

## CHAPTER 151

## S.B. No. 559

An Act relating to the labeling of agricultural and vegetable seed; amending the Agriculture Code by adding Subsections (f) and (g) to Section 61.004, and Subsection (e) to Section 61.005 and amending Subsection (b), Section 61.005.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Section 61.004, Agriculture Code, is amended by adding Subsections (f) and (g) to read as follows:

*“(f) If, in accordance with rules of the department, a container of seed is sold on a pure live seed basis, the label on the container must contain the information required by Subsection (a) of this section, except:*

*“(1) the label need not show:*

*“(A) the percentage by weight of each agricultural seed component, as required by Subdivision (1) of Subsection (a) of this section; or*

*“(B) the percentage by weight of inert matter, as required by Subdivision (8) of Subsection (a) of this section; and*

*“(2) the label must show for each named agricultural seed, instead of the information required by Subdivision (3) of Subsection (a) of this section:*

*“(A) the percentage of pure live seed, determined in accordance with rules of the department; and*

*“(B) the calendar month and year in which the test determining the percentage of pure live seed was completed.*

*“(g) The department by rule may provide that a label show an expiration date in lieu of the calendar month and year of a germination or pure live seed test.”*

**SECTION 2.** Section 61.005, Agriculture Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

*“(b) If the container weighs one pound or more, the label shall show:*

*“(1) the name of each kind and variety of vegetable seed component present in excess of five percent of the whole and the percentage by weight of each in order of predominance;*

*“(2) the kind and variety of seed;*

*“(3) the lot number or other lot identification;*

*“(4) ~~the percentage of purity;~~*

*“~~(5)~~ the germination and the date of the test to determine germination;*

*“(5) ~~(6)~~ the name and number of noxious weed seeds per pound; and*

*“(6) ~~(7)~~ the name and address of the person who labeled the seed.”*

*“(e) The department by rule may provide that a label show an expiration date in lieu of:*

*“(1) the calendar month and year of a germination test; or*

*“(2) the year for which the seed was packaged.”*

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 4, 1985, by the following vote: Yeas 31, Nays 0; passed the House on May 9, 1985, by the following vote: Yeas 145, Nays 0, one present not voting.

Approved: May 24, 1985

Effective: Immediately