

CHAPTER 26

(Senate Bill 91)

AN ACT concerning

Lawn and Turf Grass Seed – Testing and Labeling Requirements

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

BY adding to

Article – Agriculture

Section 9–209.1

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 9–210(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

Article – Agriculture

9–209.1.

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

9–210.

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

(1) Unless the test to determine the percentage of germination required by §§ 9–207, 9–208, and 9–209 of this subtitle is completed within [nine] **9** months, **OR 15 MONTHS FOR COOL SEASON LAWN AND TURF GRASS SEED AS**

DETERMINED BY THE SECRETARY, exclusive of the month in which the test is completed, immediately prior to sale, exposure or offer for sale, or transportation;

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

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

(4) Containing prohibited noxious weed seeds;

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

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

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

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

Approved by the Governor, April 14, 2009.