South Dakota Seed Certification Procedures



South Dakota Crop Improvement Association Seed Certification Division

2011

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About this Manual

This manual is designed to aid producers and handlers of certified seed by outlining accepted procedures for adhering to certification standards as outlined in the current South Dakota Seed Certification Standards. To obtain a current copy of these standards please contact the SDCIA office.

Seed Certification

Seed certification is a system of increase, maintenance and sale or distribution of seed while maintaining varietal purity and identity. Key points of seed certification are its pedigree system, limited generations of seed production, field inspection, seed quality testing and specific labeling.

By use of the pedigree system, certified seed can be tracked back to the field in which it was produced and the seed source used to produce it. In theory the seed can be traced back to the original cross made by the breeder. Seed production is limited to two generations beyond the foundation class of seed. This is done to insure that varietal purity is maintained. Every field of certified seed is inspected by SDCIA Field Inspectors to assure that standards are met. Laboratory testing of every lot of seed assures that certified seed meets quality and performance standards. Seed is labeled in accordance with applicable laws to provide a limited warranty for the seller and important information to the buyer.

Classes of Certified (Pedigreed) Seed

Breeder Seed, Foundation Seed, Registered Seed, and Certified Seed are collectively called certified seed. These classes are defined in the South Dakota Seed Certification Standards under the General Seed Certification Standards (p 8-9 South Dakota Seed Certification Standards (SDSCS))

Breeder Seed

Breeder seed is controlled by the owner of the variety and is generally not available in commerce. (p 8 SDSCS)

Foundation Seed

The Foundation class of certified seed is the first generation released to seed producers. It is planted to produce the Registered class of seed. The originating breeder, public institution or private entity controlling each variety governs who may receive foundation seed of that variety. *Foundation seed cannot be resold to anyone other than the party specified in the bulk sales certificate.* (p 8 SDSCS)

Registered Seed

Registered seed is available to the public through certified seed growers and distributors for use in the production of the Certified class of seed. Some varieties may

have the sale of Registered class of seed restricted or prohibited by licensing or marketing agreements controlled by the owner of the variety. (p 9 SDSCS)

Certified Seed

Certified seed is the commercial class of certified seed and for most crop varieties the last generation that may be certified.

Adherence to Standards

Certified seed can be produced in South Dakota by any individual, partnership or corporation. Seed production may be subject to licensing or marketing agreements. Producers of certified classes of seed are required to adhere to SDCIA standards and procedures, as well as state and federal seed laws.

Violations of Certification Standards and Seed Laws

Producers and marketers of certified seed that fail to adhere to certification standards and seed laws will receive notice of violations and must remedy such situations or risk losing the privilege of producing and marketing South Dakota Certified Seed.

Basic Steps to Seed Certification

- 1. Clean all planting equipment to prevent any cross contamination.
- 2. Plant Foundation or Registered class seed in a field that meets land requirements listed in the South Dakota Seed Certification Standards.
- 3. Complete an "Application for Field Inspection, Form A" for each field and return the completed form(s) to the SDICA office before the due date. If you do not have any applications please contact the SDCIA office.
- 4. Review, sign and date the "Statement of Fields Applied For, Form B" and return the top page to the SDCIA office.
- 5. Rouge each field and identify problem areas before field inspection occurs.
- 6. Work with field inspector to set up field inspections prior to harvest.
- 7. Review field inspection report prior to harvest to insure that the field has passed inspection and follow any special instructions (i.e. problem areas of field to be avoided for seed harvest). Once harvested, a field that has NOT been inspected CANNOT be certified.
- 8. Clean combines, trucks, augers, bins and any other equipment that will handle the seed.
- 9. Arrange for seed to be conditioned by a recognized SDCIA approved facility or cleaned through your own seed conditioning equipment.
- 10. Submit samples of cleaned seed for testing to the SDCIA office. Use the "Request for Testing and Certificate of Inspection, Form C". Record the information for lot identification, cleaning information and tests requested. Send this form along with your sample.

- 11. Seed lots that meet seed quality standards receive a "Certificate of Inspection, Form D". Seed lots are **NOT** Certified" until you have received this certificate and should not be sold until this is received.
- 12. Each sale of certified seed must be accompanied by the correct paperwork: a certified seed tag or bulk transfer certificate.
- 13. Complete the "Statement of Royalty and/or Production Fees, Form E" and return to the SDCIA office before the due date.
- 14. Update membership form and return upon receipt.

Planting Certified Seed Fields

A field for certified seed production must meet crop history requirements as specified in the South Dakota Seed Certification Standards for the crop in question to be eligible for certification. Consideration should also be given to a field's previous crop history (i.e. wheat on wheat is allowed only if the previous crop produced on that field was of the same variety and same or higher class of seed planted), areas that contain noxious weeds and the isolation requirements. Failure to meet these requirements may prevent certification of the field. See South Dakota Seed Certification Standards for specific details. (See Standards for specific crop)

Applying for Certification

Application for field inspection is made by using the "Application for Field Inspection, Form A" (Appendix A). This form is used to declare each field for which certification is desired. This is not a final commitment to proceed with certification or to pay field inspection fees. However, each field to be certified must be represented by a completed application. Applications will automatically be mailed to producers who certified a crop the previous year. If the producer is a new grower or has not certified any seed in the prior year, you will need to contact the SDCIA office to obtain the applications.

It is important that the applications be correctly completed. The application form not only signifies your intent to certify a field but it also identifies the field and provides field inspectors a map for locating and inspecting the field. SDCIA will use the application for record keeping and fee assessment. Therefore, completeness and accuracy are critical. (p 14 SDSCS)

Filling out the Application for Field Inspection

- 1. Check and correct any pre-printed information. Fill out completely and as neatly as possible. Be certain to provide both a legal description and location information for your residence or business. If contract growers are used, provide contact information if they are to be contacted by the inspector prior to field inspection.
- 2. Make a diagram of the field on the map grid. The top of the form represents north. The grid, representing one section (640 acres) is divided into quarter

sections (160 acres). Ensure that the correct legal description and the distance and direction from the nearest town are entered in the space provided. Include any landmarks such as waterways, tree lines, approaches, farmsteads etc. that will aid inspectors in locating the field. A FSA or other type of map may be used in lieu of a drawn map.

- 3. Attach official certification tag or bulk transfer certificate to establish seed source. If you are using your own seed from a prior year's production attach a copy of the seed test. The field must have passed inspection to be eligible for the applicant's own use in producing certified seed. Applications for certification must have the proper documentation for seed source in order to be accepted.
- 4. Send in all three copies of the application and all seed source verification (labels and/or bulk transfer certificates for each lot) to the SDCIA office before the due date for the crop. Upon completion of the field inspection, the inspector will leave you a copy of the report (pink copy).
- 5. The information on the application will be entered into SDCIA records and verified for eligibility. Returning the application after the due date may result in the assessment of late fees.

Incomplete applications will be returned to the applicant for completion. Applications received after the due date for the crop will be subject to inspector availability and will not guarantee inspection.

Verification of Fields and Payment of Fees

SDCIA will summarize the fields for which the producer has made application and the fees to be assessed on the "Statement of Fields Applied for Inspection, Form B" (Appendix B). When received, this form should be reviewed to make sure the information is correct. If there are any corrections in acres they should be made at this time. If additional fields are added, the new applications for the added fields should be returned with this form.

To complete the Statement of Fields Applied for Inspection, Form B:

If all the information is correct, and none of the listed fields needs to be canceled or amended simply verify the amounts, sign, and return it to the SDCIA office with the correct fee payment before the appropriate due date. If payment does not accompany the Form B you will be billed and payment will be due upon receipt.

If information is incorrect, draw a single line through the error only, and fill in the correct information. Do not substitute fields. If the change involves acreage, correct the acres and field fees. Sign and date the statement and return it with payment before the appropriate due date. If payment does not accompany the Form B you will be billed and payment will be due upon receipt.

To cancel inspection of one or more of the fields listed, draw a single line through the entire line. Re-total the assessments. Sign and date the form and return it with payment

before the appropriate due date. If payment does not accompany the Form B you will be billed and payment will be due upon receipt.

To add a field for inspection, complete a new *Application for Field Inspection* form for that field and attach proper seed source document(s), re-calculate the invoice, and return both to SDCIA with payment before the appropriate due date. If payment does not accompany the Form B you will be billed and payment will be due upon receipt.

Important Dates to Remember

- May 15 Cool Season Grasses
- May 31 Small Grains, Flax and Warm Season Grasses
- July 1 Soybean, Alfalfa and All Other Crops

Preparing Fields for Inspection

The grower should walk each field prior to inspection to identify and correct potential problems with isolation, noxious weeds, and rogue the field if necessary. This will reduce the chance of delays and extra cost at harvest. Use the crop certification standards as your guide when preparing a field for inspection.

Roguing Seed Fields - Roguing is the process of removing undesirable plants or "rogues" from a seed field. Roguing is best accomplished by walking a field in a methodical manner, taking strips 10 to 12 feet wide so as not to miss undesirable plants. Optimally, fields should be rogued three or four times during the different stages of the plant's growth, because plant color or other characteristics may change throughout the season. These changes may make rogues of the same crop type more easily identifiable over time. A rogue can be a weed, a diseased plant, another crop, another variety, or an undescribed variant of the desired variety. If anything poses a risk to the certification of a field, it should be removed, isolated, or controlled by some method that will ensure the varietal and mechanical purity of the seed lot.

The Field Inspection

Foundation fields require two inspections, one at flowering and one prior to harvest. Fields producing the registered and certified classes of seed require only a preharvest inspection. A SDCIA inspector must conduct the inspection. The inspector will verify adherence to standards for: (See SDSCS for specific crop standards)

Varietal Purity - Each field for certification should show at the time of field inspection that reasonable effort has been made to maintain satisfactory varietal purity.

Isolation - Certified seed fields must be isolated from any field that differs in variety or seed class, is not certified, or in some other manner poses a pollen contamination risk. Minimum required isolation distances are given in the crop certification standards. Isolation can be achieved by not harvesting for seed the area of production within the required isolation zone, or by destroying the required portion of the offending field prior to flowering.

If the adjacent field is of the same variety but of a lower certification class, the applicant may harvest the required isolation from the higher class field and combine it with the seed of the lower class, provided both fields passed inspection.

Separation - Fields must be separated from one another regardless of whether isolation is necessary. Required separation distances are cited in the crop certification standards. Where specific separation distances are not cited, separation between fields must be sufficient to prevent mechanical contamination of the seed during harvest.

Field boundaries must be clearly identifiable. Where appropriate, stakes, a fence, a road, a strip of ground, or a ditch may be used for demarcation. For instance, a grower that divides a 100-acre field into two 50-acre fields producing the same variety and class of seed and using the same seed source, but making application for each, would have to use stakes or some other suitable method to show the boundary between the two fields. This is so the inspector may inspect each field separately.

Weeds – Field standards list prohibited and objectionable weeds for each crop. Applicants should take steps to control such weeds in certified fields. Fields will be rejected if any uncontrolled prohibited weeds are found at inspection. Control of prohibited weeds is required prior to inspection and may consist of staking, mowing, chemically treating, or not planting infested areas, or some other effective method. Control measures must be complete and verifiable by the inspector and must effectively prevent harvest of the weeds.

Excessive objectionable weeds may cause a field to be rejected. Certification is at risk because the presence of these weed seeds in the crop seed is either prohibited or severely restricted. Some objectionable weeds carry additional restrictions as cited in the standards. Common weeds may lead to field rejection when their presence restricts the ability to thoroughly inspect the field. Excess common weeds will likely affect the quality of seed harvested.

Prohibited Crops – Crop standards may list the presence of certain crops as prohibited. An example would be the presence of rye in a field of wheat. Prohibited crops are grounds for field rejection. All prohibited crops must be removed prior to inspection.

Other Crops - The primary concern is for those crop seeds which cannot be easily separated with conditioning equipment. These can be cause for rejection if they are present in the field at the time of inspection. Examples would be barley in wheat or corn in soybeans.

Disease - Diseases spread by seed-borne organisms are of concern during field inspections and may require treatment of the seed or rejection of the field. The most common problem is smut or scab in wheat, barley, or sorghum.

The field inspector will indicate in the field report section of the *Application for Field Inspection* which recommendation best describes a field. These are the three possible recommendations:

Passed: A "passed" field indicates that a field has met all of the field requirements for that crop and class of seed; on the basis of varietal purity, isolation, separation, and the presence of weeds, other crops and diseases. Seed from a field meeting this recommendation is still subject to seed quality requirements as cited in both the general and crop-specific certification standards.

Referred: A referred recommendation indicates that the field has some unusual problem or circumstances that the inspector determines should be considered by the SDCIA office for review and final action. **Do not harvest a referred field without** *further notice from SDCIA, or certification will be voided!*

Failed: A failed field is one that does not meet the minimum standards established for that class of certified seed. At this point, certification of the seed is halted. Some of the reasons for a rejected recommendation include: uncontrolled prohibited weeds, excessive objectionable weeds, insufficient isolation, no separation from adjacent fields, an excess of common weeds, or contamination with off-types or other varieties.

If the problem is correctable, the grower, after making the needed corrections, may apply for re-inspection by contacting the SDCIA office. Re-inspection is done on an inspector-available basis and has additional fees associated with it. Seed from fields producing the registered class that are rejected for reasons other than varietal purity may be eligible for the grower's own use to produce certified seed the following year but may not be downgraded to certified seed that crop year.

Pass/Fail Letters: After inspections have been completed and the inspection reports have been turned into the SDCIA office you will receive by mail a summary sheet listing all of your applied for fields with either a pass or fail rating (Appendix C).

Harvesting Certified Fields

All equipment should be thoroughly cleaned prior to harvesting certified seed to avoid contamination from weeds or crop seed from previous harvesting activities. Before harvesting a field for certified seed, review the field report section of the **Application for Field Inspection** to confirm that the field has been inspected and passed. If a field report was not received from the inspector, or if there is uncertainty as to the status of a field, call the SDCIA office before harvesting. **Harvested fields cannot be inspected or certified.**

Conditioning Certified Seed

Once seed from a field passing inspection has been harvested, it must be conditioned by a SDCIA approved conditioner or by the grower using their private conditioning equipment before certification can be completed. Application to SDCIA and a site inspection are required for approval of conditioners.

All equipment used to handle, store, or condition certifiable seed must be clean and free of any possible contamination. It is the responsibility of the applicant to verify that a custom conditioner has thoroughly cleaned equipment before conditioning commences. Potential contamination areas to check prior to seed conditioning include receiving pits and bins, elevator legs, elevators, augers, conveyors, all parts of the cleaner (especially screens and brushes), grader or seed treater, clean seed bins, and bagging equipment. To complete certification once the seed has been conditioned, a cleaned seed sample must be submitted using the *Request for Testing and*

Certificate of Inspection, also known as the "Form C" (Appendix D). The applicant must provide seed lot consolidation (including bushels from each field consolidated) and conditioning information on this form. The conditioner's signature is requested to verify conditioning information. If the sample(s) meet seed standards, the lot will be issued a *Certificate of Inspection* (Appendix E) for the amount of seed declared on the Form C as represented by the samples.

Some seed producers, due to limited storage capacity, may choose to clean only a portion of a seed lot and submit a sample for testing as representative of the entire seed lot. If certification is granted based on such partial conditioning, a "*Provisional*" *Certificate of Inspection* (Appendix F) will be issued. A provisional certificate states that the remainder of the seed lot described on the certificate will be certified as it is conditioned. As additional portions of the seed lot are cleaned, they must be recorded on the certificate and signed by the conditioner at the time of each cleaning to complete certification. Seed from a lot receiving a provisional certificate of inspection may **not** be sold until it has been properly conditioned and recorded. Only the conditioner that cleaned the initial amount shall be eligible to clean the remaining amount of seed represented by the provisional certificate.

Sampling Certified Seed

Cleaned seed samples of all seed lots for certification must be tested and meet or exceed minimum seed standards as outlined in the certification standards for the particular crop. Seed lot size is not limited. Seed samples should be taken using the guidelines below so as to accurately represent the seed lot. Mix the sample thoroughly and then carefully pack it to avoid any shipping damage or leakage. (p 17 SDSCS)

Obtaining a Representative Seed Sample

SDCIA standards require that for all certified seed lots, a sample must be submitted for testing insuring that seed quality standards are met. Required tests are purity, germination, and noxious weed seed examination, and electrophoresis on cereals (gel test) for varietal verification. Seed lot size is not limited.

No matter how accurately an analysis is made, it can only show the quality of the sample as submitted. Therefore, the sample submitted must truly represent the lot from which it is taken, and it must represent the seed as it is to be offered for sale. It is your responsibility to know that the seed you sell is at least as good as the sample you submit. Do not send hand-threshed or wind-cleaned grain for final laboratory examination. **Careless sampling results in misrepresentation.**

Here are a few rules to guide you in getting a true sample:

If seed from a field is threshed at two or more different times, or if there is some other reason to suspect difference in germination or mechanical purity, it is best to keep each threshing separate and submit a sample from each. Take the sample from not less than 50 bushels of seed which have been threshed and cleaned exactly as you intend to process the entire lot for sale. A small portion of seed can be taken periodically as it comes from the cleaner and kept in a clean bucket or tub.

Do not send a sample taken from the combine or a sample threshed or cleaned in any manner other than that which will be used for the entire lot of seed.

If a lot of seed is cleaned at different times, separate labeling tests should be made for each run.

Remember, the lab tests are for your protection. Seed you offer for sale must be accurately labeled according to the Federal Seed Law, South Dakota Seed Law and the SDCIA requirements. (See Appendix G for further instructions on sampling.)

Store Seed Safely

Seed may deteriorate during storage. Examine your bins and bags frequently for any indication of heating or insect activity. If you suspect any deterioration, cease all sales and submit a new sample for testing.

Testing

The *Request for Testing and Certificate of Inspection* "Form C" (Appendix D) must be completed and sent with the seed sample(s) to the SDCIA office. Be sure to include all field numbers and bushels from each field. This form is used to provide information such as field or seed lot consolidation, conditioning and signature of the conditioner, tests requested, amount of seed represented by the sample, and the applicant's declaration that he/she has produced and handled the seed according to certification standards.

The Form C and sample bags are provided to the grower either following field inspection or by contacting the SDCIA office. Seed tests will be billed directly from the State Seed Testing Laboratory and payment of these fees are the responsibility of the party submitting the seed to be tested.

All seed is to be tested and analyzed in accordance with the procedures outlined in the "Rules for Testing Seeds" issued by the Association of Official Seed Analysts (AOSA). Complete certification tests on all certifiable seed may be conducted only by the SDSU State Seed Laboratory. Results from other qualified labs may be used for labeling purposes but will not be accepted for certification purposes. For testing policies regarding crops other than small grains, contact the SDCIA office. Below is an explanation of tests and examinations conducted on seed samples for certification.

Purity

The purity exam is a visual inspection of seeds for impurities and is required for certification. Each sample is divided into four categories: pure seed, inert matter, weed seed, and other crop seed. In some cases other varieties may be separated out also. The various components are weighed and reported as a percentage. The noxious weed exam is a continuation of the purity exam but the various components are not weighed and inert matter is not determined. The weed and other crop seeds are counted and reported as number of seeds per pound of sample. Allowances for these examinations are listed under the seed standards of the certification standards for each crop.

Germination Tests

The germination test is an evaluation of the viability of the sample. Four replications of 100 seeds are planted from each sample in moist media and placed in a temperature controlled environment. The conditions under which they are planted are those that have been determined to be optimum for each crop. This test is used for labeling purposes and is required for certification. The results reported from this test are considered to be the potential field emergence under near-perfect conditions.

Preliminary Samples

A germination test made on uncleaned seed prior to cleaning is a recommended practice, and the results may be used toward the requirements for certification. For wheat, one sample shortly after harvest is sufficient. For soybeans, a germination test from each lot or bin at harvest, and again in January or February is recommended. A final germination and purity test on the cleaned seed sample for labeling is then required. Half-pound samples are sufficient for germination-only tests. Two-pound samples are required for germination and purity tests.

Other tests such as the Tetrazolium (TZ), Accelerated Aging (AA), test weight, and seeds per pound are not required for certification but may be requested. Contact the SDSU Seed Lab for a complete list of tests and their uses. All tests are conducted according to the Association of Official Seed Analysts (AOSA) rules for testing and are legal for seed labeling purposes. Test results are reported to the certification applicant on the Laboratory Analysis Report (Appendix H).

Certificate of Inspection

Seed lots that have met all requirements for production and testing receive a **Certificate of Inspection** (Appendix E) indicating that the applicant has authority to sell the variety and amount of seed represented by the certificate as South Dakota Certified Seed. Seed is not considered certified until the applicant receives the certificate. In the case of a "**provisional**" **Certificate of Inspection** (Appendix F), the seed represented is not considered certified until it has actually been properly conditioned, and recorded on the face of the certificate. In all instances, total amount of seed sold cannot be greater than the amount stated on the certificate.

Labeling Certified Seed

Certified seed must be labeled in accordance with SDCIA certification standards and State and Federal seed laws. Labels may be pressure sensitive (stick-on), sew on, or a Bulk Transfer Certificate (Appendix I). Seed for bulk re-sale is wholesaled to an eligible bulk retail facility that has been inspected and approved by SDCIA. In its simplest form, a label is the documentation that accompanies the seed at the time it is sold and provides the basic information required by laws, rules and regulations. The label is what identifies the product, defines its quality, and names the person responsible for it. Official certification labels are ordered from the SDCIA office. It is important to remember that the label alone does not mean that the seed is now certified. Applicants must have a **Certificate of Inspection** before they may sell the seed. Under no circumstances should seed ever be allowed to be moved from the labeler's possession without a label attached to every container. Likewise, tags should never be distributed unattached to the bags to which they belong. The labeler is responsible for what the tags get attached to. The first decision to be made in labeling is how the seed is going to be marketed. The choices are either packaged (a sealed container) or bulk (an open container). Sealed containers are understood to be those which cannot be opened or contaminated without evidence of tampering. Bags are generally considered to be sealed containers. Anything else, regardless of size, would be considered bulk. Sealed containers, including sealed jumbo bags, are labeled with a tag; bulk containers, including unsealed jumbo bags, are labeled with a certificate. Specific labeling procedures for the various modes of marketing are addressed in the marketing section below. For a customer who brings his/her own bags, use a Bulk Transfer Certificate or a certification label attached to the invoice. This is considered bulk seed for two reasons: 1) except for the use of used/reconditioned "jumbo" bags that may be used for the Certified class of seed only, if certified seed goes in a bag, the bag must be new and any printed information cannot conflict with the seed label; and 2) since these bags are not usually sealed, they wouldn't qualify as packaged seed. (p 18 SDSCS)

Basic Labeling Requirements

The class of seed produced will determine the color and type of tag used. Foundation tags are white with black ink; Registered are light purple with dark purple ink; and Certified are light blue with dark blue ink. Certified seed labels must contain the kind, variety, certification number, and name of the certifying agency.

State and Federal laws require that every analysis label have the following information:

- 1. Name of the kind (crop) and variety.
- 2. Percentage by weight of pure seed.
- 3. Percentage by weight of all weed seed.
- 4. Percentage by weight of inert matter.
- 5. For each named agricultural seed:
 - a. The percentage germination exclusive of hard seed
 - b. The percentage of hard seeds, if present
 - c. Total germination percentage including hard seed may be included
 - d. The calendar month and year the test was completed to determine such percentages.
- 6. Percentage by weight of other crop seed.
- 7. Lot number or other lot identification (e.g. certification number).
- 8. State of origin.
- 9. Name and rate of occurrence per pound of each restricted weed seed present.
- 10. Name and address of person responsible for label.

Analysis information may be included on the certification label. If seed has been treated for insect or disease control, additional appropriate statements or tags are also required. SDCIA general certification standards require all certified labels to carry the appropriate Plant Variety Protection (PVP) statement if a variety is so protected and also if it may only be sold as a class of certified seed (Title V option).

Marketing Certified Seed

Certified seed may be sold either bagged or in bulk in accordance with general certification standards. The applicant may opt to sell retail directly to the farmer, or wholesale to an eligible Bulk Retail Facility. An applicant may choose to transfer eligible seed prior to final certification to an eligible approved conditioner. The sale and movement of South Dakota Certified Seed is governed by the general standards in the South Dakota Seed Certification Standards and is also subject to state and federal seed law requirements. The different means of marketing certified seed, and proper labeling procedures, are discussed below.

In-State Transfer of Unconditioned, Not Finally Certified Seed

Having passed field inspection, seed may be transferred to an approved conditioner, certified seed grower, or approved bulk retail facility that in turn will condition the seed and complete all certification requirements. In this case the conditioner purchases not only the seed, but also the certification. For in-state transfer of unconditioned seed a *Certificate of Transfer for Seed Pending Certification* (Appendix J) must be completed. The following information must be included in the Bulk Transfer Certificate:

- 1. Name and address of buyer and seller
- 2. Variety, kind and class of seed
- 3. Lot number, bin number and bushels of seed sold
- 4. If the seed lot has been conditioned or stage of conditioning.
- 5. Signatures of seller and buyer

Out of State Transfer of Unconditioned, Not Finally Certified Seed

Seed fields that have passed field inspection but have not been issued final certification may be transferred out of state to an appropriate party (approved conditioner, certified seed grower or other approved facility depending upon the state to which the seed is being transferred). Before the seed is moved a *Certificate of Transfer for Seed Pending Certification* (Appendix J) must be completed and submitted to the SDCIA office for approval. This form must be signed by both *seller* and a *representative of SDCIA*. The conditioner receiving the seed is responsible for verifying seed eligibility and that documentation and samples are submitted to SDCIA or to another agency following the transaction. In most cases certification will be completed in the state to which the seed has been transferred. Transfer of seed out-of-state is the responsibility of the receiver and must be conducted according to the requirements of his/her state's certification authority. Call SDCIA if contact information is needed.

Transfer of Unconditioned Certifiable Seed from another state

Seed that has not completed certification in another state can be transferred into South Dakota to an appropriate party (approved conditioner, certified seed grower or other approved facility). This seed will need to have the appropriate paper work to complete certification from the originating state. This documentation is similar to the paperwork used by SDCIA to transfer certifiable seed out of state.

Bagged Sales

Certified seed must be bagged in new bags that do not have exposed printing or trademarks referring to products other than seed. All bags must bear official certification labels stating "Foundation," "Registered," or "Certified" as well as appropriate analysis information. Bagged and labeled certified seed may be resold an indefinite number of times as long as the label is representative of the seed. Jumbo, or bulk, bags when properly sealed and labeled are considered bags. Carryover bagged seed must be retested for germination and re-labeled before it can be resold.

Labeling Bagged Seed

Seed may be labeled with the class it is eligible for or any class lower. Foundation seed may be labeled as Foundation, Registered, or Certified class. Registered may be labeled as Registered or Certified class. Certified may only be labeled as Certified class. It should be noted that some varieties do not have a Registered class. This is often true for alfalfa, grasses, and many proprietary soybean varieties; in such cases, Foundation class seed cannot be labeled as Registered class seed. Certification labels come in two basic types (Appendix K). The most commonly used labels are the **Certification Only** type (name tag). It contains only information relative to the certification of the seed. It must be used in conjunction with an analysis tag (two-tag system) to meet labeling requirements. The other type is the **Combination**. It contains both the certification information as well as the analysis information.

Bulk Retail Sale

Bulk certified seed may be sold in three different ways:

- 1. From the seed producer directly to the planter
- 2. Approved conditioner to the planter
- 3. Approved bulk retail facility to the planter

Bulk seed is allowed a maximum of two sales. Movement of seed between two bulk facilities is considered one sale. Registered seed sold in bulk to be eligible for certification cannot be sold by an approved bulk retail facility. Bulk registered seed is only eligible to produce certified seed when it is sold by the applicant (producer) or approved conditioner.

Labeling Bulk Certified Seed for Retail Sale

For the same reasons that it is important to see that every bag has a tag, it is important that every bulk load has a **Bulk Transfer Certificate** (Appendix I) attached to an invoice, to go with it. Seed sold without proper labeling constitutes a violation of the labeling laws and a potential for liability.

The labeler is responsible for ensuring that the information is correct and that any missing information is completed. When certified seed is sold in bulk by the labeler

directly to the farmer/consumer, it is labeled with a *Bulk Transfer Certificate*. The information contained on the Bulk Transfer Certificate is as follows

- 1 Name and address of buyer and seller
- 2 Variety, kind and class of seed
- 3 Lot number, bin number and amount of seed sold
- 4 If the seed lot has been conditioned
- 5 If seed is for resale
- 6 If seed is treated
- 7 Condition of container (truck, wagon, cart, etc.) regarding cleanliness
- 8 If seed being sold has Plant Variety Protection (PVP)
- 9 Label information
 - a. Pure Seed %
 - b. Inert Material %
 - c. Crop Seed %
 - d. Weed Seed %
 - e. Germination %
 - f. Date of seed test
 - g. Certification number
- 10 Other information
 - a. Seeds/lb
 - b. Other Test results
 - i. i.e. Smut Test
- 11 Buyer's Notice with signatures and date A buyer's signature on the Bulk Transfer Certificate acknowledges that:
 - a. the buyer did receive the seed as stated on the certificate. This can be particularly important if he/she did not pay for the seed and signed invoices are not used.
 - b. the buyer knew the container may have been contaminated. This helps settle disputes about mixed varieties, other crop seed, etc.
 - c. the buyer knows that the variety being purchased is a PVP variety.

Bulk Certification

Bulk Retail Facilities

If the seed is being sold in bulk to a retailer, who will in turn resell the seed in bulk, the retailer must be an SDCIA approved bulk retail seed facility. Bulk retail facilities can be part of an existing conditioning plant or be stand alone facilities. These facilities have been inspected and approved by SDCIA to handle bulk seed. Bulk retail facilities have demonstrated acceptable procedures for maintaining seed purity and identity as well as record keeping.

For all bulk certified seed the following conditions must be met and maintained:

- 1. A separate storage bin must be available for each variety that will be sold.
- 2. All bins, augers, belt conveyors, and all other handling equipment must be cleaned before storage or handling of certified seed.

- 3. All bins must be clearly and prominently labeled to show crop, variety, lot number, seed analysis and seed class.
- 4. All bin openings must be closed to prevent contamination except when seed is being removed.

For all bulk certified seed the following records must be maintained:

- 1. Amount of seed grown and conditioned or purchased for bulk resale.
- 2. Amount of bulk certified seed sold by variety and lot number.
- 3. Current inventory of seed available for sale of each variety.

Facilities and records shall be available to SDCIA for inspection during normal business hours.

Purchasing Bulk South Dakota Certified Seed to Re-label and Sell

Classes of Foundation, Registered and Certified seed may be sold in bulk but are subject to certain regulations. All field standards apply to seed sold in bulk. Bulk seed can only be sold through an approved retail facility or directly from the producer. A maximum of two sales is allowed with bulk seed. The only time that an additional sale is allowed is when seed is moved between approved bulk retail facilities. Registered seed is only eligible for certification when sold in bulk if it is sold directly from the producer, approved conditioner or approved bulk retail facility directly to a certified seed producer.

The seller's responsibilities are as follows:

- 1. Handle seed in a manner to prevent mixtures or contamination.
- 2. Supply seed that is representative of the seed tested and approved for certification.
- 3. Ensure that all equipment that will come into contact with the seed has been adequately cleaned before handling any class of certified seed.
- 4. Determine that the vehicle receiving the bulk seed is clean. If the receiving vehicle is not clean, a statement to that effect is to be noted on the bulk transfer certificate.
- 5. Keep representative samples of the seed being sold; samples should be kept for three years after the entire lot has been sold.
- 6. Official Certified Seed Testing Reports must be maintained on each lot.
- 7. With each sale a Bulk Transfer Certificate shall be issued to the purchaser. These forms are available from the SDCIA office at no charge. Each form is in triplicate, the original is to be sent to the SDCIA office and the remaining copies are for the buyer and seller.

It is the buyer's responsibility to provide a clean receptacle for the bulk seed and to maintain the purity of the seed once it has been loaded.

Transfer of Certified Seed Pending Final Certification (unconditioned)

Seed that has passed field inspection but has not reached final certification status can have ownership transferred by using a "Certificate of Transfer for Seed Pending Certification" (Appendix J). This allows certifiable seed to be sold to an appropriate approved conditioner or certified seed grower out of state. This form contains the following information:

- 1. Date of transfer
- 2. Testing information, if any seed tests have been conducted on the seed lot being transferred this should be noted and a copy of the seed test should accompany the form. Valid seed tests may be transferred with the seed lot.
- 3. Name of seed lab that conducted the tests.
- 4. Storage Bin number or lot number
- 5. Name and address of the producer or seller
- 6. Name and address of conditioner or buyer
- 7. Kind, variety, Class, year grown, shipment weight or bushels, and field numbers.
- 8. Seed stock identification numbers only required for OECD certification (export).
- 9. Stage of conditioning, seed container information
- 10. Seller's declaration signed and dated
- 11. Signature of SDCIA representative approving the above information.

If you are transferring seed out of state contact the SDCIA office for contact information in the state to be receiving seed.

To retain certification, seed must be properly labeled when sold. The labeler is the reseller and is responsible for meeting labeling requirements. If receiving seed via a transfer of not yet certified seed, or a bulk resale, the receiver must assure that proper documentation is submitted to SDCIA, or authority to label and sell the seed will not be granted. SDCIA is to receive its copy of the transfer or re-sale documents before the next retail or wholesale transaction.

Plant Variety Protection Act

The Plant Variety Protection Act (PVPA) was originally signed into law in 1970, and later amended in 1994. This act is a voluntary program that provides patent-like rights to breeders, developers, and owners of plant varieties. The amended act also added protection to potatoes and other tuber Crops.

The primary purpose of the PVPA is to ensure that developers of varieties would benefit and be able to recover research cost. Without the PVPA, the only protection available to breeders was the biological protection of inbreds used for hybrid seed production; hence, the act was passed to encourage the development of new nonhybrid varieties.

Varieties that are protected under the PVPA can be sold or advertised for seeding purposes only by the owner of the protection certificate or with the owner's permission. The owner of the certificate may bring civil action against persons infringing on his or her rights, and may ask a court to issue an injunction to prevent others from violating proprietary rights. The damages awarded by a court must at least compensate the certificate owner for the infringement. Awards could also include attorney fees and up to triple damages where willful infringement is found. The term of the protection expires 18 years after the certificate is issued for varieties filed under the original act, and 20 years for most varieties covered under the amended act.

The passage of the amended PVPA has allowed the United States to be a signatory in the international plant breeder's rights treaty (UPOV), and therefore proprietary rights on varieties are now respected in many countries worldwide.

There are two different types of protection available to the developer under PVP. The first option enables the developer and certificate holder to sell either certified or

uncertified seed of the variety. Certificate holders choosing this option must resort to civil action if their rights are infringed upon within the period of protection. These certificate holders are not covered under Title V of the Federal Seed Act nor the South Dakota Seed Law and violators cannot be prosecuted by the federal or state government. In a manner similar to patent rights, certificate holders can authorize the use of their varieties in any way they wish on a royalty or free basis.

The second option for protecting a variety is the "Certification only" option that utilizes the provisions of Title V of the Federal Seed Act and Chapter 38-12A Section16(9) of the South Dakota Seed Law. Violators of these laws may be prosecuted by the federal or state government. A variety protected in this manner may be sold only as a class of Certified seed. Sales of uncertified seed by variety name are in violation of both the certificate owner rights and the federal and state seed laws. Most state institutions and private companies have chosen to protect their varieties under the Title V option.

Some acts performed without authority of the certificate owner, which constitute infringement of the owner's rights, include:

- Using seed marketed as "unauthorized propagation prohibited" to produce seed of the variety to market for growing purposes.
- Selling, offering, delivering, consigning, exchanging or advertising for sale a protected variety.
- Dispensing the variety to another person without informing that person that the variety is protected.
- Importing the variety into the United States or exporting the variety from the United States.
- Inducing a third party to commit any of the above acts.

In addition to the above infringements, sales of varieties whose Certificate of Protection was issued under the amended act after April 4, 1994, are subject to further regulations:

- Seed of protected varieties must be sold by variety name.
- Conditioners who knowingly clean seed of protected varieties for sale are subject to the same penalties imposed on the seed sellers. The amount of seed conditioned for a farmer cannot exceed the amount the farmer will use for planting on the farm that produced the seed. The amended PVP Act requires that if grain from a protected variety is in a form that could be propagated, notice must be provided with the grain that it is a protected variety for which unauthorized multiplication is prohibited.

It is the responsibility of the seller to inform the buyer if a variety is protected. Seed containers should be labeled indicating the type of protection for which the owner has applied. If the owner of the variety has chosen to sell either uncertified or certified seed, the label should state "Unauthorized propagation prohibited--U.S. protected variety." This statement, or others similar to it as defined in the act, is sufficient notification of protection. If the seed is purchased in bulk, the appropriate statement should be printed on the bulk sales certificate.

The amended PVP Act allows for only two exemptions, 1) a farmer's exemption allows for saving a quantity of seed for the sole use of replanting on the farmer's land an area no larger than the area that was planted to the original seed purchased. Sale of any quantity of seed protected under the amended act is prohibited; and 2) a research exemption allows for the use of protected varieties or plant parts for breeding to develop a new variety.

For further information regarding the PVPA or Title V, or a listing of protected varieties, contact either the South Dakota Crop Improvement Association, South Dakota State University, 2380 Research Park Way, Suite 136 Brookings, SD 57006-1785 or The Plant Variety Protection Office, 10301 Baltimore Avenue, Room 401, Beltsville, MD 20705-2351, (www.ams.usda.gov/science/pvpo/PVPindex.htm).

Royalty and/or Production Sales Fees

All varieties in the certification program will have either a royalty or sales fee associated with them. This fee is to be paid by the seller of the seed once it has been certified. If seed is sold unconditioned – pending certification, the party that completes certification is responsible for paying the fee. The fee is connected to the bushels sold for seed. It is not collected on seed that you have produced and planted for your own use, market grain, certifiable seed sold unconditioned or grain that is used for feed. At the end of the sales season you will receive by mail a "Statement of Royalty and/or Production Sales Fees – Form E" (Appendix L). The bushel amount sold as seed may be corrected on this form. There has been space allotted to account for seed that is being used for your own production, carryover seed (certified seed that was not sold in the previous sales period), and non seed uses (market grain, feed etc.). The amount of royalty or production fee is stated by variety on this form. Once you have accounted for your certified lots, calculate the amounts, sign and return this form to the SDCIA office with payment. Failure to comply with this requirement may result in legal action.

Unaccounted-For Fields

An applicant who does not complete certification on a field or fields that have passed inspection will receive a Unaccounted-For Fields letter (Appendix M) as the seed marketing season for the crop draws to a close. For each field listed, the applicant must report the disposition of the harvested seed and the reason certification was not completed by the applicant. Some reasons a field may be unaccounted-for: the seed was dumped as grain, saved for own use, held as carryover seed, transferred to another producer, or not properly documented as consolidated with another field. Seed that has not completed certification may not be sold as seed. This statement is a means of accounting for seed that has passed field inspection but did not complete the certification process. It enables year-end reconciliation by SDCIA of all fields that passed inspection. This form should be completed and returned to SDCIA by the date requested.

Membership Renewal

At the end of the calendar year you will receive a membership renewal form (Appendix N). Please update any changes that have occurred in your operation on this form.

SoDak Genetics

SoDak Genetics is a brand name selected by a special committee appointed by the SDCIA Board of Directors. The brand was the result of a commercialization agreement between Monsanto and SDSU for the use of Monsanto's Roundup Ready[®] Technology in SDSU's soybean varieties. Following the commercialization agreement, SDCIA members were invited to join the SODAK GENETICS program. Certain qualifications needed to be met, and a one-time membership fee was charged to those who joined initially. Since then, the SDCIA has entered into agreements with other private companies involving other crops. Different guidelines were developed specific to each agreement entered into. New members have joined to get access to those different technologies, and the program continues to adapt to incorporate new agreements with new technology holders. To inquire about the SODAK GENETICS program, please contact the SDCIA office.

Resources:

Association of Official Seed Certifying Agencies http://www.aosca.org/

Association of Official Seed Analysts www.aosaseed.com

Farmers Yield Initiative <u>http://www.farmersyieldinitiative.com/</u>

Federal Seed Act <u>http://ecfr.gpoaccess.gov</u>

National Plant Germplasm System http://www.ars-grin.gov/npgs/searchgrin.html

Plant Variety Protection http://www.ams.usda.gov

Society of Commercial Seed Technologists www.seedtechnology.net

South Dakota Seed Law <u>http://sdda.sd.gov/</u>

South Dakota Department of Agriculture http://sdda.sd.gov/

State Noxious Weed Seed requirements <u>http://www.ams.usda.gov</u>

U.S. Department of Agriculture <u>www.usda.gov</u>

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Appendix A

0× Pass 0707-8-10 South Dakota Crop Improvement Association F9046 Application for Field Inspection University Station, Box 2207A Application No: Brookings, SD 57007-1096 Phone 605-688-4604 Field Name or ID: McCu-dis #2 Crop/Variety: Overland HRC Acres: 159 INSTRUCTIONS TO APPLICANT—Print clearly and legibly A. Fill out upper portion of this form COMPETELY and ACCURATELY. A. Fill out upper portion of this form converted that and Account teet.
 Complete address, legals, directions and phone numbers of Applicant.
 Diagram field map (map = 1 section, ¼ = 160 acres) including ditches, waterways, etc., give legal description of field and clear directions including road names, landmarks, which side of road or lane, etc. "Call for directions" is not acceptable.
 Field Name or ID, variety, class being produced, seed source # (certification Class being Produced (circle) Fnd Reg QA Seed Source #: 0 11935 Seed Class planted (circle) Fnd Reg Cert QA number), seed class planted, previous crop, acres, planting date. B. Return all copies to SDCIA before filing deadline to avoid late charges. Planting Date: 9-23 Previous Crop Overland HRW APPLICANT. Phone 2: Phone 1: Distance and Direction of residence from nearest town Legal description of residence or business Co. Jones 1S Range 30E Sec. 21 Otr. SW Field legal description: Cater Twp. 13 Rang 318 Sec. 18 Otr. NE Distance and directions of field from nearest town From Exit Sul Dapa go North, / East 2 North, & cost, la North Which side of road or lane? _____ Does SDCIA need to contact the contract grower prior to inspection? YES NO 668-2511 Phone 2: 280 -0683 Bob Contract Grower: Phone 1: DO NOT WRITE BELOW THIS LINE: SDCIA USE ONLY 10-14 days General Weed Control: ALL FIELDS Crop Maturity: Circle One Is isolation correct: Good Small Grains/Flax: Headed Milk Dough Ripe Is Field meeting requirements: (es) No If NO, does applicant want a reinspection: Yes / No Soybeans: Prebloom Bloom ____ Growth Stage Fair Final Inspection ___%Leaf Drop ___Gro Forage Crops: ___% of Plants in Bloom Growth Stage Poor Date to be reinspected: Mo /Dav Forage Crops: _ Nr No. of steps Size of unit (sample) inspected 400 of samples 20 Mo/Day Factor 16 19 Varietal 6 7-8 ·01 0 2 Mixture Other Crop 4 SON 11 VP Plants WEED PLANTS OBSERVED: Rating 1-5 1=Trace, 5=Heavy Restricted Weeds Common NW corner _Wild Oats _Hedge Bindweed _Wild Mustard Wild Buckwheat Annual Bluegrass Field Bindweed Wild Sunflower (Poa annua in Bluegrass) Leafy Spurge fingel. Spotted Knapweed Cocklebur Perennial Sow Thistle Wild Carrot Giant Foxtail Black Nightshade Canada Thistle Other List Chearly 1955 Prickly Lettue Fox tail barley Field Pennycress Musk Thistle _Hoary Cress Ivy Leaf Morningglory Plumeless Thistle Russian Knapweed A Buffalo Bur 2 Quackgrass Horse Nettle Estimated Yield: 45 bushes **Reinspection Record Field Conditions** Date: Mo /Dav Signature of Inspector Varietal Mixture For Stand: Lodging: Improper Isolation Date of Inspection Excellent Heavy Signature of Inspector: Good Medium Comments: None Poor COPY DISTRIBUTION: Original (White): Seed Certification Duplicate (Canary): Inspector Triplicate (Pink): Grower



sensor or rises whence in resharding



Form B Reference-# R1238 As OI May 9, 2007 2:00 pm Instructions:

1. Review the information below and verify it for accuracy.

- 2. If the information is correct, copy the "total" amount into "verified total" column.
- To delete a field, draw a line through the information and put a "0" in the "verified total" column.
- 4. To change the acreage of a field draw a line through the acres and write the correct amount in, adjust the acreage fee and put the correct new total in the "verified total" column.

| Field# | Field ID | Crop | V ariety | Description | Acres/Qty | Total | Venified Total |
|--|---------------------|-----------|------------|---------------------|-----------|------------|----------------|
| F3288 | WINKE LAND | HWW WHEAT | ALICE | SDCIA Field Inspect | 173.00 | \$173.00 | |
| F3289 | NORTH FARM NORTH | HRW WHEAT | ARAPAHOE | SDCIA Field Inspect | 142.00 | \$142.00 | 1000 |
| F3290 | ALFALFA PLOWING N. | HRW WHEAT | EXPEDITION | SDCIA Field Inspect | 80.00 | \$80.00 | |
| F3291 | SCHNIDER QUARTET | HRW WHEAT | EXPEDITION | SDCIA Field Inspect | 74.00 | \$74.00 | |
| F3292 | MOIER QUARTER | HRWWHEAT | DARREL | SDCIA Field Inspect | 150.00 | \$150.00 | |
| F3293 | SORUM PLACE | HRW WHEAT | DARREL | SDCIA Field Inspect | 52.00 | \$52.00 | |
| F3294 | HELMER LAND EAST | HRS WHEAT | BRIGGS | SDCIA Field Inspect | 158.00 | \$158.00 | 10000 |
| F3295 | SWEDE BOYS WEST | HRS WHEAT | BRIGGS | SDCIA Field Inspect | 151.00 | \$151.00 | |
| F3296 | SWEDE BOYS EAST | HRS WHEAT | BRIGGS | SDCIA Field Inspect | 136.00 | \$136.00 | 1.000 |
| F3297 | SHINICKER CORNER | HRS WHEAT | BRIGGS | SDCIA Field Inspect | 130.00 | \$130.00 | |
| F3298 | WILL MOREHOUSE | HRS WHEAT | BRIGGS | SDCIA Field Inspect | 123.00 | \$123.00 | |
| F3299 | BUTLER LAND | HRS WHEAT | BRIGGS | SDCIA Field Inspect | 200.00 | \$200.00 | |
| F3300 | NORTH WOLF | HRS WHEAT | HOWARD | SDCIA Field Inspect | 1.47.00 | \$147.00 | |
| F3301 | SOUTH WOLF | HRS WHEAT | HOWARD | SDCIA Field Inspect | 137.00 | \$137.00 | |
| F3302 | ADAMSQUARTER | HRS WHEAT | TRAVERSE | SDCIA Field Inspect | 141.00 | \$141.00 | |
| F3303 | ADAMS 80 | HRS WHEAT | TRAVERSE | SDCIA Field Inspect | 76.00 | \$76.00 | |
| F3304 | ESHE LAND | HRS WHEAT | TRAVERSE | SDCIA Field Inspect | 154.00 | \$154.00 | |
| F3305 | WEST BUILDINGS N.F. | HRS WHEAT | RB07 | SDCIA Field Inspect | 50.00 | \$50.00 | |
| and the second sec | | | | Total Acres | 0.00 | \$2 274 00 | 0 |

I have read the specific certification standards for each crop and the instructions for applying and hereby apply to the South Dakota Crop Improvement Association for inspection of the field(s) described above. Each field is properly isolated and contains no uncontrolled areas of noxicus weeds. If accepted, I will take the necessary precautions to ensure that seeding, harvesting, conditioning, handling and storage equipment and facilities are cleaned to prevent any contamination of the seed.

I agree to keep an accurate record of the crop harvested from each field. I agree to properly label all seed sold from each field. At the close of the seeding season, up on request of the South Dakota Crop Improvement Association, I will submit a complete and detailed report of the disposition of any certified seed sold from each field.

Applicant Signature

Date

SD Crop Improvement Association, University Station, Box 2207A, Brookings, SD 57007 Phone: (605)688-4606 Fax: (605)688-6752

Top Copy - SDCIA

Bottom Copy - Applicant

Page 1 of 1

Seed Certification Service South Dakota Crop Improvement Association

Ag Hall 244, Box 2207A, SD State University, Brookings, South Dakota 57007-1096 Phone (605) 688-4604 0r 688-4606 Fax (605) 688-6752

The field(s) below have been inspected and I am happy to inform you that it passed the field inspection part of certification.

Of course, actual certification will not be completed until a representative sample taken from the CLEANED SEED LOT has been tested and found to pass the specific seed standards. We are, therefore, sending you a seed mailing sack in which to submit your official sample. DO NOT USE THESE BAGS FOR UNCERTIFIED SAMPLES.

The samples you send in must be the OFFICIAL SAMPLE taken after the seed lot has been conditioned (cleaned) and should be what you are offering for sale or use. Do not send unclean samples or try to clean a small sample by hand. DO NOT clean up samples in elevator dockage testers. If the seed lot has not been cleaned and you want to check the seed's viability, request a germination test only. Uncleaned samples will be tested for germination only. You should supply all the requested information on the mailing sack card when submitting the sample to the Seed Certification Service for testing. Don't forget to put the name of the Seed Conditioner on the card. Should circumstances warrant, an official from our office will visit your place and draw a sample for the final analysis.

SD Seed Certification Standards require that the grower maintain a system of identification of field approved seed. Please use the NUMBER printed on your copy of the field inspection report to maintain this identity.

ENCLOSURES

Testing

Passed All

| Field # | Field ID | Crop | Variety | Field Class Planted | Acres | Rejected | Passed |
|---------|----------------------------|-----------|----------|---------------------|-------|----------|--------|
| F1375 | Schneider Quarter | HRS WHEAT | HOWARD | FOUNDATION | 74 | | 74 |
| F1376 | Helming Quarter | HRS WHEAT | BRIGGS | FOUNDATION | 125 | 1.2.2.1 | 125 |
| F1385 | North Schoolhouse | HRS WHEAT | GLENN | FOUNDATION | 141 | | 141 |
| F1388 | Sorum Place | HRS WHEAT | GLENN | FOUNDATION | 52 | | 52 |
| F1392 | Benson Quarter | HRS WHEAT | BRIGGS | FOUNDATION | 143 | | 143 |
| F1393 | Benson 80 | HRS WHEAT | TRAVERSE | FOUNDATION | 75 | 1.00 | 75 |
| F1394 | Alfalfa plowing North Farm | HRS WHEAT | GLENN | FOUNDATION | 92 | | 92 |

Thank you for your application. If you have any questions, please call us at 688-4604.

28

Appendix D

| Applicant Name: | 0.81. 33.40 | Fiel | d # | Lot# | |
|---|--|---|---|---|---|
| Variety | Crop | | Class applied | I for: Fnd Reg Ce | ert (|
| Complete each sectio | n below as it applies to | vour seed. | | | |
| 1. Lot Description | n (Complete either item a. | b. or c.) | | | (in) |
| a.) Amount I | harvested from one field fo | or seed | | bu. | |
| or, b.) Amount | transferred from another p | oroducer | | bu. | |
| or, c.) Amount | consolidated from | Field No. | Class (F, R, C) | bu. or lbs. | |
| more the | an one field. (The | ALC: NO. | | | |
| identifica | ation number for this | Line Path R | n set to a third desired | | |
| consolid | ated lot will be the | | | Line and the second | |
| Field # n | eported at the top | | | The set of | |
| of this fo | rm.) | | Total | | |
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Field Number

The field number is the same as your application number. This is found in the upper right hand corner of your field inspection report or on your Form B in the left hand column.

Lot Description

This area gives the basic description of the seed lot, a) how much was harvested from one field, b) how much was transferred in from another certified seed producer or c) the amounts of seed harvested from separate fields and consolidated (see following paragraph).

Consolidating Seed Produced in Separate Fields

Seed of the same variety and class produced in separate fields by an applicant may be binned and conditioned as one lot provided the inspection report of the fields are similar. Seed of the same variety produced in separate fields which are not of a similar condition at the time of inspection may also be bulked. In such cases the information for the bulked seed shall be taken from the inspection report on the field found to be in poorest condition at inspection. If different classes of the same variety are bulked, only the lower class will be recognized.

Conditioning Seed For Certification

All equipment used to harvest, handle, store or condition certifiable seed must be thoroughly cleaned and free of any possible contamination. It is the responsibility of the grower to see that custom or public equipment used to condition certifiable seed is thoroughly cleaned before conditioning commences.

Points to check before conditioning certifiable seed is permitted, include receiving pits and bins, elevator legs, elevators, augers, conveyors, all parts of the cleaner (especially screens and brushes, if any), grader or treater (if used), clean seed bins, and bagging equipment, etc.

Request for Seed Testing Services For certified seed lots only:

Small grains (2-3 pounds needed)

Tests needed: Purity, Germination, Noxious, Gel, (Seeds per pound provided) Note: In order to help with the short time period of some small grain sales, please send in your sample for germination as soon after harvest as possible.

Soybeans (2-3 pounds needed)

Tests needed: Purity, Germination, Noxious, (Seeds per pound provided). Accelerated aging test recommended.

Applicant's Declaration

By signing the applicant's declaration, you are stating that all procedures for the production of certified seed have been followed and the stated amount of bushels on the front of this form is represented in this lot.

Appendix D

| Request for Testing and Certificate of Inspection* Applicant Name: | Form C South Dakota Crop Improvem | ent Association | |
|---|--|---|--|
| Applicant Name: | Request for Testing and Certific | ate of Inspection* | - th- |
| Variety Over / and Crop HRW Class applied for: Find Reg Cert Complete each section below as it applies to your seed. I. Lot Description (Complete either item a. b. or c.) a.) Amount harvested from one field for seed | Applicant Name:Fiel | d # <u>F9063</u> | Lot# |
| Complete each section below as it applies to your seed. 1 Lot Description (Complete either item a. b. or c.) a.) Amount harvested from one field for seed | Variety Overland Crop HRW | Class applied | for: Fnd Reg Cert QA |
| a.) Amount harvested from one field for seed | Complete each section below as it applies to your seed. | | |
| a.) Amount harvested from one field for seed | | 1520 | bu |
| or, b.) Amount transfered from abother producer | a.) Amount harvested from one field for seed | 1020 | bu. |
| or, c.) Amount consolidated non- more than one field. (The | or, b.) Amount transferred from another producer | Class (E. P. C) | bu. |
| Index train one head. (The | or, c.) Amount consolidated from <u>Field No.</u> | Class (F, R, C) | <u>bu. or 155.</u> |
| Identification number of this consolidated lot will be the Field # reported at the top 9063 A.eg. Ital 1420 of this form.) Total 1420 I used: my own cleaner Approved Conditioner (name) Gene's Custom Cleanny Seed conditioned 1520 bu. or (Subtract) Cleanout 1000 bu. or (Equals) Amount after cleaning 1420 bu. or (Equals) Amount after cleaning <tr< td=""><td>identification number for this</td><td></td><td></td></tr<> | identification number for this | | |
| Field # reported at the top 9063 R.eg. 1420 of this form.) Total 1420 2. Seed Conditioning (See conditioning instructions on back page.) I used: my own cleaner Approved Conditioner (name) Seed conditioned 1520 bu. or (Subtract) Cleanout 100 (Equals) Amount after cleaning 1420 Based upon the information provided to me, I have properly conditioned the above-mentioned lot of seed. 1420 Marks Based upon the information provided to me, I have properly conditioned the above-mentioned lot of seed. Marks Based upon the information provided to me, I have properly conditioned the above-mentioned lot of seed. Marks Based upon the information provided to me, I have properly conditioned the above-mentioned lot of seed. Marks Based upon the information provided to me, I have properly conditioned the above-mentioned lot of seed. Marks Based upon the information provided to me, I have properly conditioned the above-mentioned lot of seed. Marks Based upon the information, Noxious, Gel, Seed Count, TZ, Moisture, Smut (Barley) Other Tests (specify) All tests for certification If a copy of the report is to be sent to another party please specify: 4. Applicant's Declaration By signing below, I declare that 1) I have adhered to all SDCIA standards and procedures in the production of this seed and agree to offer it for sale according to all state and federal laws; and, 2) that this sample is representative of 1420 <t< td=""><td>consolidated lot will be the</td><td></td><td></td></t<> | consolidated lot will be the | | |
| redult reported at the top | Field # reported at the top 9023 | Ren | 1420 |
| 2. Seed Conditioning (See conditioning instructions on back page.) 1 used: my own cleaner Mapproved Conditioner (name) Gene's Custom Cleaning Seed conditioned 1 used: my own cleaner Mapproved Conditioner (name) Gene's Custom Cleaning Seed conditioned 1 used: my own cleaner Mapproved Conditioner (name) Gene's Custom Cleaning Seed conditioned 1 used: 100 bu. or (Subtract) Cleanout 100 1 00 bu. or (Equals) Amount after cleaning 1420 Based upon the information provided to me, I have properly conditioned the above-mentioned lot of seed. Mapping Based upon the information provided to me, I have properly conditioned the above-mentioned lot of seed. Mapping Based upon the information, provided to me, I have properly conditioned the above-mentioned lot of seed. Mapping Based upon the information, provided to me, I have properly conditioned the above-mentioned lot of seed. Mapping Based upon the information, Noxious, Gel, Seed Count, TZ, Moisture, Smut (Barley) Other Tests (specify) All tests for certification If a copy of the report is to be sent to another party please specify: Image: Seed and agree to offer it for sale according to all state and federal laws; and, 1 1 have adhe | of this form) | Total | 1420 |
| 2. Seed Conditioning (See conditioning instructions on back page.) 1 used: my own cleaner M Approved Conditioner (name) Gene's Custom Cleanity Seed conditioned | Seed Conditioning (See conditioning instructions on ha | ck page) | |
| Signature of person who conditioned this seed Date of seed conditioning 3. Request for Testing Services (Refer to back page for a description of tests.) Tests: Purity, Germination, Noxious, Gel, Seed Count, TZ, Moisture, Smut (Barley) Other Tests (specify) All tests for certification If a copy of the report is to be sent to another party please specify: Applicant's Declaration By signing below, I declare that 1) I have adhered to all SDCIA standards and procedures in the production of this seed and agree to offer it for sale according to all state and federal laws; and, 2) that this sample is representative of 1420 bu/lbs. intended for certification. | Remarks Based upon the information provided to me, I have properly con | ditioned the above-method $8 - 26 - 2$ | entioned lot of seed. |
| 3. Request for Testing Services (Refer to back page for a description of tests.) Tests: Purity, Germination, Noxious, Gel, Seed Count, TZ, Moisture, Smut (Barley) Other Tests (specify) <u>All tests for certification</u> If a copy of the report is to be sent to another party please specify: <u>4. Applicant's Declaration</u> By signing below, I declare that 1) I have adhered to all SDCIA standards and procedures in the production of this seed and agree to offer it for sale according to all state and federal laws; and, 2) that this sample is representative of <u>1420</u> bu/lbs. intended for certification. | Signature of person who conditioned this seed | Date of seed | conditioning |
| Tests: Purity, Germination, Noxious, Gel, Seed Count, TZ, Moisture, Smut (Barley) Other Tests (specify) <u>All tests for certification</u> If a copy of the report is to be sent to another party please specify: <u>4. Applicant's Declaration</u> By signing below, I declare that 1) I have adhered to all SDCIA standards and procedures in the production of this seed and agree to offer it for sale according to all state and federal laws; and, 2) that this sample is representative of <u>1420</u> bu/lbs. intended for certification. | 3. Request for Testing Services (Refer to back page for a | a description of tests.) | |
| Other Tests (specify) <u>All tests</u> for certification If a copy of the report is to be sent to another party please specify: 4. Applicant's Declaration By signing below, I declare that 1) I have adhered to all SDCIA standards and procedures in the production of this seed and agree to offer it for sale according to all state and federal laws; and, 2) that this sample is representative of <u>1420</u> bu/lbs. intended for certification. Signature: | Tests: Purity, Germination, Noxious, Gel, Seed Count, TZ, Moisture, | Smut (Barley) | |
| If a copy of the report is to be sent to another party please specify: Applicant's Declaration By signing below, I declare that I have adhered to all SDCIA standards and procedures in the production of this seed and agree to offer it for sale according to all state and federal laws; and, that this sample is representative of <u>1420</u> bu/lbs. intended for certification. Signature: Date: 8-2.7-1/12 | Other Tests (specify) All tests for certificatio | n | |
| Applicant's Declaration By signing below, I declare that I have adhered to all SDCIA standards and procedures in the production of this seed and agree to offer it for sale according to all state and federal laws; and, that this sample is representative of <u>1420</u> bu/lbs. intended for certification. Signature: Date: 8-2.7-1/12 | If a copy of the report is to be sent to another party please specify: | | |
| I have adhered to all SDCIA standards and procedures in the production of this seed and agree to offer it for sale according to all state and federal laws; and, that this sample is representative of <u>1420</u> bu/lbs. intended for certification. | 4. Applicant's Declaration By signing below, I declare that | | |
| 2) that this sample is representative of <u>1420</u> bu/lbs. intended for certification. Signature: Date: $\Re -2.7 - 1/2$ | I have adhered to all SDCIA standards and procedures i offer it for sale according to all state and federal laws; ar | n the production of thi | s seed and agree to |
| Signature: Date: 8-27-1/) | 2) that this sample is representative of <u>1420</u> by | u/lbs. intended for cert | tification. |
| * A Certificate of Inspection will be issued only when all the information requested on this form has been provided. A "Provisional Certificate of Inspection" will be issued if the amount intended for certification is greater than the amount of seed after cleaning. Complete information and enclose in sample container. Send to: SD Crop Improvement Association University Station, Box 2207A | Signature: * A Certificate of Inspection will be issued only when all the information reque Certificate of Inspection" will be issued if the amount intended for certification Complete information and enclose in sample container. Send to: | Date: 8-27 sted on this form has been is greater than the amount SD Crop Improvem University Station, Brockiese SD 570 | provided. A "Provisional" t of seed after cleaning. ent Association Box 2207A |

Appendix E



Appendix F



CERTIFICATE OF INSPECTION (Form D) *P South Dakota Crop Improvement Association *P 2320 Research Park Way, Subs 136, Brookings, SD 57006-1725

PROVISIONAL CERTIFICATE (See below)

Certification No. D16343

Issued to:

Class, Variety and Crop: REGISTERED STALLION OATS Form A Number(s): F8885 Lab Number(s): 2447, 2384

| Purity | 99.93 | Germination | 97.00 | Amount 4,500 |
|-------------------|-------|-------------------|----------|-----------------|
| Inert | 0.06 | Hard/Dormant Seed | 0.00 | Lot Number 2139 |
| Other Crop Seed | 0.01 | Date Tested | 02/15/11 | |
| Weed Seed | 0.00 | Seed Count | 15,965 | |
| Noxious Weed Seed | None | Origin | SD | |

UNAUTHORIZED PROPAGATION PROHIBITED-- U.S. PROTECTED VARIETY. PVPA 1994- SEED OF THIS VARIETY MAY BE SOLD ONLY AS A CLASS OF CERTIFIED SEED.

This is to certify that the field(s) from which this seed was produced and a sample of the described seed lot has been examined by the South Dakota Crop Improvement Association and found to be equal to or above the minimum requirements for certification. This certificate expires nine (9) months after the date tested indicated above.

1 Jan 12 Stand Com

Date 02/18/2011

Executive Director

*This Certificate of Inspection has been issued on this lot in accordance with the South Dakota Crop Improvement Association certification standards and procedures. The additional amounts from this lot will become certified when conditioned as the original lot and recorded below and signed by the person responsible for seed conditioning.

Conditioning Record

| Date | Seed Conditioned | Cleanout | Amount After Cleaning | Total Cleaned to Date | Conditioned By |
|--------|---------------------|----------|--------------------------|--------------------------|----------------|
| | | | | 0 | |
| | | | | | |
| | | | | | |
| Totals | | | | | |

Seed Lot Sampling

North Central Regional Extension Publication 403, July 1991

A. D. Knapp, agronomist

T. J. Gutormson, agronomist

M.K. Misra, agricultural engineer.

Sponsored by the Extension Services of Iowa, Minnesota, Missouri. North Dakota, Ohio, and Wisconsin in cooperation with ESUSDA.

Careful sampling of a seed lot is an important step in obtaining a sample which accurately reflects the characteristics of the seed lot. Aside from carefully controlled production and conditioning practices, painstaking sampling is actually the first step in assuring accuracy and precision in seed testing.

The purpose of seed testing is to obtain information regarding the planting value of seed in any particular seed lot. For testing to be meaningful, seed samples must be properly collected. Seed tests often generate information which must, by law, appear on the seed label and/or is required for obtaining a phytosanitary certificate. Both the seed producer and the buyer rely on accurate laboratory information. Seed testing laboratories therefore must have modern equipment and well trained analysts. However, seed lot sampling may be beyond the control of the seed analyst conducting tests on the submitted sample. And if the submitted sample is not representative of the seed lot, the laboratory analyses cannot accurately reflect the planting value of that seed.

The Seed Lot

A seed lot can be defined as a quantity of seed with every portion or every bag uniform within permitted tolerances as to percentage of pure seed, inert matter, other crop seed, germination and dormant seed, weed seed, and rate of occurrence of noxious weed seeds. A quantity of seed which is not uniform within permitted representative tolerances should not be classified as a seed lot. Any variation should be reduced by further conditioning, by mixing, or by separating the quantity in question into two or more uniform lots.

The physical and/or physiological uniformity of a given amount of seed can be affected by a number of factors including: seed harvested from different fields or at different times; exposure of seed to different environments during production; damage done by frost (reduced seed quality in low lying areas of the field); dense weed patches in some areas of a field (degraded seed quality); or moisture migration patterns and heating within a seed bin which has damaged certain portions of stored seed. Some plant species which have indeterminate growth habits produce seeds which are naturally variable in seed quality.

Sampling

Sampling of free flowing seed is usually accomplished with various probes and triers (Figure 1a and lb). Short probes (Figure 1a) are not recommended for sampling since they do not access all areas of the bag. Proper sampling of bagged seed is accomplished by probing the horizontal bag diagonally from corner to corner (Figure 2). The trier should be long enough to sample along the entire diagonal distance of the bag. It should be inserted with slots closed and facing down. Upon full insertion into the bag, the slots should be rotated upwards to dislodge any seed which may have been carried along with the trier sections as the trier was inserted, and the slots opened.





Figure 2. Recommended method of probing bags of seed.

Bags are usually sampled according to the intensity recommended in the Association of Official Seed Analysts, "Rules for Testing Seeds." These guidelines recommend that 5

bags, plus 10 percent of the remaining bags should be sampled (Table 1) . A minimum of six bags should be sampled and it is usually not necessary to sample more than 30 bags. Larger seed lots destined for overseas markets may require more intensive sampling according to the International Seed Testing Association Rules.

| 1 | to | б* | 95 | to | 10415 | 195 | to | 20425 |
|----|----|------|-----|----|-------|-----|----|--------|
| 7 | to | 146 | 105 | to | 11416 | 205 | to | 21426 |
| 15 | to | 247 | 115 | to | 12417 | 215 | to | 22427 |
| 25 | to | 348 | 125 | to | 13418 | 225 | to | 23428 |
| 35 | to | 449 | 135 | to | 14419 | 235 | to | 24429 |
| 45 | to | 5410 | 145 | to | 15420 | 245 | to | 25430 |
| 55 | to | 6411 | 155 | to | 16421 | 255 | or | more30 |
| 65 | to | 7412 | 165 | to | 17422 | | | |
| 75 | to | 8413 | 175 | to | 18423 | | | |
| 85 | to | 9414 | 185 | to | 19424 | | | |

Table 1: Recommended sampling intensity for seed in bags.

* For lots of 1 to 6 bags, sample each bag and take a total of at least 5 cores or handfuls.

Most references indicate that when sampling seed in bulk, five to seven probes must be made. These probes (Figure 3) should represent as many locations in the bulk as possible.



Figure 3. Bulk sampling.

Non free flowing seeds should be sampled by hand as follows; the hand is inserted into the bag with the fist open Figure 4). Upon reaching the appropriate location, the hand is closed (Figure 4) and a sample taken. Every effort must be made to obtain samples from various locations in the bag.



Figure 4. Hand sampling.

Automatic Sampling

Automatic samplers are those placed in a conditioning line to take samples from time to time while the seed is flowing. Sampling intervals, as well as the quantity of seed taken with each sample, are usually adjustable. Automatic samplers may be "homemade" but are also available from a number of commercial sources. The commercial samplers are usually motor driven and can be installed in pipes, spouts, hoppers, chutes, and bagging bins. Automatic samplers which draw a sample from across the entire flow of the seed and which close tightly following sampling, most accurately sample the seed lot.

There are two locations where a homemade automatic sampler may be placed during bagging. Figure 5 shows an installation where the sampler is placed in a hopper bottom bagging bin. The sampler consists of two concentric tubes with open slots. When the tubes are rotated, matching up the slots, the seeds flow out. The volume of the flow can be controlled by a change in the area of slot presented to the seed flow.



Figure 5. Automatic sampler installed in bagging bin.

Another automatic sampler installation point is in the bagging machine itself (Figure 6). This sampler design is similar to the one just described. As each bag is filled, a few seeds dribble through the sampler and are collected in a container. This installation's advantage is that the sampler is more accessible for cleaning and adjustments between seed lots.



Figure 6. Automatic sampler installed in bagging machine.

Regardless of the sampling protocol, all individual probes should be evaluated to determine whether or not there is any variation within the seed lot. If there is no apparent variation, the individual probes should be combined. The combined individual probes should be thoroughly mixed and a sample of the combined probes submitted to the Seed Testing Laboratory. Ideally, this sample should be obtained through the use of mechanical dividers to ensure that a truly random sample is collected from the mixture of the seeds that came from the individual probes.

For further information, refer to "Handbook for Seed Inspectors," Association of American Seed Control Officials. and, Gregg, Bill. "A Good Seed Sample: the Real Picture of Seed Quality, Circ. P32. Coop. Ext. Serv., Auburn University—from which some of this discussion was derived.

In cooperation with NCR Educational Materials Project.

Issued in furtherance of Cooperative Extension work, Acts of Congress of May and June 30, 1914, in cooperation with the U.S. Department of Agriculture and Cooperative Extension Services of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. Robert M. Anderson, Vice Provost for Extension, Iowa State University, Ames, Iowa 50011.

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North Central Regional Extension Publication 403, July 1991

| SDSU Seed Testing Laboratory Plant Science Department Box 2207A, Ag Hall 242 South Dakota State University DSU Brookings, SD 57007-1096 | y | | | Seed Testing I Phone: (605) 688-451 Fax: (605) 688-4013 E-mail: sdsu.seedJab | L aboratory 89 1@sdstate.edu |
|--|-------------------|---------------------|--------------------------|---|---|
| - Sample Number 1204 | | | | | |
| Account Number 78 | Grower: | | | Date Of Report | 03/19/07 |
| Customer Id/Lot | | | | Date Received | 03/13/07 |
| | Field-# 1395 | Variety BRIGGS | | Date Completed | 03/19/07 |
| | | | Reg | gistered 🗹 Registered-# | 10585 |
| | | | | Grower Number | 1046 |
| Customer: | | | Customer Remarks: CC: | PC10585 FIELD 1395 | |
| Test(s): Purity*, Germination*, Seed | Count/Pound, SD I | Vaxious And Other (| Crop Seed* | | |
| | A Dulas Deadhad | the combonation of | anta Valatata with a | unampland by balan | |

Test(s)* conducted according to AOSA Rules. Read back for explanation of test(s). Variatal purity guaranteed by labeler. The analysis report shown below is accurate only for the sample received at the laboratory. Wheever makes use of this information for labeling purposes is guaranteeing that the sample is representative of the lot of seed from which it was drawn.

Submitted Crop Was HRS wheat (Triticum aestivum)

| | | | Pe | rcantage | _ | | | | man | | |
|--|----------------------|---------|---------|------------------------------|-----------------------------------|---------------------------|------------|----------------|--------------------|----------|---------|
| Purity Analysis | | Germi- | Hard | Dormant | Total | Days | No. | Germ Temp | PLS | | |
| Pure Seed | Percent | nation | Seed | Peed | VIBOIE | 185060 | 36605 | | | | |
| HRS wheat (Triticum aestivum) | 99,94 | 97 | 0 | 0 | 97 | 1 7 | 400 | 200 | 96.94 | | |
| Other Crop Seed Inert Matter Weed Seed | 0.00 0.06 0.00 | Nox | ious Ex | am Weight Minimu Grams | s (grams) im Grams Submitte | s Required ed For Test | 50 1,13 | 00.0000 | | | |
| Total Pure Seed 99.9 Purity Weight 101.24 | 4%) 470 Grams | | _ | Total S | Sample W | leight | 1, 13 | 33.9000 | - | _ | |
| Noxious Weed Seeds | in 1,133. | 90 Gran | is f | Found | PerLb | Common | Weed S | eeds In 101 | 25 Grams | #-Found | Per Li |
| *** None Found *** | | | | | | *** None | Found *** | | | | |
| Other Crop Seeds | In 1,133. | 90 Gran | 15 1 | 4Found | Per Lb | | | | | | |
| *** Nona Found *** | 41.0 | - | 12 | | 1 march | | | man we | Contraction of the | | |
| Seed Count/Pound | | | | | | | 13,75 | 50 | | | |
| Fees | | | | | | - | - | All search and | Test | | \$35.00 |
| | | | | | | | | | Tax | | \$1.40 |
| | | | | | | | | | To | rtal | \$36,40 |
| | - | | 410 | (fere) | | | 8. k | funt l DIF | ECTOP | el | 10111 |
| | | | | | | | | E. Brent T | urripseed, (| Director | - |

Appendix I

| SD CROP MPROVEMENT ASSOCIATION | South Dakota Bulk Sales Ce South Dakota Seed Certification S 2380 Research Park Way Suite Brookings, SD 57006-1785 | rtificate Service Serial# |
|--------------------------------------|---|----------------------------------|
| BUYI | ER Name:_ | SELLER |
| Address: | Address | s: |
| City/State/Zip: | City/Sta | ate/Zip: |
| Phone/Fax: | Phone/I | Fax: |
| One Bulk Sales Conti | ficate must accompany each | container of certified seed sold |

One Bulk Sales Certificate must accompany each container of certified seed sold.

| Variety/Kind: | (| Class: Foundation | Registered |
|--------------------------|-------------------|-------------------|------------|
| Certification # | Lot # | 1 | Bin# |
| PVP Type: PVP P | VP Title V PVP-94 | Amount Sol | d bu/lb |
| Pure Seed | % | Date Tested | |
| Inert Matter | % | Origin | |
| Other Crop Seed | % | Seeds per Lb. | |
| Weed Seed | % | Seed Treated | Yes N |
| Germination | % | Treatment: | |
| Is this seed for resale? | Yes No | Container clean? | Yes No |

| Note: Maximum of two sales are permitted: | From applicant producer to approved conditioner or consumer From approved conditioner to consumer. From an approved bulk retailer(s) to the consumer. | | | | |
|---|---|--|--|--|--|
| | Interagency Certification | | | | |
| If the seed represented by this certificate was grown outside the state of South Dakota, complete one of the following: | | | | | |
| A) This seed was grown in (state) and Final certification was or will be completed in South Dakota. | | | | | |
| B) Final contification was completed in (etc.) | and coad is being transformed to South Dalasta for cale | | | | |

- D) Final certification was completed in (state) ______ and seed is being transfer Identification number from the Bulk Sales Certificate of originating state, _____
- reconnected in manoer from the Data onles Certificate of originating state,

| Delivered By: | _ Received By: | Date: |
|---------------|----------------|-------|
|---------------|----------------|-------|

The seed represented by this certificate is from a lot of seed produced, conditioned and inspected in accordance with the standards of the South Dakota Crop Improvement Association (SDCIA), which is recognized as the official seed certifying agency by South Dakota Codified Law 38-11. IN CONNECTION WITH THIS SEED, SDCIA MAKES NO WARRENTY OF ANY KIND, EXPRESSED OR IMPLIED, INCLUDING MERCHANTABILITY OR FITNESS FOR PURPOSE, OR OTHERWISE. SDCIA only certifies that samples taken from the seed lot met its standards at the time tests were conducted. The seller, whose name appears above, is solely responsible for the information hereon and for the proper use of this certificate.

Distribution: Origin

Original (white): Seed Certification

Duplicate (yellow): Seller

Triplicate (pink) : Buyer

| South Dakota Bulk SD CROP MPROVEMENT ASSOCIATION South Dakota Seed C 2380 Research Par Brookings, SD | Sales Certificate ertification Service k Way Suite 136 57006-1785 |
|---|---|
| BUYER Name: Joe Graingrower Address: P.O. Box 43 | Name: Tom Seed grower Address: P.O. Box 68 |
| City/State/Zip: Murdo STD 57559 | City/State/Zip: Murdo SD 5759 |
| Phone/Fax: 605~670.5001 | Phone/Fax: 605-688-5909 |
| One Bulk Sales Certificate must accomp | any each container of certified seed sold. |
| Variety/Kind: Expedition HRWI Certification # D16281 Lot # PVP Type: PVP PVP Title V PVI | Class: Foundation Registered Certified # CEX-10 Bin# P-94 Amount Sold Gud b 500 |
| Pure Seed 99.70 % | Date Tested 9/02/10 |
| • Inert Matter ,30 % | Origin 5D |
| Other Crop Seed | Seeds per Lb. 13,400 |
| Weed Seed ,00 % | Seed Treated Yes No |
| Germination 96 % | Treatment: |
| Is this seed for resale? Yes No | Container clean? Ves No |
| Note: Maximum of two sales are permitted: 1) From applic 2) From appro 3) From an applic 3) From an applic 10 If the seed represented by this certificate was grown outside the state A) This seed was grown in (state) and Final certification was completed in (state) B) Final certification was completed in (state) and | ant producer to approved conditioner or consumer ved conditioner to consumer. proved bulk retailer(s) to the consumer. Certification e of South Dakota, complete one of the following: ification was or will be completed in South Dakota. d seed is being transferred to South Dakota for sale. |
| Identification number from the Bulk Sales Certificate of or | iginating state, |
| Delivered By: Delivered By: Received By: The seed represented by this certificate is from a lot of seed p of the South Dakota Crop Improvement Association (SDCIA), which Codified Law 38-11. IN CONNECTION WITH THIS SEED, SDCIA IMPLIED, INCLUDING MERCHANTABILITY OR FITNESS FOR taken from the seed lot met its standards at the time tests were conduc the information hereon and for the proper use of this certificate. | Date: <u>9/08/10</u> produced, conditioned and inspected in accordance with the standards is recognized as the official seed certifying agency by South Dakota MAKES NO WARRENTY OF ANY KIND, EXPRESSED OR PURPOSE, OR OTHERWISE. SDCIA only certifies that samples ted. The seller, whose name appears above, is solely responsible for |
| Distribution: Original (white): Seed Certification | Duplicate (yellow): Seller Triplicate (pink) : Buyer |
| | |

| CEH SI THE ENBLEM O South Dakota Crop c/o Plant Science D Brookings, SD 5700 Phone: (605) 688-4 CONDITIONER/PURCHASER Name Nddress Dity/State/Zip Phone () ered C Certified Year Grow C | F GOOD SEEDS Improvement Association Dept., SDSU, Box 2207-A 07 675, 1606 Fax: (605) 688-6205 Fax: () The shipment Weight (lbs.) | |
|--|--|--|
| THE EMBLEM O South Dakota Crop c/o Plant Science D Brookings, SD 5704 Phone: (605) 688-4 CONDITIONER/PURCHASER Name Nddress Dity/State/Zip Phone () ered □ Certified Year Grow C | F GOOD SEEDS Improvement Association Dept., SDSU, Box 2207-A 07 6755 1606 Fax: (605) 688-6205 1 Fax: () n Shipment Weight (lbs.) | |
| THE EMBLEM O South Dakota Crop c/o Plant Science D Brookings, SD 570 Phone: (605) 688-4 CONDITIONER/PURCHASER Name Vddress Dity/State/Zip Phone () Pred C Certified Year Grow C EC countries for OECD Certified | F GOOD SEEDS Improvement Association Dept., SDSU, Box 2207-A 07 675 1606 Fax: (605) 688-6886 Fax: () Fax: () Shipment Weight (lbs.) | |
| South Dakota Crop c/o Plant Science L Brookings, SD 5700 Phone: (605) 688-4 CONDITIONER/PURCHASER Name Nddress Dity/State/Zip Phone () Preved Certified Year Grow C EC countries for OECD Certified | Improvement Association Dept., SDSU, Box 2207-A 07 6.755 1606 Fax: (605) 688-6206 R Fax: () vn Shipment Weight (lbs.) | |
| C/O Plant Science L Brookings, SD 5704 Phone: (605) 688-4 CONDITIONER/PURCHASEP Name Nddress Conditioner () Phone () | Dept., SDSU, Box 2207-4 07 6755 1606 Fax: (605) 688-6205 7 Fax: () m Shipment Weight (ibs.) | |
| Phone: (605) 688-4 CONDITIONER/PURCHASEF Name Nddress Dity/State/Zip Phone () Prened C Certified Year Grow C | 1606 Fax: (605) 688-6225 R Fax: () /n Shipment Weight (lbs.) | |
| CONDITIONER/PURCHASEF Name Vddress Dity/State/Zip Phone () Pred C Certified Year Grow C | Fax: () | |
| Name Address Dity/State/Zip Phone () rered I Certified Year Grow C EC countries for OECD Certifi | Fax: () | |
| Address Dity/State/Zip Phone () rered I Certified Year Grow C EC countries for OECD Certifi | Fax: () | |
| City/State/Zip Phone () ered 	Certified Year Grow / EC countries for OECD Certifi | Fax: () | |
| Phone () | Fax: () | |
| EC countries for OECD Certified | vn Shipment Weight (ibs.) | |
| EC countries for OECD Certif | - Diana | |
| EC countries for OECD Certifi | | |
| | ication) | |
| Seed Container Information: | | |
| If Bagged: | ik D bagged | |
| (no. of ba | igs) (wt./bag.lbs.) | |
| fer my name as the applicant South Dakota Crop Improvem the certification authority of ti Date | for field inspection and tha ent Association, I authorize he Conditioner/Purchaser's | |
| | | |
| BED SEED WILL BE MAINT CONDITIONER. | TAINED ONLY IF SEED IS | |
| ppears to be | 🗇 Inaccurate | |
| | | |
| Date | And the second second | |
| | Seed Container Infor Type: □ Bu If Bagged: | |

Producer/Seller send completed form to SDCIA. Copies will be distributed by the SDCIA. White - Conditioner Yellow - SDCIA Office

applicant's possession.

Pink - Producer/Seller

| CERTIFICATE OF TRANSFER FOR SEED PENDING CERTIFICATION Date of Seed Transfer 4-38-// Seed Tests Conducted Prior to Transfer Germination Other - Specify: Seed Laboratory where tests conducted: SOSU Seed Labor Storage Bin Identification Bin 5_ or Lot Number Identification Or |
|--|
| PRODUCER/SELLER CONDITIONER/PURCHASER Name Joe Seed grower Address 19001 422 nd City/State/Zip O/sonview, SD 57721 Phone 605) 954-1111 Fax: 605) 954-1111 Fax: Good 954-1112 |
| Variety Kind Class: Registered Certified Year Grown Shipment Weight (lbs.) Select HRS Wheat Class: Registered Certified 2010 54,000 |
| Field Number(s) F2323 |
| Seedstock Identification Numbers (required only for shipment to EC countries for OECD Certification) |
| Stage of Conditioning: Image: Conditional (Scalped) Seed Container Information: Preconditioned (Scalped) Type: Image: Container Information: Other |
| SELLER'S DECLARATION I hereby declare that the seed described above was produced under my name as the applicant for field inspection and that the field(s) met the minimum requirements for certification of the South Dakota Crop Improvement Association. I authorize SDCIA to provide information from its records about this seed to the certification authority of the Conditioner/Purchaser's state. Signed Joe Sedgrover Date 4-28-11 |
| PURCHASER'S TRANSFER LIMITATION ELIGIBILITY FOR CERTIFICATION OF THE ABOVE DESCRIBED SEED WILL BE MAINTAINED ONLY IF SEED IS TRANSFERRED DIRECTLY FROM THE PRODUCER TO THE CONDITIONER. |
| SOUTH DAKOTA CROP IMPROVEMENT DECLARATION According to SDCIA certification records the above information appears to be Accurate |
| Transfer Approved Yes I No By Daviel I. Olom Signature of Authorized SDCIA Employee |
| South Dakota Crop Improvement Association makes no guarantee of the seed documented above, and assumes no responsibility for it. The applicant for field inspection is responsible for maintaining varietal identity and purity of the seed until it leaves the applicant's possession. |
| Producer/Seller send completed form to SDCIA. Copies will be distributed by the SDCIA. White - Conditioner Yellow - SDCIA Office Pink - Producer/Seller |

Yellow - SDCIA Office

SEED TAGS

ANALYSIS TAG

Puety to Generatorian to Lot No. Journ to Interd Seed to See Other Cruz Seed to Toled Seed & West Seed to Comp. Solid 191 No.Xaccos Viewel Seed

ORGIN: BOUTH DANOLA



Form E: Statement of Royalty and/or Production Sales Fees

Instructions:

ales Fees Printed: April 28, 2011 7:07 am



- Review the information below and verify it for accuracy.
 If any amount printed on this Form is incorrect, draw a line through the incorrect amount
- and enter the correct amount in the "Corrected Bushels" column
- 3. Multiply the bushels of seed sold by the applicable royalty or sales fee amount for each line.
- 4. Bulk Transfer Certificates are required for all bulk seed sales, even if the buyer does not
- want one and must accompany this report and your files in case of an audit.
- 5. Sign & date this Form E, write your check for the fees due, send in all Bulk Transfer Certificates for bulk seed sales with your check and this completed Form-E to SDCIA promptly.

| Cert # | Grow Year Class, Crop & Variety | | Seed As Reported | Corrected Bushels | Royalty | Sales Fee | Total | |
|--------|------------------------------------|--|---------------------|----------------------|---------|--------------|-------|--|
| D15415 | Bas | ed on Acres & Estimated Yield your Estimated Eligible is | 7,750.00 | | | | | |
| | 2010 | CERT BRICK HRS WHEAT | Eligible | 2,800.00 | | | | |
| | Field- | # 8807 Own Us | e - Planted | | | | | |
| | Lot-# | 1713 So | ld As Seed | | | 0.30 | | |
| | | Non Seed Uses - Grain, Fed to | Livestock | — — I | | | | |
| | | | Carryover | | | | | |
| | | | | — | | | | |
| | | | | | | | Total | |

By signing this Form E: Statement of Royalty and/or Production Sales Fees, you are verifying the amounts are the actual totals and each portion of the seed lot sold has been properly labeled and Bulk Transfer Certificates or Certificate of Transfer for Seed Pending, accompanied all bulk seed sales or transfers.

Signature

Date

SD Crop Improvement Association, 2380 Research Park Way, Suite 136, Brookings, SD 57006-1785 Phone: (605)688-5909 Fax: (605)688-Top Copy - SDCIA Bottom Copy - Applicant

Page 1 of 1



SOUTH DAKOTA CROP IMPROVEMENT ASSOCIATION

SEED CERTIFICATION SERVICE 2380 Research Park Way, Suite 136 • Brookings, South Dakota 57006 Telephone (605) 688-4604 or 688-4606 • Fax (605) 688-6752 • E-Mail: neal.foster@sdstate.edu Member of Association of Official Seed Certifying Agencies Operating under authorization of the South Dakota Seed Certification Board

| TO: | Certified Seed Growers in 2010 |
|----------|---|
| FROM: | Daniel T. Olson, Assistant Manager, Seed Certification |
| DATE: | April 18, 2011 |
| SUBJECT: | Seed testing & sales of Registered and Certified classes of seed inspected in 2010 |

Dear Seed Grower:

In reviewing our records we have discovered that you have not sent in samples for seed testing from your field(s) that we inspected last summer and fall. For small grains, a sample must be sent in for a minimum germination and electrophoresis (varietal purity) test before we can accept it into the certification program in 2011¹. Most small grain varieties (wheat, oats, and barley) have plant variety protection. In these cases it would be illegal to sell seed from a PVP variety if certification has not been completed. If you had soybeans, all tests for certification are required.

There are many reasons that you may have not followed through on certification, but as per the agreement that you signed when you applied for Certification services, you must follow through on reporting any sales and carryover seed. A seed sales report (Form E) will follow in a separate mailing.

If you have any questions please call me at 605-688-5909.

¹ This applies to seed harvested in 2010 from fields grown with Foundation Class seed that a grower will plant back to raise the Certified class.

Appendix N



South Dakota Crop FEES: SDCIA Membership \$15.00 _____ Improvement TOTAL \$15.00 _____ Association Please return by Dec. 15th 2006 to SDCIA Membership Renewal

| Mailing Address | Current Member Information | 1.004 | Please Correct or Add First/Last Name Company: Address: Address: City/State/Zip: | Any Memberinfo | rmation |
|--|---|-----------------------|---|----------------|--------------------------|
| Shipping Address | | | First/Last Name Company: Address: Address: City/State/Zsp: | | |
| Phone Numbers | Home Phone: Work Phone: Cell Phone: Other Phone: Fax: E-mail: Website: | Use for the Directory | Home Phone: (| Select One | to use for the Directory |
| Business Information | President: Manager: Aseistant Manager: Seed Plant Manage Plant Foreman: Sealer: Approved For: | | President: | | |
| Legal Description of Home or Business | Qtr: Sec: Town: Directions from nearest town: | Range | Qir: Sec: Directions from neares | Tewn: | Range |

As a member of the South Dakota Crop Improvement Association, I will abide by the rules and regulations established by the association.

Signature .

Date _____

SD Crop Improvement Association, University Station, Box 2207A, Brof^{men, A.} #177%7007 Phone: (605)688-4606 Fax: (605)688-6752 Top Copy - SDCIA Bottom Copy - Member



SOUTH DAKOTA SEED CERTIFICATION GROWER AGREEMENT

I agree to submit, at the time of sale or upon request, a complete and accurate report of all seed produced from inspected and approved acreage, and to pay all certification sales fees (royalty or production fees) associated with that variety. (Fees are listed on the "Form B: Statement of Fields Applied for Inspection")

The certification sales fees are based upon the gross sales of all seed sold (including seed bartered or traded) for planting purposes from inspected and approved acreage once final certification has been completed. No charge shall be made upon market grain sold for commercial uses, livestock feed or seed used to plant your own holdings. I also agree to pay royalty fees or variety development fees on those varieties where such assessments are part of the agreement to grow and certify the variety.

When bulk seed is sold to an approved conditioner or directly to the person who will plant it, the grower (applicant) must complete a BULK TRANSFER CERTIFICATE. The Bulk Transfer Certificate should be filled out completely. The original copy must be sent to the Seed Certification Service, the pink copy is given to the purchaser and the yellow copy should be retained by the grower.

Uncleaned seed sold to an eligible approved conditioner for cleaning and completion of certification must be accompanied by a Bulk Transfer Certificate. The party that completes final certification shall be responsible for the certification sales fees.

I have read and understand the specific SOUTH DAKOTA SEED CERTIFICATION STANDARDS for the crops I intend to certify. I agree to maintain the genetic purity and identity of all the seed I produce and offer for sale as a class of certified seed. This agreement applies to all stages of certification including seeding, harvesting, storage, conditioning, labeling and transporting.

I understand and agree to the conditions to certify seed as indicated by my signature on this agreement. This agreement shall remain in effect as long as grower status (Category I, II or III) is maintained.

| Name/Company | |
|----------------|------|
| (Please print) | |
| Signature | Date |

Top Copy: Return to SDCIA

Bottom Copy: Retain for your records

SDCIA, 2380 Research Park Way ,Suite 136, Brookings, SD 57006