



weight of the pelleting or coating material, and the percentage by weight of inert material exclusive of pelleting or coating material.

HB 497 GA defines cool season grasses as including *but not limited to* Kentucky bluegrass, red fescue, chewings fescue, hard fescue, tall fescue, perennial ryegrass, intermediate ryegrass, annual ryegrass, colonial bentgrass, creeping bentgrass, and mixtures of the grasses.

HB 497 GA expands labeling requirements for agricultural seed to include that if the variety of those kinds generally labeled as to variety is not stated, then the label shall show the kind and the words “Variety Not Stated” or “VNS”. Cool season grasses and seed mixtures are exempted from this labeling requirement.

HB 497 GA provides that if more than 1 component is in excess of 5%, the term *blend* may be used (along with or instead of “mixed” or “mixture”).

HB 497 GA requires that the totality of pure seed, weed seed, crop seed, and inert matter in a package shall total 100%.

HB 497 GA expands labeling requirements for *single kinds* of cool season grasses to require that the name of the kind and variety shall be listed. If the variety of those kinds generally labeled as to variety is not known, then the label shall show the kind and the words “Variety Unknown”. If the variety of those kinds generally labeled as to variety is not stated, then the label shall show the words “Variety Not Stated” or “VNS”.

For cool season grass *mixtures*,

- The word “mix,” “mixed,” or “blend” shall be stated with the name of the mixture;
- The heading “Pure Seed,” “Germination,” or “Germ” shall be used in the proper places; and
- The common name of the kind, or kind and variety, of each agricultural seed component in excess of 5% of the whole, and the percentage by weight of pure seed shall be written in order of its predominance and in column form. If the variety of those kinds generally labeled as to variety is not stated, the label shall show the words “Variety Not Stated.”
- The percentages of crop seed, inert matter, and weed seeds totaling 100%
- The name and rate of occurrence per pound of each kind of restricted noxious weed seed present
- For each cool season grass seed
  - o The percentage of germination, exclusive of hard seed
  - o The percentage of hard seed
  - o The calendar month and year the test was completed to determine such percentages

- The test determining the percentage of germination shall be completed no more than 15 months prior to the sale, exposure for sale, or offering for sale, and
- The name and address of the person who labeled the seed.

HB 497 GA changes the time that each person who labels agricultural seed is required to pay the inspection fee from quarterly to semiannual

HB 497 GA makes it unlawful to:

- Distribute agricultural, vegetable, or flower seed unless the test to determine the percentage of germination was completed within a nine month period immediately prior to sale, exposure for sale, or offering for sale or transportation, exclusive of the calendar month in which the test was completed.
- Use relabeling stickers without having both the calendar month and year the germination test was completed, and the lot number that matches the existing original lot number.

### **Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost**

**The fiscal impact of HB 497 GA on local government is expected to be minimal.**

HB 497 GA provides that no local government, or other political subdivision of the Commonwealth shall adopt or continue to enforce any ordinance, resolution, rule, or regulations regarding the registration, packaging, labeling, sale, storage distribution, use, application, or propagation of seeds. Any local legislation in violation of this section is void and unenforceable.

If the local government currently has ordinances pertaining to seeds, then these ordinances will most likely be repealed. Minimal cost related to personnel and materials related to the updating of the ordinances and to the dissemination of the change in ordinance.

**Data Source(s):** LRC Staff

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