

2023 Kansas Statutes

2-1417. Label requirements. (a) Each bulk quantity, package or parcel of agricultural seed offered for sale, exposed for sale or exchanged for planting or seeding purposes shall have a label that shall be affixed thereto or printed or stenciled thereon or, for bulk quantity agricultural seed, shall be furnished with the invoice. Each agricultural seed label shall be printed in the English language and shall contain the following information, which shall be legible and shall not be modified, defaced, falsified or misleading and shall not be denied on the label or on another label attached to the container:

- (1) The commonly accepted kind and variety or hybrid designation, or the kind and the words "variety not stated", of each agricultural seed component that comprises more than 5% of the whole and the percentage by weight of each in order of its predominance, except for the annual grain crops wheat, oats, barley and soybeans, for which the label shall include the kind and variety;
- (2) the percentage by weight of pure seed;
- (3) the percentage by weight of all weed seeds;
- (4) the percentage by weight of inert matter;
- (5) the percentage by weight of agricultural seeds, which may be designated as "crop seeds", other than those required to be named on the label;
- (6) the lot number or other lot identification, which shall remain visible and legible and shall be placed so as not to obscure any lot number or other lot identification that was previously placed on the bulk quantity, package or parcel;
- (7) the origin of the seed, including the state or foreign country where the seed was grown, or a declaration that the origin of the seed is unknown to the seller, except in the case of grass seeds in quantities of less than 10 pounds intended for lawn seeding purposes;
- (8) the name and rate of occurrence per pound of each kind of restricted weed seed present, which shall not exceed the applicable limitations prescribed in rules and regulations adopted by the secretary;
- (9) the name and address of the person responsible for the label; and
- (10) for any label that makes claims that a bulk quantity, package or parcel of cannabis sativa contains feminized seeds, the percentage by weight of feminized seed.

(b) For each kind of agricultural seed identified on the label, the label shall also include:

- (1) The germination rate, excluding the hard seed;
 - (2) the percentage of hard seed, if present;
 - (3) the month and year that the test to determine the germination rate was conducted; and
 - (4) for seed that is sold for lawn and turf purposes, a statement of the month and year by which the seed shall be sold that includes the phrase "sell by".
- (c) Any label may also include the total germination rate, including hard seed.
- (d) Any label may include a statement of the month and year by which the seed shall be sold that includes the phrase "sell by".
- (e) The "sell by" month and year on each label shall be not more than nine months after the date that the test to determine the germination rate was conducted, excluding the calendar month in which the test was conducted.
- (f) For blends of wheat, oats, barley or soybeans, the label shall include a statement of the seed kind followed by the word "blend". For brands of wheat, oats, barley and soybeans, the brand mark or term shall precede the word "brand". Components of blends and brands of wheat, oats, barley and soybeans shall be registered with the secretary unless all varieties and the percentage thereof are listed on the label. Blends and brands so registered may be labeled by kind and the words "variety (varieties) not stated". The composition of registered blends and brands shall remain consistent from year to year. When more than one component is required to be named, the word "mixture" or "mixed" shall be shown conspicuously on the label.

History: L. 1935, ch. 4, § 3; L. 1961, ch. 5, § 3; L. 1985, ch. 10, § 3; L. 2022, ch. 69, § 12; July 1.