

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 1989

6 By: Caldwell (Trey)

7 COMMITTEE SUBSTITUTE

8 An Act relating to agriculture; amending 2 O.S. 2011,  
9 Section 8-22, which relates to seed labels; requiring  
10 genetically engineered cotton seed labels contain  
11 certain information; establishing minimum warm  
12 germination percentage for genetically engineered  
13 cotton seed; providing exception; and providing an  
14 effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 2 O.S. 2011, Section 8-22, is  
17 amended to read as follows:

18 Section 8-22. A. Each bag, container, package, or bulk of  
19 agricultural seed transported, sold, offered for sale, or exposed  
20 for sale by any person within the State of Oklahoma for planting  
21 purposes, shall have, bear, or have attached in a conspicuous place,  
22 a plainly written or printed label or tag giving the following  
23 information, which shall not be modified or disclaimed in the  
24 labeling on the bag or container.

B. For treated seed, separate labeling shall show:

- 1 1. A word or statement that the seed has been treated;
- 2 2. The name or "coined name" of the treatment;
- 3 3. If harmful, the label must show the statement "Not to be  
4 Used for Feed or Food", and if poisonous materials are used, the  
5 label must show a caution statement stating words "Poison Treated".
- 6 C. For agricultural seeds separate labeling shall show:
  - 7 1. Commonly accepted name as to kind, or kind and variety, of  
8 each agricultural seed component in excess of five percent (5%) of  
9 the whole. If more than one component is present in excess of five  
10 percent (5%) of the whole, the word "mixture" or "mixed" shall be  
11 shown conspicuously on the tag or label;
  - 12 2. Net weight;
  - 13 3. Lot number or other lot identification;
  - 14 4. Origin, including state or foreign country where grown. If  
15 the origin is unknown, that fact shall be stated;
  - 16 5. Percentage pure seed;
  - 17 6. Percentage by weight of inert matter;
  - 18 7. Percentage by weight of agricultural seed, other than the  
19 one required to be named on the label (designated as "other crop  
20 seed");
  - 21 8. Percentage by weight of all weed seeds;
  - 22 9. The name and rate of occurrence of each kind of restricted  
23 noxious weed seed per pound when present in any amount;
  - 24 10. For each named agricultural seed:

- a. percentage of germination, exclusive of hard seed,
- b. percentage of hard seed, if present, and
- c. the calendar month and year the test was completed to determine percentages;

11. Following (A) and (B), above, the "total germination and hard seed" may be stated if desired; and

12. Name and address of the person or vendor who labeled the seed or who sells, offers, or exposes the seed for sale within the state.

D. For vegetable seeds labeling shall show:

1. Net weight;

2. Name of kind and variety of seed; and

3. For seeds which germinate less than the standard last established by the State Board of Agriculture:

a. percentage of germination, exclusive of hard seed,

b. percentage of hard seed, if present,

c. the calendar month and year the test was completed to determine the percentages,

d. the words "below standard" in not less than eight-point type, and

e. name and address of the person who labels the seed, or who sells, offers, or exposes the seed for sale within this state.

1 E. For coated seed. In addition to the required labeling for  
2 agricultural and vegetable seeds, when the seeds have been coated,  
3 labeling shall show:

- 4 1. A word statement that seeds have been coated; and
- 5 2. Percentage by weight of inert coating material.

6 F. Beginning January 1, 2024, and until January 1, 2027, in  
7 addition to the required labeling requirements under this section,  
8 when cotton seeds have been genetically engineered, labeling shall  
9 show the percentage of warm germination. Beginning January 1, 2024,  
10 and until January 1, 2027, it shall be unlawful for any person  
11 within this state to sell genetically engineered cotton seed that  
12 does not meet a minimum eighty-five percent (85%) standard of warm  
13 germination, unless the purchaser of the seed acknowledges in  
14 writing the warm germination rate of less than eighty-five percent  
15 (85%)

16 SECTION 2. This act shall become effective November 1, 2021.

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