

## 2016 AOSA Rules Change Proposal 8

### **Purpose of Proposal:**

It is proposed that the minimum official sample size for vegetable and flower seed (as categorized by the AOSA Rules for Testing Seeds Vol. 3. Uniform Classification of Weed and Crop Seeds) shall consist of at least 800 seeds when seed is in containers greater than 5 pounds. This is to allow AOSA and SCST labs to conduct official germination retests when required according to the AOSA Rules.

### **Present Rule:**

*AOSA Rules for Testing Seeds Volume 1. Principles and Procedures:*

#### **1.4 Size of sample**

**a. The following are minimum weights for samples of seed to be submitted for analysis, test, or examination**

...

(5) Vegetable and flower seed samples (as categorized by the AOSA Rules for Testing Seeds Vol. 3. Uniform Classification of Weed and Crop Seeds) shall consist of at least 400, and preferably at least 800, seeds per sample. If a purity analysis or a noxious-weed seed examination is required, the submitted sample shall provide at least the minimum weights of working samples set forth in section 2.4.

### **Proposed Rule:**

#### 1.4 Size of sample

a. The following are minimum weights for samples of seed to be submitted for analysis, test, or examination

...

(5) Vegetable and flower seed samples (as categorized by the AOSA Rules for Testing Seeds Vol. 3. Uniform Classification of Weed and Crop Seeds) shall consist of at least 400. **For official samples being obtained and submitted for regulatory compliance testing, the minimum sample size shall be a minimum of 800 seeds.** If a purity analysis or a noxious-weed seed examination is required, the submitted sample shall provide at least the minimum weights of working samples set forth in section 2.4.

### **Harmonization and Impact Statement:**

This will not harmonize with the ISTA Rules or CFIA Canadian Method and Procedures (M&P) since these requirements are more robust. *ISTA Rules* 2.5.4.5 Submitted sample c) states for samples requiring only a germination test, the weight of the submitted sample must be no less than the sample weight required for purity analysis stated in Table 2B Part1 (vegetable) and Part 3 (flower) in column 4. The Canadian M&P requires that a working sample(s) of not less than the minimum weight(s) required as set out in Section 2.3.4 Table 1 (e.g. Pure seed, 1st quantity, 2nd quantity, 3rd quantity and/or germination) is to be obtained. See Section 2.3.1

and 2.3.2. It will not harmonize with the Federal Seed Act Regulations – Part 201 since it states a minimum sample size for vegetable seeds germination to be 400 seeds.

**Supporting Evidence:**

Past experience has been that when large seeded vegetable species samples, such as *Phaseolus vulgaris* are submitted to the seed lab for testing, the lab was provided only approximately 400 seeds for germination testing. This crop is marketed to the home gardener in small seed packets as well as to commercial growers in 25kg bags, with seed lots being comprised of hundreds of bags. Large seeded varieties of this crop are often very problematic to test due to frequent mechanical damage to the seeds. Retesting is commonly required to obtain accurate and reliable test results.

This issue is compounded when samples of this crop are submitted to regulatory labs for routine regulatory compliance activities. When regulatory labs are allowed to be supplied an official sample of only 400 seeds, they do not have the option of performing an official germination retest when needed, as currently stated in the AOSA Rules.

To compound this issue even further, it has happened that a “stop sale” violation was issued on a large commercial seed lot of *Phaseolus vulgaris*, based solely on one 400 seed test conducted by the regulatory Seed Lab. The official State Seed Lab did not have the option to retest due to being provided only a 400 seed official sample. The official State Seed Lab was not in control of the decision that was made to issue the “stop sale” order based on the one 400 seed test.

It is understood that seed labs are not required to retest when their test is valid and their germination results are out of tolerance with the labeled germination claim. Due to the disruption of the “stop sale” process to the farmers and the Seed Industry, it is a common practice for many State Seed Labs to conduct a retest when this situation occurs. When only a 400 seed official sample is provided, the State Seed Lab is not permitted this much needed option.

**References:**

ISTA Rules 2.5.4.5 Submitted sample c); CFIA Canadian Methods & Procedures 2.2 OBTAINING THE WORKING SAMPLE; Federal Seed Act Regulations – Part 201 §201.43 Size of sample (f)

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