



United States  
Department of  
Agriculture

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Science and  
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Program

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June 14, 2021

Johnny Zook, AOSA Vice-President  
Pennsylvania Department of Agriculture  
2301 North Cameron St.  
Harrisburg, Pennsylvania 17110

**In Reference to:**

AOSA By-law Proposal #5

Dear Mr. Zook,

For more than 100 years, the USDA's Seed Regulatory and Testing Division (SRTD) has worked closely with the Association of Official Seed Analysts (AOSA) to establish rules and regulations that promote a robust seed market within the United States. This partnership has been so successful that for decades, State regulatory agencies have opted to include references to AOSA rules in their State seed laws. Similarly, the USDA has generally considered AOSA rules when updating the Federal Seed Act regulations. These government agencies were able to make these changes, in part, because of the perceived impartial and independent position of AOSA.

SRTD fully supports efforts to consolidate similar functions between AOSA and the Society of Commercial Seed Technologists (SCST). This consolidation makes sense from both a financial and an efficiency standpoint. While there is high value in receiving industry input, there has always been established regulations within all levels of government, that prohibit agencies from conducting activities that appear to have a conflict of interest. Currently, within AOSA, the ability of the industry to hinder even a unanimous vote of State and Federal Government Agencies can be easily viewed as a conflict. This is especially true when we consider that due to the reference of AOSA rules in State laws, the State may be hampered from changing its own laws by the industry it regulates. I suspect that in time, as this truth becomes evident to State government officials, State support for the rules may change.

We believe that the current AOSA By-law proposal #5 corrects the perhaps unintentional appearance of conflict within the organization. I strongly support this proposal and urge AOSA member laboratories and SCST members to do the same.

UPDATE: April 11, 2022--

USDA has had an opportunity to participate in the revision of bylaw proposal #5. I hope the edits made satisfy the objective of the government organizations within AOSA to avoid the appearance of undue influence in rules that are cited in many State laws. I also hope that the industry will appreciate the changes made to the proposal which maintains the current vote balance between AOSA and SCST.

Kindest regards,

Ernest L. Allen, Director  
USDA-AMS-Seed Regulatory and Testing Division