

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1989

By: Caldwell (Trey)

7
8 COMMITTEE SUBSTITUTE

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

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

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

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

- 1 B. For treated seed, separate labeling shall show:
2 1. A word or statement that the seed has been treated;
3
4 2. The name or "coined name" of the treatment;
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6 3. If harmful, the label must show the statement "Not to be
7 Used for Feed or Food", and if poisonous materials are used, the
8 label must show a caution statement stating words "Poison Treated".
9
10 C. For agricultural seeds separate labeling shall show:
11
12 1. Commonly accepted name as to kind, or kind and variety, of
13 each agricultural seed component in excess of five percent (5%) of
14 the whole. If more than one component is present in excess of five
15 percent (5%) of the whole, the word "mixture" or "mixed" shall be
16 shown conspicuously on the tag or label;
17
18 2. Net weight;
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20 3. Lot number or other lot identification;
21
22 4. Origin, including state or foreign country where grown. If
23 the origin is unknown, that fact shall be stated;
24
25 5. Percentage pure seed;
26
27 6. Percentage by weight of inert matter;
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29 7. Percentage by weight of agricultural seed, other than the
30 one required to be named on the label (designated as "other crop
31 seed");
32
33 8. Percentage by weight of all weed seeds;
34
35 9. The name and rate of occurrence of each kind of restricted
36 noxious weed seed per pound when present in any amount;

1 10. For each named agricultural seed:

2 a. percentage of germination, exclusive of hard seed,

3 b. percentage of hard seed, if present, and

4 c. the calendar month and year the test was completed to
5 determine percentages;

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

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

11 D. For vegetable seeds labeling shall show:

12 1. Net weight;

13 2. Name of kind and variety of seed; and

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

16 a. percentage of germination, exclusive of hard seed,

17 b. percentage of hard seed, if present,

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

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

22 e. name and address of the person who labels the seed, or
23 who sells, offers, or exposes the seed for sale within
24 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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18 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT,
19 dated 02/24/2021 - DO PASS, As Amended.
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