

901:5-27-02

Testing of seed.

The methods of sampling, inspecting, analyzing, testing and examining agricultural, flower, and vegetable seed offered for sale or sold in Ohio under the provisions of sections 907.01 to 907.13 of the Revised Code, and the tolerances permitted for evaluating those samples, inspections, analyses, tests, and examinations shall be those adopted in the "Rules for Testing Seed" published by the association of official seed analysts, October ~~2011~~2019.

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901:5-27-03

Labeling seed as to kind and variety.

Seed kinds labeled with a brand name and not a variety name shall be labeled with the phrase "variety not stated." Varieties of the following kinds of seeds are generally labeled as to variety and shall be labeled as to kind and variety or, in lieu of the variety name, the phrase "variety not stated," or "VNS":

- (A) Alfalfa;
- (B) Barley;
- (C) Smooth bromegrass;
- (D) Buckwheat;
- (E) Red clover;
- (F) Field corn;
- (G) ~~Pop corn~~Popcorn;
- (H) Sweet corn;
- (I) Kentucky bluegrass;
- (J) Crownvetch;
- (K) Tall fescue;
- (L) Red fescue;
- (M) Chewings fescue;
- (N) Foxtail millet;
- (O) Orchard grass;
- (P) Oats;
- (Q) Rye;
- (R) Ryegrass;
- (S) Sorghum;
- (T) Sorghum-Sudan hybrids;

(U) Soybeans;

(V) Spelt;

(W) Sudangrass;

(X) Sunflower;

(Y) Timothy;

(Z) Tobacco;

(AA) Birdsfoot trefoil;

(BB) Triticale;

(CC) Wheat; and

(DD) Tillage radish.

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901:5-27-05

Disposal of screenings.

No person shall dispose of or burn screenings in a manner that may result in poisoning, discomfort, or nuisance to humans or livestock, or in the dissemination of weed seed.

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901:5-27-06

Prohibited and restricted noxious weed ~~seeds~~seed list.

(A) The following species are hereby designated "prohibited noxious-weed seed":

- (1) Field bindweed, *Convolvulus arvensis* (L.);
- (2) Quackgrass, *Elytrigia repens* (L.) Nevski = *Agropyron repens* (L.) Beauv.;
- (3) Canada thistle, *Cirsium arvense* (L.) Scop.;
- (4) Johnsongrass, *Sorghum halpense* (L.) Pers.;
- (5) Heart-podded hoary cress, *Lepidium draba* sub. *draba* (L.) Desv.;
- (6) Hairy whitetop or ballcress, *Lepidium appelianum* (C. Meyer) Jarmol;
- (7) Perennial sowthistle, *Sonchus arvensis* (L.);
- (8) Russian knapweed, *Acroptilon repens* (L.) DC. = *Centaurea picris* Pallas ex Willd.;
- (9) Leafy spurge, *Euphorbia esula* (L.);
- (10) Hedge bindweed, *Calystegia sepium* (L.) R. Br. = *Convolvulus sepium* (L.);
- (11) Serrated tussock, *Nassella trichotoma* (Nees) Hackel ex Arechav.;
- (12) Columbus grass, *Sorghum x almum parodi*;
- (13) Purple loosestrife, *Lythrum salicaria* (L.);
- (14) Musk thistle, *Carduus nutans* (L.);
- (15) Giant Hogweed, *Heracleum mantegazzianum* (Somer & Levier).
- (16) Kochia, *Bassia scoparia*;
- (17) ~~Forage Kochia~~ Waterhemp, *Bassia prostrata* *Amaranthus tuberculatus*;
- (18) Palmer Amarantha, *Amaranthus palmeri*;
- (19) Shattercane, *Sorghum bicolor*; and
- (20) Apple of Peru, *Nicandra physalodes*.

(B) The following species are hereby designated "restricted noxious weed ~~seeds~~seed":

- (1) Dodder, *Cuscuta* (L.) spp.;

- (2) Horsenettle, *Solanum carolinense* (L.);
- (3) Corncockle, *Agrostemma githago* (L.);
- (4) Wild garlic, *Allium vineale* (L.);
- (5) Wild onion, *Allium canadense* (L.);
- (6) Curly dock, *Rumex crispus* (L.);
- ~~(7) French weed, *Thlaspi arvense* (L.);~~
- ~~(8)~~(7) Buckhorn, *Plantago lanceolata* (L.);
- ~~(9)~~(8) Oxeye daisy, *Leucanthemum vulgare* Lam;
- ~~(10)~~(9) Wild mustard, *Brassica arvensis* (L.) *rabenh.* & *Brassica kaber* (D.C.) L.C. wheeler; and
- ~~(11)~~(10) Poison-hemlock, *Conium maculatum* (L.).

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901:5-27-07

Seed labeler permit application.

~~An applicant application shall be issued a seed labeler permit if the applicant has satisfied the requirements set out in Chapter 907. of the Revised Code and the rules adopted thereunder, and deemed complete if the form prescribed by the director contains all of the following items have been received by the director:~~

~~(A) A complete application on a form prescribed by the director. For the purposes of this rule, an application shall be deemed complete if it contains all of the following:~~

~~(1)(A)~~ (A) The name and address of the applicant;

~~(2)(B)~~ (B) The telephone ~~and facsimile~~ number of the applicant;

~~(3)(C)~~ (C) The email address and website address of the applicant;

~~(4)(D)~~ (D) The county in which the applicant is located;

~~(5)(E)~~ (E) The kind of seed that the labeler sells;

~~(6)(F)~~ (F) Each Ohio location where seed to be labeled by the applicant may be sampled;

~~(7)(G)~~ (G) The original signature of the applicant. If the applicant is a business entity, then the application shall contain the original signature of the responsible person submitting the application on behalf of the applicant;

~~(8)(H)~~ (H) If the applicant is a business entity, the information required under paragraphs (A)(1) to (A)(4) of this rule for the responsible person submitting the application on behalf of the applicant.

~~(B) The permit fee as set out in section 907.13 of the Revised Code.~~

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901:5-27-09

Native grass seeds and native grass seeds high in inert matter.

~~As used in Chapter 907. of the Revised Code and the rules adopted thereunder:~~

(A) The following species of grass are defined as native grass:

- (1) Bluestem, Big (*Andropogon gerardii*);
- (2) Bluestem, Little (*Schizachyrium scoparium*);
- (3) Dropseed, Sand (*Sporobolus cryptandrus*);
- (4) Grama, Sideoats (*Bouteloua curtipendula*);
- (5) Indiangrass (*Sorghastrum nutans*);
- (6) Needlegrass (*Achnatherum thurberianum* and *Nasella viridula*); and
- (7) Switchgrass (*Panicum virgatum*).

(B) The following native grasses characteristically exhibit high inert matter:

- (1) Bluestem, Big (*Andropogon gerardii*);
- (2) Bluestem, Little (*Schizachyruim scoparium*);
- (3) Dropseed, Sand (*Sporobolus cryptandrus*);
- (4) Grama, Sideoats (*Bouteloua curtipendula*);
- (5) Indiangrass (*Sorghastrum nutans*);
- (6) Needlegrass (*Achnatherum thurberianum* and *Nasella viridula*); and
- (7) Switchgrass (*Panicum Virgatum*).

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