

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

**FISCAL AND POLICY NOTE**

Senate Bill 91 (Chair, Education, Health, and Environmental Affairs  
Committee)(By Request - Departmental - Agriculture)

Education, Health, and Environmental Affairs

Environmental Matters

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**Lawn and Turf Grass Seed - Testing and Labeling Requirements**

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This departmental bill extends the time period, from 9 to 15 months, within which cool season lawn and turf grass seed may be sold, offered or exposed for sale, or transported in the State after it has been tested to determine the percentage of germination required to be included on seed labels. The bill also requires cool season lawn and turf grass seed to be labeled with a “sell by” date that falls within 15 months from the month following the date of the test.

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**Fiscal Summary**

**State Effect:** The bill does not directly affect State operations or finances.

**Local Effect:** None.

**Small Business Effect:** The Maryland Department of Agriculture (MDA) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Analysis**

**Current Law:** A person may not sell, offer or expose for sale, or transport any agricultural, vegetable, herb, flower, tree, or shrub seed in the State unless the test to determine the percentage of germination included on seed labels is completed within nine months (exclusive of the month in which the test is completed) immediately prior to the sale, exposure or offer for sale, or transportation. “Agricultural seed” includes the seed

of any grass, forage, cereal, or fiber crop and any other kind of seed commonly recognized in the State as agricultural, field, or lawn seed, and mixtures of these seeds.

**Background:** According to MDA, turf grass research has shown that the germination rate of cool season grass seed has more longevity than other crop seeds. MDA advises that the bill makes State law consistent with language in the Recommended Uniform State Seed Law developed by the Association of American Seed Control Officials, and the Federal Seed Act (7 U.S.C. §1551 *et seq.*) and implementing regulations. Furthermore, MDA indicates that the establishment of a “sell by” date will facilitate inspection of seed lots for compliance and give consumers a readily visible quality control measure.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Agriculture, Department of Legislative Services

**Fiscal Note History:** First Reader - January 21, 2009  
ncs/ljm

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Lawn and Turf Grass Seed – Testing and Labeling Requirements

BILL NUMBER: SB 91

PREPARED BY: Department of Agriculture

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.