

CHAPTER 575

CERTIFICATION SEED LAW

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575.01 Definitions.—As used in this chapter, the term:

(1) "Agricultural seed" includes the seeds of grass, forage, cereal and fiber crops, and any other seed or seed mixture commonly recognized within the state as agricultural or field seed.

(2) "Breeder seed" means seed that are released directly from the person or experiment station that developed the seed. These seed are one class above foundation seed.

(3) "Certified seed" and "registered seed" mean seed that have been produced and labeled in accordance with the procedures and in compliance with the rules adopted under this chapter.

(4) "Department" means the Department of Agriculture and Consumer Services or its authorized representative.

(5) "Foundation seed" means seed that have been produced and labeled in accordance with the procedures and in compliance with the rules and regulations of any agency authorized by the laws of this state or the laws of another state. Foundation seed in Florida will be under the control of the Florida Foundation Seed Producers Association, Inc.

(6) "Grower" means any person engaged in the business of farming or growing seed.

(7) "Vegetable seed" includes the seeds of those crops which are grown in gardens or on truck farms, and are generally known and sold under the name of vegetable seed in this state.

(8) "Vegetative propagating materials" means any plant or plant parts used for the purpose of reproducing genetic characteristics from one generation to another.

History.—s. 2, chs. 19364, 19432, 1939; CGL 1940 Supp. 4151(591), (607); s. 1, ch. 20627, 1941; s. 2, ch. 20251, 1941; s. 2, ch. 21942, 1943; s. 2, ch. 26961, 1951; s. 1, ch. 61-414; ss. 14, 35, ch. 69-106; s. 238, ch. 71-377; s. 20, ch. 92-143; s. 1, ch. 93-29.

Note.—Former s. 578.01.

575.02 Certification of seed, seedlings, vegetative propagating materials, and plants.—Any grower of agricultural or vegetable seed, seedlings, vegetative propagating materials, or plants, located in Florida, may make application to the department for inspection and certification of his crop for seed purposes, pursuant to department rules. The department or its authorized agents shall make all necessary inspections and issue official seals and tags for marking containers of certifiable seed, seedlings, vegetative propagating materials, or plants as are necessary to safeguard the privileges and service provided for in this chapter.

History.—s. 3, ch. 19432, 1939; CGL 1940 Supp. 4151(608); s. 3, ch. 26961, 1951; s. 2, ch. 61-414; ss. 14, 35, ch. 69-106; s. 2, ch. 93-29.

Note.—Former s. 578.05.

575.03 Fees for certification.—The department may fix, assess and collect, or cause to be collected, fees for the certification inspection service, the same to be paid in such manner as it may direct. Such fees shall be large enough to meet the reasonable expenses incurred by the department in making such inspections as may be necessary for carrying out the provisions of this chapter.

History.—s. 4, ch. 19432, 1939; CGL 1940 Supp. 4151(609); s. 4, ch. 26961, 1951; s. 3, ch. 61-414; ss. 14, 35, ch. 69-106.

Note.—Former s. 578.06.

575.04 Unlawful labeling.—It shall be unlawful for any person to sell, distribute, offer for sale, expose for sale, handle for sale, or solicit orders for the purchase of any agricultural or vegetable seed, seedlings, vegetative propagating materials, or plants within this state, labeled as certified seed, seedlings, vegetative propagating materials, or plants, or similar terms, unless it has been produced and labeled in accordance with the procedure and in compliance with the rules of an agency authorized to prescribe seed labeling requirements by the laws of this state, or of any other state provided that those requirements are as stringent as those of this state.

History.—s. 5, ch. 19432, 1939; CGL 1940 Supp. 4151(610); s. 5, ch. 26961, 1951; s. 4, ch. 61-414; s. 3, ch. 93-29.

Note.—Former s. 578.07.

575.05 Rules.—The department may make all necessary rules and standards to carry out the provisions of this chapter. The department shall, on a one-time basis after the effective date of this act, notify those previously receiving personal notice of such rules and standards that they will no longer be receiving such notice.

History.—s. 12, ch. 19364, s. 6, ch. 19432, 1939; CGL 1940 Supp. 4151(601), (611); s. 6, ch. 26961, 1951; s. 5, ch. 61-414; ss. 14, 35, ch. 69-106; s. 6, ch. 78-95; s. 4, ch. 93-29.

575.06 Employees.—The department may employ such assistants, inspectors, specialists and others as may be necessary to carry out the provisions of this chapter, to fix their salaries, and to pay same from such funds as may be available for the purpose.

History.—s. 11, ch. 19364, s. 7, ch. 19432, 1939; CGL 1940 Supp. 4151(600), (612); s. 7, ch. 26961, 1951; ss. 14, 35, ch. 69-106.

Note.—Former s. 578.03.

575.07 Penalties; administrative fine.—

(1) The department may enter an order imposing one or more of the following penalties against any person who violates any provision of, or any rule adopted under, this chapter, or who otherwise prevents or attempts to prevent the department from performing its duties under this chapter:

(a) Issuance of a warning letter.

(b) Imposition of an administrative fine not to exceed \$1,000 per violation per day after the issuance of a warning letter.

(c) Revocation or suspension of the registration as a seed dealer or grower certification, or both.

(2) Any person who violates any provision of this chapter commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

History.—s. 15, ch. 19364, s. 8, ch. 19432, 1939; CGL 1940 Supp. 8135(54), (55); s. 12, ch. 20251, 1941; s. 15, ch. 21942, 1943; s. 8, ch. 26961, 1951; s. 594, ch. 71-136; s. 21, ch. 92-143.

Note.—Former s. 578.18.

575.09 Short title.—This chapter shall be known by the title of the "Florida Certification Seed Law."

History.—s. 10, ch. 26961, 1951.

575.10 Purpose.—The purpose of this chapter is to maintain and make available to the public, through certification, high-quality seed, seedlings, vegetative propagating materials, and plants grown and distributed so as to ensure genetic identity and genetic purity.

History.—s. 6, ch. 61-414; s. 5, ch. 93-29.