliver industrial hemp in intrastate commerce for compensation;
2. commercially harvest, store, or grind industrial hemp material received from a grower;

3. clean or package industrial hemp seed received from a seed producer;
4. broker industrial hemp material; and
5. receive industrial hemp for testing.

C. The application shall require applicants to submit, at a minimum, the following information and documents:

1. applicant’s full name, Louisiana mailing and physical address, telephone number, email address, and proof of identification;
2. if the applicant is a business entity:
 - a. the full name of the business;
 - b. the principal Louisiana business physical address;
 - c. the full name, title and email address of the individual applying for the license;
 - d. the full name, title, and email address of the designated responsible party;
 - e. the full name and mailing address of the registered agent; and
 - f. the employer identification number.
3. detailed maps, legal description, physical address, location ID, and GPS coordinates for each building or site where industrial hemp will be cleaned, packaged, handled, or stored.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:172 (February 2020), amended LR 47:1835 (December 2021).

§1315. Criminal Background Check

NOTE: See §1305.H.1-2 for criminal conviction prohibitions regarding licensure

A. The applicant for each seed producer, grower, processor, or handler license shall undergo and pay for a criminal background check in accordance with La. R.S. 3:1465(D).

B. If the applicant is a business entity, the individual applying for a license, and the designated responsible party shall undergo and pay for a criminal background check.

C. Each individual who is required to undergo and submit a criminal background check shall:

1. submit a criminal background check application to the Louisiana State Police as set forth in R.S. 3:1465(D);
2. submit payment for the background check fee directly to the Louisiana State Police, Bureau of Criminal Identification and Information as set forth in R.S. 3:1465(D); and

3. include a certified copy of the background check reports with the industrial hemp license application or the applicant may authorize Louisiana State Police to deliver the completed criminal background check directly to LDAF.

D. LDAF shall not accept a criminal background check report that was issued more than 60 days prior to submission of the application.

E. Failure to submit the criminal background check report may result in the denial of the license application.

F. Substitution of a designated responsible party shall require the submission of a current criminal background check report for the proposed substituted designated responsible party issued within the last 60 days. Licensee must obtain prior written approval from LDAF for the substitution of a designated responsible party.

1. An applicant or licensee whose application and/or license has been revoked or denied for failure to obtain a satisfactory criminal background check as set forth in R.S. 3:1465(D) or failure to comply with a written order from an LDAF agent shall not be the designated responsible party for another licensee for a period of three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:173 (February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021), LR 48:1743 (July 2022).

Subchapter C. Fees

§1317. Licensing and Testing Fees

A. License Fees

1. The annual fee for a seed producer, grower, processor, and handler license shall be \$500 each.

2. New license fees are due upon notification of application approval. No license shall be issued until payment of the license fee is received by LDAF.

3. No license shall be issued until payment of the license fee is received by LDAF.

B. Sample Testing Fees

1. THC testing of industrial hemp plant parts shall be \$250 per sample.

2. THC testing fees are due at the time of sample collection.

3. Requests for alternative payment arrangements for fees must be pre-approved by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1467.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:173

(February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021).

Subchapter D. Seed Producers and Growers

§1319. Requirements for Seed Producers and Growers

A. Licensed seed producers and growers shall post a sign at each field, greenhouse, or indoor growing structure. The sign shall comply with the following requirements and remain posted during the entire crop cycle:

1. the designation, "Louisiana Industrial Hemp Program";
2. industrial hemp license number;
3. LDAF industrial hemp program's telephone number;
4. minimum sign size shall be 18 inches by 24 inches for a field and 8.5 inches by 11 inches for a greenhouse or indoor growing structure;
5. the sign shall be posted at the main entrance of each field, greenhouse, or indoor growing structure; and
6. the sign shall be printed and conform to the design template provided to each licensee by LDAF.

B. LDAF may sample and test any industrial hemp material in a licensee's possession at any time if there is reason to believe that a violation of this Chapter has occurred.

C. A licensee shall submit in writing a completed Harvest or Destruction report to LDAF within 15 days of the intended harvest date or intended destruction date of a failed crop.

D. Planting Reports

1. Grower licensees shall submit a completed first report of planting on a form provided by LDAF for all hemp plantings within 15 days of planting;

2. For all true seed production, seed producer licensees shall submit a completed first report of planting on a form provided by LDAF within 15 days of planting; and

3. For all vegetative stock plantings, seed producer licensees shall submit a completed quarterly planting report on a form provided by LDAF on or before March 31, June 30, September 30, and December 31 of each year.

E. Representatives of LDAF shall be provided with complete and unrestricted access to all industrial hemp plants, whether growing or harvested, and all land, buildings, and other structures used for the cultivation, handling, and storage of all industrial hemp plants and all locations listed in the license application.

F. An industrial hemp crop shall not be harvested more than 30 days following the date of sample collection by LDAF, unless specifically authorized in writing by LDAF.

G. An industrial hemp crop planted or cultivated in a field, greenhouse, or indoor growing structure shall be planted or

cultivated in a manner to allow LDAF to collect a representative sample throughout the entire crop. If a crop is not planted or cultivated in such a manner that allows for the collection of a sample throughout the entire crop, then the grower shall make modifications to the crop to allow collection and sampling throughout the entire crop.

H. A licensee shall destroy any unharvested industrial hemp plants contained in a field, greenhouse, or indoor growing structure or any portion thereof resulting from crop failure or that licensee's failure to harvest for any reason. LDAF shall approve the written destruction method of the unharvested industrial hemp plants.

I. A licensee shall monitor and destroy volunteer industrial hemp plants from the licensee's cultivation for a period of three years after cultivation ends.

J. A licensee who fails to timely submit a Harvest or Destruction Report or who harvests a crop prior to a sample being collected by LDAF may be subject to crop destruction and regulatory action up to and including license revocation.

K. Licensed seed producers and growers shall report industrial hemp crop acreage or square footage to the USDA Farm Service Agency and shall provide, at a minimum, the following information:

1. street address and, to the extent practicable, GPS location for each field, greenhouse, or indoor growing structure where industrial hemp will be cultivated;
2. acreage or square footage for each field, greenhouse, or indoor growing structure dedicated to the cultivation of industrial hemp; and
3. LDAF license number.

L. Along with the required planting reports, grower and seed producer licensees shall provide LDAF with the corresponding Farm Service Agency FSA 578 form for each planting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464, R.S. 3:1467, and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:173 (February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021), LR 48:1744 (July 2022).

§1321. Seed Acquisition and Approval

A. No person shall acquire seeds from a source outside the U.S. or from a U.S. territory, tribal land or state other than Louisiana without first:

1. submitting a completed seed acquisition request form and all required attachments to LDAF; and
2. obtaining written approval of the seed acquisition request form from LDAF.

B. Industrial hemp seed offered for sale or distribution for planting purposes into or within Louisiana shall be one of the following:

1. certified seed produced from industrial hemp plants that meet the criteria for breeder, foundation, registered, or certified classes as defined by the Official Seed Certification Standards in Louisiana or by another AOSCA member agency; or

2. seed originating from a Louisiana licensed seed producer or handler, or an out-of-state person authorized to produce hemp seed by the USDA or under an approved state plan pursuant to the Agriculture Improvement Act of 2018, P.L. 115-334, or under an authorized state pilot program pursuant to the Agriculture Improvement Act of 2014, P.L. 113-79, and that is accompanied by the following official documentation:

a. certificate of analysis issued by a third party independent laboratory showing that the industrial hemp from which the seed was harvested had a THC concentration of not more than the acceptable industrial hemp THC level;

b. seed purity and germination analysis report as set forth in R.S. 3:1436; and

c. seed label, in compliance with R.S. 3:1436, for the industrial hemp seed which is being requested for approval.

C. In addition to this Chapter, all industrial hemp seed sold or distributed for planting purposes within or into Louisiana shall be subject to all requirements of the Louisiana Seed Law (R.S. 3:1431 et seq.) and the Louisiana Seed Regulations (LAC 7:XIII.101 et seq.)

D. The guarantor of industrial hemp seed, except persons exempt pursuant to the authority of the Louisiana Seed Law (R.S. 3:1445), who sells, transports, distributes, or offers or handles for sale industrial hemp seed shall have a complete analysis test performed on the seed by a registered seed technologist or an official state seed analyst prior to the seed being sold, distributed, offered, or handled for sale in Louisiana.

E. All industrial hemp seed produced in Louisiana shall be certified true to type under the Louisiana seed certification program guidelines for industrial hemp seed. No other industrial hemp seed may be produced in Louisiana for distribution or sale unless approved by LDAF.

F. No person shall sell or transfer industrial hemp seed to any person in Louisiana without first verifying that the person receiving the seed is licensed by LDAF.

G. No person shall buy or otherwise acquire industrial hemp seed from any person in Louisiana without first verifying that the person distributing the seed is a seed producer or handler licensed by LDAF.

H. Seed of industrial hemp varieties designated as an *approved variety* shall be exempt from the requirements of Subsection A of this Section.

I. Seed of industrial hemp varieties designated as a *prohibited variety* shall not be acquired, planted, grown,

offered for sale, or distributed for planting purposes in Louisiana.

J. Upon request from LDAF, a licensed seed producer shall provide a seed distribution list within 48 hours of the request showing locations where and to whom industrial hemp seed was distributed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431, R.S. 3:1436, R.S. 3:1445, 3:1463, R.S. 3:1464, R.S. 3:1465, and R.S. 3:1466.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:174 (February 2020), LR 47:440 (April 2021), amended LR 47:1836 (December 2021), LR 48:1744 (July 2022).

Subchapter E. Restrictions and Prohibitions

§1323. Land Use Restrictions

A. A licensee shall not grow, handle, process, or store industrial hemp in any structure that is used or appears to be used for residential purposes.

B. A licensee shall not grow, handle, process or store industrial hemp in any outdoor field or site that is located within 1,000 feet of a school, daycare or similar public areas frequented by children as determined by LDAF.

C. An applicant may not apply for a license to grow, cultivate, handle, or process industrial hemp on property that is not owned or leased by that applicant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:175 (February 2020), LR 47:440 (April 2021), amended LR 47:1836 (December 2021).

§1325. Restrictions on Sale or Transfer

A. A licensee shall not sell or transfer, or permit the sale or transfer of living industrial hemp plants, viable plant parts, or seeds to any person in the state who does not hold an industrial hemp license issued by LDAF.

B. Licensees may transfer up to one pound of industrial hemp plants or plant parts per transfer to testing laboratories, both within and outside the state for the purpose of measuring THC, CBD, or other phytocannabinoid profile levels. It is the responsibility of the licensee to ensure compliance with laws in other states.

C. A licensee shall not store industrial hemp or industrial hemp plant parts at any location that was not previously approved by LDAF on that licensee's application and/or site modification request form.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental

Sciences, Agricultural Chemistry and Seed Commission, LR 46:175 (February 2020), LR 47:440 (April 2021).

§1327. Prohibitions

A. No person shall:

1. sell, offer for sale, expose, distribute or transport industrial hemp seed not produced in accordance with the provisions of this Chapter;

2. fail to comply with sample collection, and testing requirements prior to harvesting or destroying any industrial hemp plants or plant parts in accordance with this Chapter;

3. detach, alter, deface, or destroy any required documentation specified in this Chapter;

4. alter, substitute, or misrepresent seed in a manner inconsistent with this Chapter;

5. hinder or obstruct in any way any authorized agent(s) of LDAF in the performance of their duties;

6. fail to comply with all licensing and reporting requirements set forth in the Industrial Hemp Law (R.S. 3:1461 *et seq.*) or this Chapter;

7. fail to keep required records as set forth in this Chapter or to provide such records to LDAF for inspection upon request;

8. fail to monitor and/or destroy volunteer industrial hemp plants for three years following cultivation as set forth in this Chapter;

9. provide false, misleading, or incorrect information to LDAF pertaining to the licensee's cultivation, processing, or transportation of industrial hemp including, but not limited to, information provided in any application, report, record, or inspection required or maintained in accordance with the Industrial Hemp Law (R.S. 3:1461 *et seq.*) and this Chapter;

10. plant, grow, store, transfer, or process industrial hemp on any site not listed in the licensing application or site modification request form as set forth in this Chapter;

11. sell or transfer, or permit the sale or transfer of living industrial hemp plants or plant parts to a person in the state who does not hold an industrial hemp license issued by LDAF;

12. commingle harvested industrial hemp plant parts from one plot with harvested industrial hemp plant parts from another plot prior to receipt of compliant THC concentration level test results from LDAF;

13. commingle different varieties of industrial hemp plants in a single plot; or

14. adulterate industrial hemp plants or plant parts in any manner that renders it non-compliant with this Chapter.

15. sell, offer for sale, expose, distribute, transport or plant industrial hemp seed which has been designated by LDAF as a *prohibited variety*;

16. produce industrial hemp with a total THC concentration level greater than 1.0 percent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464, R.S. 3:1465, R.S. 3:1466, R.S. 3:1467, R.S. 3:1468, R.S. 3:1470, and R.S. 3:1471.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:175 (February 2020), LR 47:440 (April 2021), amended LR 47:1836 (December 2021), LR 48:1744 (July 2022).

Subchapter F. Reporting, Research, and Record-Keeping

§1329. Production Reports

A. Industrial hemp grower, seed producer, and processor licensees shall be required to maintain and submit annual production reports to LDAF on forms provided by LDAF by November 15.

1. Annual production reports submitted by licensed growers and seed producers shall include the following:

- a. total amount of industrial hemp sold for processing;
- b. total dollar value of industrial hemp sold for processing; and
- c. total amount of industrial hemp seed sold;
- d. total value of industrial hemp seed sold; and
- e. current industrial hemp plant parts in storage and location of that storage.

2. Annual reports submitted by licensed processors shall include the following:

- a. total amount of industrial hemp processed;
- b. type of processing, including but not limited to fiber, seeds, oil, or other uses; and
- c. total dollar value of industrial hemp processed.

3. Failure to submit a complete and accurate annual production report may constitute a violation of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1466.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:175 (February 2020), LR 47:440 (April 2021), LR 48:1744 (July 2022).

§1330. Industrial Hemp Research

A. Except for those entities exempted pursuant to R.S. 3:1469, all research institutions who intend to perform industrial hemp research shall possess a valid license with LDAF, and submit an annual industrial hemp research plan to LDAF. The research plan shall include, but not be limited to, the following information:

1. a detailed research summary outlining the purpose and objectives that demonstrates to LDAF's satisfaction that research of hemp is being performed;

2. all locations where industrial hemp research will be conducted;

3. strain(s) and/or variety(ies) of industrial hemp used in the research;

4. a timeline of all research activities;

5. a destruction plan for all cannabis plants involved in the research;

6. results of hemp-related research information and findings conducted by the licensee during the previous 12-month period. Trade secret or patent information developed from hemp research may be omitted from the annual research plan so long as it is necessary for the research institution to protect such information; and

7. any other information as may be requested by LDAF.

B. No industrial hemp research shall be performed without first obtaining written approval of a research plan from LDAF;

C. No industrial hemp research shall be performed on strains or varieties not pre-approved by LDAF;

D. Any change(s) to the research plan must be submitted in writing to, and approved by, LDAF prior to implementation of the change(s);

E.

Industrial hemp or industrial hemp plant parts grown for research purposes shall not be offered for sale or enter the stream of commerce, except as otherwise provided in this Chapter;

F.

Industrial hemp grown for research purposes shall be subject to the inspection, record keeping, sampling, and testing requirements as set forth in this Chapter;

G. Licensees producing industrial hemp for both commercial and research purposes at the same location shall meet the following minimum isolation requirements between commercial and research plants and plant parts:

1. material grown or stored indoors shall be separated at all times by contiguous walls extending from the floor to the structure's ceiling; and

2. material grown or stored outdoors shall be separated by a minimum distance of twenty (20) feet at all times;

H. Each industrial hemp lot and harvested plant material produced for research purposes shall be plainly and clearly identified with the following information;

1. "for research purposes," and

2. the name of the strain or variety.

I. Research institutions shall be assessed a negligent violation if the THC content of a sample collected by LDAF exceeds 1 percent total delta-9 tetrahydrocannabinol. Research institutions shall not receive more than one negligent violation in a growing season.

J. If during the course of cultivation, the research institution decides to convert an industrial hemp research plot into commercial production, then the plot shall comply with the sampling and testing requirements set forth in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1469.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 47:1837 (December 2021).

§1331. Records

A. All licensees shall maintain, at a minimum, the following records, where applicable:

1. all records for crop production and crop destruction;
2. documentation of any sales or distribution, including the party to which all product was sold or distributed;
3. for seed producers and growers, documentation of traceability from seed acquisition to harvest or crop termination; and
4. for processors, documentation of industrial hemp acquisition from grower to their final product.

B. All licensees transporting or delivering industrial hemp or industrial hemp plant parts shall have a copy of their license(s) in their possession at all times during transport or delivery.

C. Any person transporting or delivering industrial hemp or industrial hemp plant parts entered into commerce shall also have a dated invoice, bill of lading, or manifest in his or her possession at all times during transport or delivery, which shall include:

1. the seller's and purchaser's name and address;
2. the specific origin and destination of the industrial hemp being transported; and
3. the quantity of industrial hemp being transported.

D. All records required under R.S. 3:1466 and this Chapter shall be maintained by the licensee while the license is valid and for a minimum of three years after the expiration of the license

E. Required records shall be provided for inspection within 48 hours upon request by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1466.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental

Sciences, Agricultural Chemistry and Seed Commission, LR 46:176 (February 2020), amended LR 47:1837 (December 2021).

Subchapter G. Inspections

§1332. Reporting to USDA

A. LDAF shall submit to USDA a report providing the contact information and the status of the license issued for each grower and seed producer. The report shall be submitted by the first of each month. If the first of the month falls on a weekend or holiday, the report is due by the first business day following the due date. The report shall be submitted through the USDA's online Hemp eManagement Platform (HeMP) system or by any other manner of submission that may be required by USDA. The report shall contain the following information:

1. For each new licensee that is an individual, the report shall include:

- a. the full name of the individual;
- b. the license number and status;
- c. the business address;
- d. telephone number and email address (if applicable); and
- e. a legal description and GPS coordinates for each field, greenhouse, indoor growing structure, or site where industrial hemp will be cultivated, handled, or stored .

2. For each new licensee that is a business entity, the report shall include:

- a. the full name of the business entity;
- b. the principal business location address;
- c. license number and status;
- d. the full name, title, and email address (if applicable) of each person for whom the entity is required to submit a criminal background check; and
- e. a legal description and GPS coordinates for each field, greenhouse, indoor growing structure, or site where industrial hemp will be cultivated, handled, or stored.

3. For each licensee that was included in a previous report and whose reported information has changed, the report shall include the previously reported information and the new information, including the following:

- a. the status of each grower and seed producer's license;
- b. the period covered by the report;
- c. indication that there were no changes during the current reporting cycle, if applicable.

B. LDAF shall submit to USDA a report notifying USDA of any occurrence industrial hemp plants or plant parts that exceed the acceptable industrial hemp THC level by the first of each month. If the first of the month falls on a weekend or

holiday, the report is due by the first business day following the due date. The report shall be submitted using a digital format compatible with USDA's information sharing systems, whenever possible. The report shall contain the following information:

1. the name and address of the licensee;
2. producer license number;
3. location information, such as lot number, location type, and GPS or other location descriptor for the production area subject disposal;
4. information on the agent handling the disposal;
5. disposal completion date;
6. total acreage; and
7. laboratory test results.

C. LDAF shall report to USDA, using a digital format compatible with USDA's information sharing systems, whenever possible, the following information for each sample of industrial hemp tested:

1. license number of licensee;
2. name of licensee;
3. business address of licensee;
4. lot identification number for the sample;
5. name and DEA registration number of laboratory;
6. date of test and report;
7. identification of retest; and
8. test result.

D. LDAF shall submit an annual Report to USDA, using a digital format compatible with USDA's information sharing systems, whenever possible, by December 15 of each year and the report shall contain the following information:

1. total planted acreage;
2. total harvested acreage; and
3. total acreage disposed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:176 (February 2020), LR 48:1744 (July 2022).

§1333. Site Access and Compliance

A. When there is reason to believe that a violation of any provision of R.S. 3:1461 et seq. or this Chapter has occurred, the commissioner or his authorized agent(s) shall have access, during normal working hours, to any premises where industrial hemp plants or plant parts are transported, produced, cultivated, handled, and/or stored for the purpose of inspection, investigation, and/or collection of samples for

testing. The commissioner or his authorized agent(s) may inspect and/or sample any industrial hemp seed, plant, or plant parts located on the premises. LDAF shall not charge a testing fee for samples collected pursuant to an investigation initiated by LDAF.

B. LDAF shall conduct inspections, at least annually, of a random sample of licensees to verify that industrial hemp is not being produced in violation of this R.S. 3:1461 et seq., or this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:176 (February 2020), amended LR 47:1837 (December 2021).

Subchapter H. Sampling, Testing, Remediation, and Destruction

§1335. THC Sampling and Testing

A. All industrial hemp plants or plant parts, whether harvested or unharvested, shall be subject to sampling and testing for THC levels by LDAF as set forth in this Section.

B. The licensee shall be responsible for the cost of all sample testing fees, as set forth in this Chapter.

C. Sample Collection

1. Licensees shall submit a Harvest Report for each field, greenhouse or indoor growing structure to LDAF prior to harvesting any industrial hemp plants.

2. LDAF will attempt to notify the licensee of the date and approximate time when samples will be collected.

3. The licensee or designated responsible party shall be present during the sample collection.

4. LDAF will collect samples from each plot within any field, greenhouse, or indoor growing structure.

5. LDAF may retain and transport samples of industrial hemp plants and plant parts collected from an industrial hemp licensee as required by the Industrial Hemp Law (R.S. 3:1461 et seq.) and this Chapter.

6. All samples collected by LDAF become the property of the LDAF and are non-returnable. No compensation shall be owed by LDAF for samples collected under this Chapter.

7. The licensee shall not harvest industrial hemp plants or plant parts prior to samples being collected by LDAF.

8. The licensee shall harvest industrial hemp plants or plant parts within 30 days of the sample collection by LDAF, unless an exception is authorized in writing by LDAF. Should a licensee fail to complete harvest within 30 days and no exception was authorized by LDAF, a second sample and test of the plot shall be performed and the licensee shall be assessed an additional testing fee per sample in an amount not to exceed \$250 per sample.

D. Performance-based Sampling

1. Industrial hemp lots produced for research purposes may not be subject to sampling and testing requirements outlined in this Section when all of the following requirements are met:

- a. LDAF has a confidence level that 95 percent of the industrial hemp plants in each lot subject to alternate method will not test above the acceptable industrial hemp THC level;
- b. no industrial hemp will enter the stream of commerce;
- c. the research institution has submitted and received written approval of an industrial hemp research plan from LDAF;
- d. the research institution maintains records documenting the strain or variety's compliance with the acceptable industrial hemp THC level.

2. LDAF may inspect, sample, and test any industrial hemp plants or plant parts, at any time to ensure compliance with this Chapter.

3. LDAF shall conduct random inspections, including records reviews on research institutions, regardless of whether or not they are subject to the sampling and testing requirements.

E. Laboratory Testing

1. Quantitative determination of THC levels measured using liquid chromatography with ultraviolet detection (LC-UV) or mass spectral detection if required by matrix interference (LC/MS/MS) shall be the accepted analytical technique to avoid the risk of incomplete decarboxylation, therefore, removing the need for any post-decarboxylation.

2. The testing methodology shall consider the potential conversion of THC-A in industrial hemp into THC and the test result shall measure the total available THC derived from the sum of the THC and THC-A content. Appropriately, the THC-A result will be modified by the molecular weight conversion factor 0.877 prior to summation with THC. The total THC concentration level shall be reported on a dry weight basis.

3. Analytical testing for purposes of detecting the concentration levels of THC shall meet the following standards:

- a. laboratory quality assurance must ensure the validity and reliability of test results;
- b. analytical method selection, validation, and verification must ensure that the testing method used is appropriate (fit for purpose), and that the laboratory can successfully perform the testing;
- c. the demonstration of testing validity must ensure consistent, accurate analytical performance;

d. method performance specifications must ensure analytical tests are sufficiently sensitive for the purposes of detectability requirements of this Chapter;

e. an effective disposal procedure in accordance with DEA regulations for samples of industrial hemp plants and industrial hemp plant parts that do not meet the requirements of R.S. 3:1461 et seq. or this Chapter.

f. the measurement of uncertainty shall be estimated and reported with the results.

4. All testing of industrial hemp samples shall be conducted by LDAF or by any public postsecondary education institution in which LDAF has entered into a contract, cooperative endeavor agreement, memorandum of understanding, or other agreement for THC testing.

5. The results of the THC analysis shall be reported to the licensee and, if tested by an approved third party laboratory, to LDAF.

6. A notification of analysis shall be issued for samples with a THC concentration that do not exceed the acceptable industrial hemp THC level and no further action shall be required. The plot or harvested plant material from which the sample was obtained shall be released for marketing or further processing.

7. A notification of analysis shall be issued for samples that exceed the acceptable industrial hemp THC level and a licensee may request a resample of any harvested cannabis that has undergone remediation as set forth in §1337 of this Chapter. If no request is made within 10 calendar days of the sample results being reported to the licensee, or the retested sample results exceed the acceptable industrial hemp THC level, then the plot or harvested plant material from which the sample was taken shall be subject to destruction as set forth in §1337.

8. A notification of analysis for official LDAF collected samples shall not be released until the licensee has submitted a valid FSA 578 form to LDAF for the lot represented by the sample.

9. No industrial plants or plant parts for which a THC analysis is pending shall be transferred, transported, sold, marketed, or otherwise disposed of until approved by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, R.S. 3:1467, and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:177 (February 2020), LR 47:440 (April 2021), amended LR 47:1838 (December 2021), LR 48:1744 (July 2022).

§1337. Remediation and Destruction

A. All industrial hemp plants or plant parts that are noncompliant with the acceptable industrial hemp THC level shall be remediated or destroyed in compliance with this Chapter. Any industrial hemp plants or plant parts that test greater than 1.0 percent total THC shall be destroyed.

B. Producers may choose to remediate any non-compliant industrial hemp plants by one of the following methods:

1. removing and destroying all flower material, while retaining stalk, stems, leaf material, and seeds; or

2. shredding the entire plant into a biomass-like material.

C. All remediated industrial hemp plants or plant parts shall be resampled and tested for THC concentration levels, and shall comply with the acceptable industrial hemp THC level.

D. Industrial hemp plants or plant parts that are not in compliance with the acceptable industrial hemp THC level after remediation shall be:

1. prohibited from being further handled, processed, or entered into the stream of commerce; and

2. destroyed in accordance with the USDA AMC published list of Hemp Disposal Activities. The method of destruction shall be approved by LDAF.

E. Licensees shall submit a Destruction Report for each plot to LDAF prior to destruction. LDAF shall approve the method of destruction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, R.S. 3:1467, and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:177 (February 2020), amended LR 47:1839 (December 2021), LR 48:1744 (July 2022).

Subchapter I. Enforcement

§1339. Adjudicatory Proceedings; Violations

A. The commissioner may suspend or revoke any license issued under the provisions of R.S. 3:1465 and this Chapter. The commissioner may also assess a civil penalty for violation of any provision of R.S. 3:1461 et seq. or any violation of any regulation enacted under the authority of said statutes.

B. Whenever the commissioner has reason to believe that a licensee has violated any provision of the R.S. 3:1461 et seq. or this Chapter, the commissioner shall notify the licensee of the alleged violation as well as an opportunity to respond thereto, by certified mail, prior to any scheduled hearing date.

C. Each separate day on which any violation occurs shall be considered a separate violation.

D. No penalty may be assessed nor may any license be suspended or revoked by the commissioner prior to the holding of an adjudicatory hearing before the commission. Such adjudicatory hearing shall be conducted in accordance with the requirements of the Administrative Procedure Act; any person alleged to have violated any provision of R.S. 3:1461 et seq. or this Chapter shall be accorded all rights and privileges under said Act.

E. The commission shall make an initial determination on alleged violations and recommend findings of fact and conclusions of law together with penalties, if applicable, in writing.

F. The commissioner shall make the final determination on the disposition of alleged violations. If the commissioner does not accept the recommendations of the commission following an adjudicatory proceeding, the commissioner shall notify the commission, in writing, of the reasons for not accepting the commission's recommendations.

G. Reinstatement of a revoked license shall be by hearing before the commission and approval of the commissioner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1461, 3:1463, R.S. 3:1464, and R.S. 3:1470.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:178 (February 2020).

§1341. Corrective Action Plan for Negligent Violations and Mandatory Reporting

A. In addition to being subject to license suspension, license revocation, civil penalties, and industrial hemp destruction, a person who is determined by LDAF to have negligently committed the following violations may be subject to a corrective action plan:

1. failing to provide a legal description of the field, greenhouse, indoor growing structure, or site where industrial hemp will be cultivated, handled, or stored;

2. failing to obtain a seed producer, grower, handler, or processor license from LDAF; or

3. producing industrial hemp exceeding the acceptable hemp THC level. A person that has made reasonable efforts to grow industrial hemp and produces cannabis that does not have a total THC concentration of more than 1.0 percent shall not be deemed to have committed a negligent violation.

B. A corrective action plan issued by LDAF shall include the following information:

1. a reasonable date by which the person shall correct the negligent violation; and

2. a requirement that the person shall periodically report to LDAF about the person's compliance with the corrective action plan, R.S. 3:1461 et seq., and this Chapter for a period of at least two years from the date of the corrective action plan.

C. LDAF shall conduct an inspection to determine if the corrective action plan has been implemented as submitted.

D. A person who is determined by LDAF to have negligently violated R.S. 3:1461 et seq. and this Chapter three times in a five-year period shall be ineligible to hold an industrial hemp license for a period of five years beginning on the date of the third violation.

E. A person that has negligently violated R.S. 3:1461 et seq. and this Chapter shall not be reported to local, state, or federal government authorities for criminal enforcement action.

F. Licensed growers and seed producers of industrial hemp shall not receive more than one negligent violation per growing season.

G. LDAF shall report a person who is found by LDAF to have violated R.S. 3:1461 et seq. and this Chapter with a culpable mental state greater than negligence to the USDA, United States Attorney General, and the Louisiana Attorney General within 30 days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:178 (February 2020), amended LR 47:1839 (December 2021), LR 48:1744 (July 2022).

§1343. Stop Orders

A. A person believed to be in violation of the Industrial Hemp Law (R.S. 3:1461 et seq.) or this Chapter may be issued a written or verbal stop order by LDAF. Stop orders shall be effective immediately upon notification to the alleged violator.

B. If an alleged violator refuses to accept a written stop order when tendered or refuses or fails to claim such stop order when sent by certified mail, the stop order shall be deemed to have been delivered to the alleged violator.

C. Refusal or failure to abide by the terms of a stop order shall constitute a violation of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1470.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:178 (February 2020).

