

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1989 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Trey Caldwell \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1989

By: Caldwell (Trey)

7  
8 PROPOSED 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; and providing an effective date.

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

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

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

4 3. If harmful, the label must show the statement "Not to be  
5 Used for Feed or Food", and if poisonous materials are used, the  
6 label must show a caution statement stating words "Poison Treated".

7 C. For agricultural seeds separate labeling shall show:

8 1. Commonly accepted name as to kind, or kind and variety, of  
9 each agricultural seed component in excess of five percent (5%) of  
10 the whole. If more than one component is present in excess of five  
11 percent (5%) of the whole, the word "mixture" or "mixed" shall be  
12 shown conspicuously on the tag or label;

13 2. Net weight;

14 3. Lot number or other lot identification;

15 4. Origin, including state or foreign country where grown. If  
16 the origin is unknown, that fact shall be stated;

17 5. Percentage pure seed;

18 6. Percentage by weight of inert matter;

19 7. Percentage by weight of agricultural seed, other than the  
20 one required to be named on the label (designated as "other crop  
21 seed");

22 8. Percentage by weight of all weed seeds;

23 9. The name and rate of occurrence of each kind of restricted  
24 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 eight-
- 21                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. In addition to the required labeling requirements under this  
7 section, when cotton seeds have been genetically engineered,  
8 labeling shall show the percentage of warm and cold germination. It  
9 shall be unlawful for any person within this state to sell  
10 genetically engineered cotton seed that does not meet a minimum  
11 eight-five percent (85%) standard of warm germination.

12 SECTION 2. AMENDATORY 2 O.S. 2011, Section 8-23, is  
13 amended to read as follows: Section 8-23. A. It shall be unlawful  
14 for any person to sell, offer for sale, or expose for sale any  
15 agricultural seed or vegetable seed within this state:

16 1. Unless a license has been obtained in accordance with the  
17 provisions of Sections 8-21 through 8-29 of this title;

18 2. Unless the date of test to determine the percentage of  
19 germination is not more than nine (9) months prior to the sale,  
20 except the date of test for hermetically sealed containers may be  
21 thirty-six (36) months prior to sale;

22 3. Not labeled in accordance with the provisions of this  
23 subarticle and rules, or having a false or misleading label;

24 4. When there has been a false or misleading advertisement; or

1           5. Treated with any substance designed to control or repel  
2 plant disease organisms or insects or other pests unless each  
3 container bears a label giving information in the form prescribed by  
4 rules of the State Board of Agriculture, to show the name of the  
5 substance and if the substance may be harmful to humans or animals,  
6 a warning or caution statement adequate to protect the public.

7           B. It shall be unlawful for any person within this state:

8           1. To sell agricultural or vegetable seed that does not meet  
9 the minimum standards of germination and purity, and the maximum for  
10 inert matter and weed seed, prescribed in rules promulgated ~~under~~  
11 ~~the provisions of this subarticle;~~

12           2. To sell agricultural or vegetable seed containing prohibited  
13 noxious weed seeds or restricted noxious weed seeds, subject to  
14 recognized tolerances, in excess of the amount allowed as prescribed  
15 in rules promulgated under the provisions of this subarticle;

16           3. To detach, alter, deface, or destroy any label required or  
17 provided for in this subarticle or the rules;

18           4. To alter or substitute seed in a manner that may defeat the  
19 purposes of this subarticle;

20           5. To disseminate any false or misleading advertisement  
21 concerning agricultural seed or vegetable seed in any manner or by  
22 any means;

23           6. To fail to comply with a "stop-sale" order made by the Board  
24 on agricultural seed or vegetable seed sold, offered for sale, or

1 exposed for sale; or to move, handle, or dispose of any lot of seed  
2 held under a "stop-sale" order except with the permission of the  
3 Board and for the purposes specified;

4 7. To fail to keep complete records of each lot of seed or make  
5 available for inspection the records of origin, testing, variety,  
6 distribution, seed samples, invoices, and other pertinent records or  
7 information, to the Board; or

8 8. To sell, offer, or expose for sale any seed labeled  
9 "certified seed", "registered seed", or "foundation seed", unless it  
10 has been produced and labeled in compliance with the rules of an  
11 officially recognized seed-certifying agency or association.

12 SECTION 3. This act shall become effective November 1, 2021.

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14 58-1-7492 AMM 02/10/21

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