



United States Department of Agriculture

Agricultural Marketing Service

Creating Opportunities for American Farmers and Businesses



Seed Regulatory and Testing Division

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www.ams.usda.gov/rules-regulations/fsa

USDA AMS Regulations & Services

USDA AMS Mission is to administer programs that create domestic and international marketing opportunities for U.S. producers of food, fiber, and specialty crops.

AMS Science & Technology Program, Seed Regulatory and Testing Division administers the Federal Seed Act and promotes fair competition in the domestic seed market.

USDA AMS Regulations & Services

- The Federal Seed Act program regulates the interstate shipment of agricultural and vegetable seeds.
- “Agricultural seeds” shall mean grass, forage, and field crop seeds which the Secretary of Agriculture finds are used for seeding purposes in the United States and which are listed in the rules and regulations prescribed under section 402 of the Act.
- Hemp is an Agricultural kind covered in the Federal Seed Act and can be found in section §201.2(h) of the regulations.

Hemp Labeling Requirements

KIND: HEMP
VARIETY: XXXXX

LOT# 19000

PURE SEED	95.00%	NET WEIGHT	5 POUNDS
INERT MATTER	01.75%	ORIGIN	CO
OTHER CROP SEED	02.90%	TEST DATE:	09/2018
WEED SEED	00.35%		
GERMINATION	48%		
DORMANT SEED	27%		

NOXIOUS-WEED SEED PER POUND: 18 Buckhorn Plantain

Super Hemp, Inc.
6606 W. Hemp Ave,
Hemp, USA 00000

Hemp Labeling Requirements

Labeling agricultural seed (FSA regulations §201.8 - §201.24a)

- Kind name: the name of each kind of seed, present in excess of 5 percent of the whole by weight, shall be shown on the label.
- Variety name (shall represent a subdivision of a kind which can be differentiated from other varieties of the same kind)

Hemp Labeling Requirements

- Pure seed percentage: includes all seed units of each kind/cultivar under consideration that are present in excess of 5% of the whole by weight
- Other crop seed percentage: seeds of plants grown as crops (other than the kinds and cultivars included in the pure seed)
- Inert matter percentage: refers to plant debris, dirt, stones, broken seeds and other non-seed items
- Weed seed percentage: seeds of plants that are classified as weeds under the AOSA rules Vol 3 Uniform Classification of Weeds and Crop Seeds.

Hemp Labeling Requirements

- Noxious-weed seeds: name of the noxious-weed seeds and number per pound
 - Noxious-weed seed requirements are determined by the receiving State and the person or persons responsible for shipping into the State is responsible for the labeling of the noxious-weed seed content.
 - State noxious-weed seed lists can be found on the SRTD Web Page under “State noxious-weed seed requirements” and the list is updated yearly.

Hemp Labeling Requirements

- Germination percentage: determined from an average of a 400-seed test and shall be reported as a whole number percentage.
- Dormant seed percentage: Dormant seeds are viable seeds, other than hard seeds, that fail to germinate at the end of the prescribed test.
- Test Date: the label shall show the month and year in which the germination test was completed
 - Germination test shall be completed within 5 months of interstate shipment date for hemp seeds.

Hemp Labeling Requirements

- Lot number: As defined in FSA regulations 201.2(v) “lot of seed” means a definite quantity of seed identified by a lot number, every portion or bag of which is uniform, within permitted tolerances, for the factors which appear in the labeling.
- Interstate shippers complete name and address
 - The interstate shipper’s AMS#, and the receiving company’s complete name and address are required to be on the label if the interstate shipper labels on behalf of the receiving company.
- Inoculated seed: include expiration date (month & year)
- Treatment (name of substance used)

Summary of Hemp Labeling Requirements

- Kind name
- Variety name
- Pure seed percentage
- Other crop seed percentage
- Inert matter percentage
- Weed seed percentage
- Noxious-weed seed = number per pound
- Germination percentage
- Dormant seed percentage
- Test date
- Lot number
- Interstate shippers complete name and address
- Inoculated seed = month and year of expiration
- Treatment = name of substance used

Monitoring the Market thru Cooperative Agreements

USDA AMS maintains a comprehensive program which allows us to monitor the market.

- Cooperative Agreement with State Departments of Agriculture
 - State officials are trained and authorized to conduct random inspections at farms, stores, and storage facilities across the U.S. on behalf of the Seed Regulatory and Testing Division.
 - Regulatory complaints are received from State cooperators indicating possible violation of the Federal Seed Act (Act). Investigation of these complaints include an inspection of all records pertaining to the receipt, conditioning, sales/shipping, testing, and labeling of the seed lot in question. When completion of the investigation has determined that there is a serious violation of the Act then enforcement options are considered.

Enforcement Options

- Civil monetary penalties can be issued for violations of the Federal Seed Act. This is pursuant to the provisions of the Debt Collection Act of 1982.
- Criminal penalties may apply when violations of the Federal Seed Act are determined to be knowingly committed. These violations would be submitted to the Office of General Counsel (OGC) for further action.

Monitoring the Market thru Trueness-To-Variety Field Testing

- Random seed kinds are selected based on State, consumer, or seed industry complaints.
 - Most agricultural, vegetable, and grass seed kinds are rotated on a 3-year basis.
 - The selected seed kinds are ordered online, or sampled in stores or warehouses.
 - Grow-out trials are conducted at university research stations to determine the accuracy of varietal labeling through comparison of morphological characteristics to available varietal descriptions.

Monitoring the Market thru Memorandum of Understanding

- Memorandum of Understanding with the Association of Official Seed Certifying Agencies (AOSCA)
 - Works with AOSCA to establish and adopt minimum seed certification standards.
 - Seed Certification Agencies are required to meet or exceed the standards and procedures specified under the Federal Seed Act regulations.

SRTD Web Page

www.ams.usda.gov/rules-regulations/fsa

- Federal Seed Act (FSA)
- FSA Regulations
- List of Agricultural kinds regulated by the FSA
- List of Vegetable kinds regulated by the FSA
- Seed company records and the FSA
- Labeling requirements for chemically treated seed
- 2018 State noxious-weed seed requirements
- Enforcement of the varietal labeling provisions (FSA)
- Variety name database and instructions for use
- Items of Interest-see Resources / Reports-Publications



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