

SENATE BILL 91

M4

9lr0019

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

Requested: October 22, 2008

Introduced and read first time: January 14, 2009

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 6, 2009

CHAPTER _____

1 AN ACT concerning

2 **Lawn and Turf Grass Seed – Testing and Labeling Requirements**

3 FOR the purpose of establishing certain labeling requirements for certain lawn and
4 turf grass seed; extending the time period for the validity of certain germination
5 tests for certain lawn and turf grass seed; making a stylistic change; and
6 generally relating to testing and labeling requirements for lawn and turf grass
7 seed.

8 BY adding to

9 Article – Agriculture

10 Section 9–209.1

11 Annotated Code of Maryland

12 (2007 Replacement Volume and 2008 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Agriculture

15 Section 9–210(a)

16 Annotated Code of Maryland

17 (2007 Replacement Volume and 2008 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Agriculture**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **9-209.1.**

2 **COOL SEASON LAWN AND TURF GRASS SEED SHALL BE LABELED WITH A**
3 **SELL BY DATE THAT MAY NOT BE MORE THAN 15 MONTHS FROM THE MONTH**
4 **FOLLOWING THE DATE OF THE TEST.**

5 9-210.

6 (a) No person may sell, offer or expose for sale, or transport any agricultural,
7 vegetable, herb, flower, tree, or shrub seed in the State:

8 (1) Unless the test to determine the percentage of germination
9 required by §§ 9-207, 9-208, and 9-209 of this subtitle is completed within [nine] **9**
10 **months, OR 15 MONTHS FOR COOL SEASON LAWN AND TURF GRASS SEED AS**
11 **DETERMINED BY THE SECRETARY,** exclusive of the month in which the test is
12 completed, immediately prior to sale, exposure or offer for sale, or transportation;

13 (2) Not labeled in accordance with the provisions of this subtitle, or
14 having a false or misleading labeling;

15 (3) Pertaining to which there has been a false or misleading
16 advertisement;

17 (4) Containing prohibited noxious weed seeds;

18 (5) Containing restricted noxious weed seeds in excess of the number
19 prescribed by rules and regulations adopted under this subtitle;

20 (6) Containing more than 2.50 percent by weight of all weed seeds;
21 and

22 (7) Represented to be “approved seed”, “certified seed”, “registered
23 seed”, “foundation seed”, or “breeder seed”, unless it is produced and labeled in
24 accordance with the procedures and in compliance with rules and regulations of an
25 officially recognized seed certification agency.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2009.