

## 2022 Rule Proposal #1

### 1. PURPOSE OF PROPOSAL:

The purpose of this proposal is to modify and clarify the minimum sample size wording as stated in AOSA Rules Vol. 1 section 1.4.a.(1-4). For the purposes of compliance testing, the current wording implies or could be construed, that if the submitted sample size is less than the stated sample size stated in section 1.4.a.(1-4), the submitted sample is not an official sample and thus, cannot be used for the purposes of compliance testing. For the purposes of conducting testing to create a product label, if the submitted sample size is less than the stated sample size in section 1.4.a.(1-4), it could be construed that the test results could not be used to create a product label.

Example: If an 800 gram sample of soybeans was submitted for testing, it would be less than the stated sample size of 1,000 grams in section 1.4.a. (4). Thus, this sample would be considered an unofficial sample. Even though the sample was of sufficient size to conduct an official purity and noxious weed exam as stated in section 2.4 Table 2A (i.e. 500 grams), it was less than the required 1,000 grams as stated in section 1.4.a (4). This could be viewed as not being compliant with AOSA Rules since the submitted sample was less than 1,000 grams. Thus, the submitted sample could not be used for the purposes of compliance testing or the purposes of labeling.

The current wording in section 1.4.a.(1-4) does not clearly indicate if the sample weight stated is a "recommendation" or a "requirement". Section 1.3. (d-e) uses the term "required" when referring to the minimum submitted sample weights, whereas section 1.4 does not use the term "required".

### 2. PRESENT RULE:

AOSA Rules Vol. 1 Section 1.4. Size of sample

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

### 3. PROPOSED RULE:

AOSA Vol. 1 Section 1.4. Size of sample

a. The following are **recommended** minimum weights for samples of seed to be submitted for analysis, test, or examination. **The required minimum submitted sample weights must be of sufficient size for the desired testing to be conducted. The required minimum sample weights are stated in AOSA Rules Vol. 1 section 1.4.a.(5-8) and section 2.4.**

#### **4. HARMONIZATION AND IMPACT STATEMENT:**

##### **ISTA Rules –**

Section 2.5.1.5. Obtaining the submitted sample – The composite sample can be submitted to the seed testing laboratory if it is of appropriate size for the tests to be conducted...

Section 2.8 Tables for lot size and sample sizes – Table 2C lists the minimum sample size for samples submitted for testing with the minimum sample sizes being the minimum working weight for the Other Seeds Determination (OSD) exam (i.e. noxious weed exam). There is no requirement for the submitted sample size to be larger than the OSD exam minimum working sample weight.

This proposal would make the AOSA Rules more in harmony with the ISTA Rules by citing the requirement to use the minimum submitted sample weights for the purity exam and the noxious weed exam.

##### **FSA Requirements Part 201 –**

The Federal Seed Act Part 201 section 201.43 uses similar wording for the size of submitted samples, but in practice, these weights are not used as a requirement but as a recommendation. In practice, the minimum sample size for the desired testing is listed in section 201.46 Table 1 Weight of Working Sample.

201.43 Size of sample.

The following are minimum sizes of samples of agricultural seed, vegetable seed and screenings to be submitted for analysis, test, or examination:

- (a) Two ounces (57 grams) of grass seed not otherwise mentioned, white or alsike clover, or seeds not larger than these.
- (b) Five ounces (142 grams) of red or crimson clover, alfalfa, lespedeza, ryegrass, brome grass, millet, flax, rape, or seeds of similar size.
- (c) One pound (454 grams) of sudangrass, proso millet, hemp, or seeds of similar size.
- (d) Two pounds (907 grams) of cereals, sorghum, vetch, or seeds of similar or larger size.
- (e) Two quarts (2.2 liters) of screenings.
- (f) Vegetable seed samples shall consist of at least 400 seeds.
- (g) Coated seed for a purity analysis shall consist of at least 7,500 seed units. Coated seed for noxious-weed seed examination shall consist of at least 30,000 seed units. Coated seed for germination test only shall consist of at least 1,000 seed units.

The proposal would basically keep the AOSA Rules and the FSA Part 201 in harmony.

##### **Canadian M&P –**

Section 2.1.1 Size of Submitted Sample – “For crop kinds listed in Schedule 1 to the *Seed Regulations*, the minimum size of the submitted sample will be that in Section 2.3.4 Table 1 of the M&P. For crop kinds not in Schedule 1, the minimum size of the submitted sample will be that in Section 2.3.5 of the M&P.”

This proposal would not harmonize the AOSA Rules with the M&P.

**5. SUPPORTING EVIDENCE:** N/A

**6. SUBMITTED BY:**

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**7. DATE SUBMITTED:**

October 5, 2021