



Wisconsin's Seed Law & Rule

Wisconsin Department of Agriculture, Trade & Consumer Protection



Division of Ag Resource Management
Plant Industry Bureau

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Statutory Authority



DATCP regulates the labeling, sale and distribution of seed under ss. 94.38 to 94.46, Stats., and Ch. ATPC 20 Wis. Adm. Code

- Why are proposed changes needed?
- What are the proposed changes?



Why Change Wisconsin's Seed Law?

- Sections of the current state seed rule refer to the state seed laboratory.
- We no longer operate a seed laboratory and have not since about 1990.
- Seed testing to ensure compliance is now done through a private lab. All identifiable markings are removed and sent out for testing; only DATCP knows the labeler information.



Why Change Wisconsin's Seed Law?

- Current law cites 1988 Association of Official Seed Analysts (AOSA) Rules for Testing Seed publication. This document is updated regularly.
- The prohibited and restricted noxious weed list needs to be updated. Some of the seeds listed are no longer crop management issues and a new set of weed seeds have become problematic.
- New germination standards and testing procedures have been developed and adopted by the AOSA for native and nursery seeds.
- Native and wildflower seed industries need regulations to protect their industry and Wisconsin's environment.



Proposed Changes

- Adopting Recommended Uniform State Seed Law (RUSSL)

AASCO & RUSSL

The Association of American Seed Control Officials (AASCO) is an organization of seed regulatory officials from the U.S. and Canada. The Association was organized in 1949 from an outgrowth of regional meetings held in various parts of the country. AASCO members meet annually to discuss mutual concerns of seed law enforcement, to receive updates on new seed industry developments, and to update RUSSL, which the organization developed and maintains as a "model" law for states and federal programs.

RUSSL will make labeling requirements uniform from state to state.



Prohibited Noxious Weed Seeds

DEFINITION

Prohibited noxious weed seeds are those weed seeds which are prohibited from being present in agricultural, vegetable, flower, tree, or shrub seed. They are specific weed seeds that are highly destructive and difficult to control, despite the use of good cultural practices and herbicides.





Currently Prohibited Noxious Weed Seeds

- Field Bindweed (*Convolvulus arvensis*)
- Leafy Spurge (*Euphorbia esula*)
- Canada Thistle (*Cirsium arvense*)
- Quackgrass (*Agropyron repens*)





Proposed Prohibited Noxious Weed Seeds

- Field Bindweed (*Convolvulus arvensis*)
- Leafy Spurge (*Euphorbia esula*)
- Canada Thistle (*Cirsium arvense*)
- Wild Proso Millet (*Panicum miliaceum*)
- Woolly Cupgrass (*Eriochloa villosa*)
- Kudzu (*Pueraria montana* var. *lobata*)
- Mile-a-minute Weed (*Polygonum perfoliatum*)
- Russian Knapweed (*Centaurea picris*)



Other Noxious Weed Seeds to Consider for Prohibited



- Hemp (*Cannabis sativa*)
- Poison Ivy (*Toxicodendron radicans*)
- Perennial Sowthistle (*Sonchus arvensis*)
- Bull Thistle (*Cirsium vulgare*)
- Musk Thistle (*Carduus nutans*)
- Plumeless Thistle (*Carduus acanthoides*)





Restricted Noxious Weed Seeds

DEFINITION

Restricted noxious weed seeds are those weed seeds which are objectionable in agricultural crops, lawns, and gardens of this state and which can be controlled by good cultural practices or the use of herbicides.





Currently Restricted Weed Seeds

- Wild Radish (*Raphanus raphanistrum*)
- Buckhorn (*Plantago lanceolata*)
- White Cockle (*Silene alba*)
- Dodder (*Cuscuta* spp.)
- Hoary Alyssum (*Berteroa incana*)
- Wild Oat (*Avena fatua*)
- Wild Mustard (*Sinapis arvensis*)
- Downy Brome (*Bromus tectorum*)
- Oxeye Daisy (*Leucanthemum vulgare*)
- Giant Foxtail (*Setaria faberi*)
- Indian Mustard (*Brassica juncea*)
- Yellow Rocket (*Barbarea vulgaris*)
- Perennial Sowthistle (*Sonchus arvensis*)





Proposed Restricted Weed Seeds

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- Hoary Alyssum (*Berteroa incana*)
- Wild Oat (*Avena fatua*)
- Wild Mustard (*Sinapis arvensis*)
- Quackgrass (*Agropyron repens*)
- Perennial Sowthistle (*Sonchus arvensis*)
- Giant Ragweed (*Ambrosia trifida*)



Other Noxious Weed Seeds to Consider for Restricted



- Purple Loosetrife
(*Lythrum salicaria*)
- Spotted knapweed
(*Centaurea biebersteinii*)
- Garlic mustard
(*Alliaria petiolata*)
- Dames rocket
(*Hesperis matronalis*)
- Teasel
(*Dipsacus sylvestris*)
- Goldenrod
(*Solidago canadensis*)



Growing Seed Industry



Wildflower & Nursery Seed

Although native grass seeds are covered by the current seed laws, germination standards have been developed by AOSA which cover many wildflower seed types. This industry is looking for labeling requirements and standards to be met to protect their industry and preserve Wisconsin's environment.





Seed Law Advisory Committee

- ADAM INGWELL - AGRECOL CORPORATION
- BOB O'DONNELL - FORAGE GENETICS
- KIRK SHILINGLAW - PRAIRIE NURSERY INC
- DOUG BASTIAN - OLDS SEED SOLUTIONS
- JACK KALTENBERG - KALTENBERG SEED FARMS
- AMY WINTERS - CAPITOL STRATEGIES, LLC
- FERRON HAVENS - WISCONSIN AGRIBUSINESS COUNCIL
- JOHN PETTY - WISCONSIN AGRI-SERVICE ASSC, INC.
- GENE AMBERSON - WISCONSIN CROP IMPROVEMENT ASSC.
- BRAD BIDDICK – TRELAY SEED COMPANY
- STEVE STRACHOTA - DAIRYLAND SEED
- STEVE APFELBAUM - APPLIED ECOLOGICAL SERVICES, INC
- BOB OLESON – WISCONSIN CORN GROWERS ASSC.

Technical Advisors



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More Information?



RUSSEL Can be viewed:

<http://www.seedcontrol.org/>

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