

# Oklahoma Seed Certification

## Standards and Rules

2018



**Oklahoma Crop  
Improvement Association  
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In Cooperation With  
Oklahoma State University – Stillwater

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**SECTION III**

SPECIFIC CROP STANDARDS

## **CERTIFIED SEED GROWERS` GUIDE**

### **STEPS IN CERTIFIED SEED PRODUCTION**

#### **THE GROWER'S RESPONSIBILITIES:**

1. Obtain eligible planting stock (Foundation or Registered seed of varieties approved by OCIA).
2. Plant eligible seed on eligible land with adequate isolation from other varieties of the same kind.
3. Make application for field inspection prior to established deadline dates. Fill in all required information and send payment for inspection fees.
4. Submit seed source verification with application—certification label, sales invoice or sales record certificate. Where more than one seed lot is used for production of a variety, a tag from each seed lot must be submitted.
5. Prepare seed fields for inspection, clearly mark field boundaries, rogue out weeds, other crop plants, etc.
6. Send appropriate representative sample to OCIA laboratory when seed is conditioned for sale.
7. Label seed lots that meet certification requirements with:
  - Official certification labels
  - Analysis tags
  - Variety protection statement if required
8. Send to OCIA office all PVP Forms.

#### **THE OKLAHOMA CROP IMPROVEMENT ASSOCIATION'S RESPONSIBILITIES:**

1. Supply each grower with instructions and material for making application for field inspection.
2. Check each completed application carefully with special attention to land eligibility and origin and eligibility of planting stock.
3. Make field inspection of all crops at proper time and notify the grower of inspection results.
4. Provide for laboratory testing for purity analysis and germination on all samples submitted by growers.
5. Issue certificates and certification labels for seed lots that qualify for certification.
6. Publish or provide for publishing of directories of Registered and Certified seed production.

## **INTRODUCTION**

The Oklahoma Crop Improvement Association (OCIA) is the official seed certifying agency for Oklahoma, designated by Oklahoma State University under the Oklahoma State Seed Certification Law passed by the Sixteenth Legislature. Seed certification is conducted with the supervision and cooperation of the Agricultural Experiment Station and Cooperative Extension Service of Oklahoma State University. OCIA was officially incorporated under the Laws of Oklahoma in 1930. It functions as a non-profit, non-stock cooperative association.

The Association is governed by a nine-member Board of Directors elected from its membership and two ex-officio members. Board members are elected for three-year terms at the Association's annual meeting. Two directors are elected from the South Central region, one from each of the Central, Northwest, Southwest, and the East regions, and three at large.

The head of the Department of Plant and Soil Sciences at Oklahoma State University and the Director of the Plant Industry Division, Oklahoma State Department of Agriculture serve as non-voting, ex-officio members.

The Association works under a memorandum of understanding and agreement with the Oklahoma Agricultural Experiment Station and the Cooperative Extension Service of Oklahoma State University.

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This handbook contains standards for only those crops currently certified by the Oklahoma Crop Improvement Association. Should members of OCIA desire to certify a crop for which OCIA standards are not established, the Association will use the standards contained in the Certification Handbook of the Association of Official Seed Certifying Agencies (AOSCA). Additional certification standards will be added to future editions of this handbook as they become necessary and are approved by the OCIA Board of Directors.

## **GENERAL INFORMATION AND REQUIREMENTS**

### **I SEED CERTIFICATION**

The use of the word "seed" throughout this publication shall be interpreted to include plant parts for vegetatively propagated crops. Seed certification is a program which involves the verification of varietal identity and purity based upon the description provided by the plant breeder. It further involves the use of seed production and conditioning standards in combination with a system of record keeping, field inspections and seed analysis. Seed certification documents the product developed by the plant breeder's research. Certified seed, therefore, is generally recognized as seed of known genetic identity and quality verified by and traceable through the periodic inspection and records of an impartial and officially recognized agency.

The Oklahoma Crop Improvement Association is a member of the Association of Official Seed Certifying Agencies (AOSCA). All standards in this publication meet or exceed those of the Federal Seed Act Regulations.

The General Certification Standards contained in this publication are based and apply to all crop commodity standards. These standards may be amplified to apply to a specific crop.

## **II PURPOSE OF SEED CERTIFICATION**

The purpose of seed certification is to maintain and make available to the public, high quality seed and propagating materials of adapted superior crop plant varieties grown and distributed to insure varietal identity and purity.

Seed Certification is based on the premise that proper identification of varieties is essential to everyone who handles seed—the geneticist, the breeder, the commercial conditioner-distributor, and the farmer.

## **III IMPORTANCE OF SEED CERTIFICATION**

In the early days of crop improvement, most varieties had easily identifiable phenotypic (visible) characteristics. At present, most varieties are a synthesis of many complex genotypic characteristics which are not necessarily visible. Thus, seed certification through field and laboratory inspections and continuous pedigree records provide a most practical and reliable method of verifying genetic identity and purity.

## **IV CERTIFYING ORGANIZATION**

The Oklahoma State Seed Certification Law, passed by the Sixteenth Legislature, provides that Certification of State Certified seeds or plant parts intended for propagation or sale shall be done through the Oklahoma State University, or its designated agents. The Oklahoma State University, the legally responsible agency, designated the Oklahoma Crop Improvement Association, which hereinafter may be referred to as the Association, to undertake and conduct the certification of seeds, plants and plant parts as provided in the acknowledgement of appointment and subject to all provisions of the Oklahoma State Seed Certification Law. Seed certification is conducted with the supervision and cooperation of the Agricultural Experiment Station and the Cooperative Extension Service of the Oklahoma State University.

## **V MEMBERSHIP**

Any bona fide farmer or seed firm interested in seed improvement is eligible for membership in the Association and is eligible to produce certified seed, provided he agrees to comply with the OCIA's rules and regulations governing the production and marketing of certified classes of seed and the payment of certain fees. An active member must have produced pedigreed seed within the two previous years.

## **VI SYSTEM FOR BRINGING VARIETIES INTO CERTIFICATION**

The Association may admit varieties into seed certification after favorable action by one or more of the following:

- A.** The Oklahoma Agricultural Experiment Station
- B.** National Certified Variety Review Board
- C.** Member Agency
- D.** Plant Variety Protection Office (subject to paragraph VII, items E, F, G, H, and I.)

## **VII ELIGIBILITY REQUIREMENTS FOR CERTIFICATION OF VARIETIES**

The Association shall require the originator, developer or owner of the variety, or agent thereof, to make the following available when eligibility is requested:

- A.** The name of the variety
- B.** A statement concerning the variety's origin and the breeding procedure used in its development.
- C.** A detailed description of the morphological, physiological and other characteristics of the plants and seed that distinguish it from other varieties.
- D.** Evidence supporting the identity of the variety, such as comparative yield data, insect and disease resistance, or other factors supporting the identity of the variety.
- E.** A statement delineating the geographic area or areas of adaptation of the variety.
- F.** A statement on the plans and procedures for the maintenance of seed classes, including the number of generations through which the variety may be multiplied.
- G.** A description of the manner in which the variety is constituted when a particular cycle of reproduction or multiplication is specified.
- H.** Any additional restrictions on the variety, specified by the breeder, with respect to geographic area of seed production, age of stands or other factors affecting genetic purity.
- I.** A sample of seed representative of the variety as marketed. The sample will be retained to provide appropriate control samples against which future releases of stock may be tested to establish varietal characteristics.

## **VIII LAND REQUIREMENTS**

Certified seed must be produced on land meeting the requirements as specified in the certification standards for each crop kind.

## **IX CLASSES AND SOURCES OF CERTIFIED SEED**

The Oklahoma Crop Improvement Association will recognize four classes of seed (propagating material) in its certification program.: Breeder, Foundation, Registered and Certified. Classification will be based on the crop and seed meeting requirements of the standards of the Association for the particular commodity concerned. Unfavorable seasonal conditions may be responsible for

materially lowering the quality of seed over a wide area. Such unfavorable conditions may make it necessary to lower the standards of quality for a particular season. This may be done by action of the Board of Directors. The quality standards shall be based on average seasonal conditions. Classes of seed recognized by the Association are defined in paragraph XLI under Definitions.

#### **X APPLICATION FOR FIELD INSPECTION**

The grower desiring to have his crop certified must apply to the Oklahoma Crop Improvement Association, 2902 West 6<sup>th</sup> Ave., Stillwater, Oklahoma 74074-1555, on the application form supplied by the Association. The application must be accompanied by one of the following to establish eligibility of the source of seed used for planting: (1) a Foundation or Registered seed tag or a sales invoice showing the crop kind, variety name, certification class, lot number, and amount of seed purchased; or (2) an Association Plant Variety Protection Acknowledgement Form with Foundation or Registered seed tag.

By requesting an inspection, the applicant affirms that he has or will have done the following:

- A.** Planted an eligible class of seed, as verified from the documents (above) attached to the application, on eligible ground.
- B.** Thoroughly cleaned all equipment involved with planting, harvesting, storing, and other handling to maintain the genetic purity of the seed.
- C.** Maintained the identity of the seed from harvest to the time it leaves the applicant's possession through the use of appropriate lot numbers.
- D.** Marketed the seed in conformance with the rules and regulations of the Association.

#### **XI DATES AND PROCEDURES FOR FILING APPLICATIONS FOR CERTIFICATION**

The deadline dates for filing applications are as follows:

**December 31** (due date) **March 1st** (deadline) - Small Grains

(No applications accepted after **March 15<sup>th</sup>**)

**March 1** – Turfgrasses

**April 15** – Weeping Lovegrass, Cool Season Grasses.

**June 15** (due date) **August 1** (deadline) – Peanuts,

**August 1** – Cotton, Cowpeas, Mungbeans, Okra, Soybeans, Warm Season  
grasses

**September 1** – Vegetatively Propagated Grasses

**Alfalfa** – (two weeks prior to desired inspection date – full bloom).

***In all cases, any field harvested before inspection is done will have no recourse for completing certification.***



A separate application must be submitted for (1) each crop variety, (2) each separate certified class of seed and (3) each farm located in different sections.

NOTE—The Association assumes no obligation to inspect fields when applications are not received in accordance with dates specified above.

Growers who plant Foundation or Registered seed of perennial crops for the purpose of certification must notify the Association during the year of planting that the field will be for certification.

## **XII CERTIFICATION FEES**

Certification fees must be paid by each grower. Delinquency of fees shall constitute ample evidence to deny the grower further participation as an active member until such delinquencies are paid in full.

### **A. Field Inspection Fees**

Every member shall enclose with his application for field inspection the appropriate field inspection fee in accordance with the current fee schedule designated by the Association.

### **B. Contract Production**

There shall be a \$5 contract fee for each crop variety inspected on each farm. The term contract shall be defined as seed production on land under the operation of a person other than the person or firm making application for certification.

## **XIII LATE APPLICATION AND REINSPECTION FEES**

A fee in addition to the regular field inspection fee will be charged for applications received after the deadline date for specific crops. The regular acreage fee will be charged a second time for that acreage on which reinspection is requested.

## **XIV APPLICATION CANCELLATIONS AND REFUNDS**

All of the field inspection fee will be refunded **if** the Association office receives notice of cancellation **before** the application is issued to the field inspector and sets foot in the field to be inspected. Otherwise, no refund will be made.

## **XV UNIT OF CERTIFICATION**

The unit of certification shall be a clearly defined field or fields which may be subdivided subject to special regulations for specific crops. Fields producing seed for certification must be separated from other fields by a definite boundary. Field separation boundaries and isolation boundaries must be established and clearly marked before the inspector arrives for field inspection.

## **XVI GROWER'S RESPONSIBILITY**

It is the responsibility of the grower and other handlers of certified seed to maintain genetic purity and identity at all stages of seed production, conditioning and handling. It is the responsibility of every member of the Association to abide

by its rules, regulations, and standards. Failure to do so may be cause for censure or other action that may be determined appropriate by the Association's Board of Directors.

#### **XVII            ROGUING AND WEED CONTROL**

Roguing (removing) undesirable plants from fields intended for seed certification prior to field inspection is very important. Plants that should be rogued out include off-type plants, prohibited and other noxious weeds whose seed cannot be removed by conditioning such as wild oats in oats and barley and other crop plants such as rye in wheat.

#### **XVIII           FIELD INSPECTION**

One or more field inspections shall be made each time a seed crop of any certified class is to be harvested and when genetic purity and identity or any other factor affecting seed certification can best be determined. **Any field harvested before inspection is done will have no recourse for completing certification.**

Field separation boundaries and isolation boundaries must be established before the inspector arrives and the field boundaries must be clearly marked. Inspectors shall examine each field thoroughly enough to accurately determine whether or not the crop inspected meets all field requirements at the time of field inspection.

The field shall be in such condition to permit an adequate inspection to determine genetic identity and purity. Every seed field for certification must show evidence of good management and good cultural practices. Poor stands lack of uniformity and excessive weeds inhibit accurate field inspections and can be cause for rejection.

#### **XIX            FIELD INSPECTOR'S REPORT**

The field inspector reports to the Association on the condition of the crop, variety, purity, weeds, and other quality factors. The Association supplies the grower whose field passes inspection with a "Form C" in triplicate. This report is completed by both the Approved Conditioner and the grower. The Form C must be delivered by the grower to the Approved Conditioner with the seed to provide verification of kind, variety, class of certified seed; acreage approved, and total production. The grower must return the original, *signed* copy to the Association showing total production of seed harvested from the inspected acreage and the cleaning information.

#### **XX            MAINTAINING IDENTITY OF SEED**

Field-inspected seed must be positively identified at all times. Bins containing bulk lots of certifiable seed (cleaned or uncleaned) must be identified either by a bin number or by lot number and variety of the seed in the bin. If bin numbers are used, accurate records must be kept to correlate bin number with variety and lot number. Bags must be identified by a stenciled lot number or identification tag securely fastened to the bag.

The grower agrees that his entire stock of Association certified classes of seed held in storage shall be subject to inspection by the Association or its authorized agent at any time.

## **XXI SEED SAMPLING AND TESTING**

No matter how accurate the seed analysis, it reveals only the quality of the sample submitted. It is important, therefore, that certain procedures be followed in collecting seed samples for testing purposes which most nearly represent the bulk of the seed in a given lot.

### **A. General procedures:**

1. Take equal portions from evenly distributed parts of the quantity of seed to be sampled.
2. For free-flowing seeds, use a probe or trier long enough to sample all portions whether seed is in bags or bulk.
3. For non-free-flowing seed, such as chaffy seeded grasses, thrust the hand into the bulk and withdraw representative portions.

### **B. Obtaining a representative sample for laboratory analysis:**

1. When more than one core or handful is drawn, follow different paths.
2. For lots of one to six bags, obtain a sample from each bag.
3. For lots of more than six bags, sample five bags plus at least 10% of the number of bags in the lot. Regardless of the lot size, it is not necessary to sample more than 30 bags.

For example, seed lots consisting of 7, 100 and 400 bags, each would require 6, 15, and 30 bags to be sampled, respectively.

For bulk seed, a composite sample may be obtained by taking many cores or handfuls as if the same quantity of seed were in bags of an ordinary size. Take samples from well distributed points throughout the bulk.

4. For samples taken during cleaning/conditioning sub samples should be taken periodically from the clean seed stream and combined to form a composite sample.

## **XXII SUBMITTING SEED SAMPLES**

When certified seed is not conditioned by an Approved Conditioner, the grower must submit a representative sample of each lot of seed as it is to be sold to the **designated Seed Testing Laboratory** for purity analysis and germination testing. The Association laboratory does not conduct a purity analysis on treated seed. Therefore, if seed is to be treated prior to marketing, both treated and untreated samples must be submitted. The treated sample must be labeled "TREATED" and must show the kind of chemical treatment used.

## **XXIII SEED SAMPLE LABELING REQUIREMENTS**

The following information must accompany all seed samples submitted to the designated laboratory for testing:

- ### **A. Name and mailing address of the grower.**

- B. Kind, variety, class of certified seed and lot number if one has been assigned.
- C, Year of production.
- D. Service desired such as purity only, germination only, or germination and purity.
- E. Type of test (preliminary, final or retest).
- F. Condition of Sample (Cleaned or uncleaned)—if cleaned, by whom.

**The grower must order sample bags, at no cost, from the Association for submitting seed samples for testing.**

**XXIV            SIZE OF SEED SAMPLES**

Crop kind and amount of seed to submit for testing is as follows:

Weeping lovegrass, bluestem, bermudagrass, other grass seed.....	1/2 pound
Alfalfa, millet, peanut (treated).....	1 pound
Peanut (untreated).....	1 1/2 pound
Cotton, cowpea, guar, mungbean, okra, small grains, sorghum, soybean.	2 pound

**XXV            DOWNGRADING SEED**

Foundation or Registered seed may be downgraded to lower classes at the discretion of the grower.

**XXVI            SUBSTANDARD SEED**

Certain seed quality factors other than genetic may be affected by environmental or other conditions which make it impossible or unfeasible for the seed to meet the minimum certification standards for those factors. Seed in this category may be certified upon request of the grower. The cause for the substandard classification will be stated on the certification label.

**XXVII            CARRY-OVER SEED**

Carry-over seed from inspected and approved fields for which production reports have been received earlier is eligible for certification. A germination test must be conducted by the **designated Seed Testing Laboratory** on all carry-over seed which is to be sold in Oklahoma when nine months have expired from date of last test. For seed to be shipped interstate the date of the last test must show that five months or less time had expired prior to shipping.

**XXVIII            BLENDING OF SEED LOTS**

It is permissible to blend seed lots of the same variety or hybrid. When blending two or more lots, the blended lot assumes the certified class of lowest class utilized in the blend. The production year will be the year of the oldest component utilized in the blend. Seed lots rejected for certification because of prohibited weed seeds cannot be used in the blended seed lot.

A "Blend of Certified Seed" refers to a planned mixture of certified seed of different varieties on one or more crop kinds. The label, Plant Variety Protection

Acknowledgement Form, and other documentation must specify that it is a blend of certified seed.

- A.** Each blend must be approved by OCIA prior to blending.
- B.** Blending may only be done by an OCIA Approved Conditioner. The conditioner must demonstrate the ability to blend within specified tolerances.
- C.** Only Registered or Certified seed of each component variety may be used in the blend. Both will be designated "Blend of Certified Seed".
- D.** Formulas for each blend must be recorded with OCIA and shall not vary between lots and between years.
- E.** Several components are acceptable, however, each component must be greater than 15% of the whole by weight. The tolerance for each component must be no greater than plus or minus 5% of the whole.
- F.** Permission to use a protected or private variety in the blend must be obtained from the owner and submitted to OCIA.
- G.** A blending report must be provided to OCIA prior to blending.
  - 1.** For each component of the blend
    - a.** Lot Number
    - b.** Crop Kind
    - c.** Variety Name
    - e.** Grower
    - f.** Pounds of seed of this lot in blend
    - g.** Certification Number
  - 2.** For the blend
    - a.** Name assigned to this blend
    - b.** Total pounds of seed in blended lot
    - c.** Lot Number of blended lot
    - d.** Conditioner Name and address
- H.** The certification tag on each bag of the blend will state: "Blend of Certified Seed". The following information will also be on each tag: Blend name or number, crop kind(s), lot number, approved conditioner name or number. If no blend name or number is selected, the names of the component varieties will be used. This information must be written on the "Plant Variety Protection Acknowledgement" form (or receipt) for small grains sold in bulk.
- I.** An analysis tag to meet State and Federal Seed Laws must be attached to each bag of the blend. This information must be written on the "Plant Variety Protection Acknowledgement" (or receipt) for small grains sold in bulk.

## **XXIX BAGGING REQUIREMENTS**

New, good quality jute, cotton, paper or poly bags must be used for packaging certified classes of seed.

### **XXX CERTIFICATION LABELS**

The official certification labels of the Oklahoma Crop Improvement Association are: Foundation (white), Registered (purple) and Certified (blue).

### **XXXI LABELING, TAGGING AND SEALING CONTAINERS**

- A.** Certification labels imprinted with the grower's name, crop kind and variety, and registration lot number must be attached to the seed containers in such a manner as to prevent its removal and reattachment without obvious evidence of such tampering. The labels must be attached prior to removing the seed from the warehouse.
- B.** The official Oklahoma Crop Improvement Association certification labels may be attached by one of the following approved methods:
  - 1.** Sewn into the bag at the time of filling.
  - 2.** Attached to the container (or pallet of turfgrass) after the filling operation with heavy-duty staples, adhesive or other bonding material in such manner and place to prevent its opening without defacing the label and indicating tampering of the container.
  - 3.** Valve filled paper bags, plastic bags and plastic or metal containers shall have the official certification label attached with an adhesive, bonding material which prevents removal and reuse of the label. Official pressure sensitive adhesive labels are available from the Association. Valve filled paper bags shall be considered adequately closed and sufficiently tamperproof without sealing.
- C.** Analysis tags containing information in compliance with state and federal seed laws must be attached to all certified seed containers in addition to the certification label.
- D.** Altering or defacing the certification labels **in any manner** will not be permitted. If adjustments or corrections are required, new labels must be printed by the OCIA office. **Making copies of seed certification tags is not allowed.**

### **XXXII BULK CERTIFICATION**

Certified wheat, oats, barley, rye, triticale & other approved crops may be sold in bulk by the grower, an Approved Conditioner, or an Approved Bulk Retail Facility. Certification procedures and standards are the same as those for bagged seed. The grower, Approved Conditioner, or Approved Bulk Retail Facility issues a "Plant Variety Protection Acknowledgement Form" with the appropriate certified seed tag showing the crop, variety, registration lot number, class of seed, quantity of seed sold, and date of sale for each sale of seed affixed in the appropriate place. **Making copies of seed certification tags is not allowed.**

Registered and Certified Seed of wheat, oats, barley, rye, triticale & other approved crops may be sold in bulk under the following standards:

- A.** All field and seed standards applying to bagged seed shall also apply to bulk certified seed.

- B.** Registered and Certified Seed may be sold in bulk only by the applicant producer, by an approved conditioner, or by an approved bulk retail facility. A maximum of two sales is permitted except as noted in (3) below:
1. One sale is from the applicant producer to an approved conditioner, an approved bulk retailer or to the grower.
  2. The second sale is from the approved conditioner or the approved bulk retailer of 1. (above) to the grower.
  3. The third allowed sale is from an approved bulk retailer to a second approved bulk retailer to a grower.
- C.** A retail seed facility must be an Approved Conditioner or an Approved Bulk Retailer before they can handle certified seed in bulk. Such a facility may be a part of a seed conditioning plant or may be approved only for handling bulk certified seed. Before approval, all procedures for receiving, storing, dispensing, and record keeping must be inspected. The applicant must demonstrate acceptable procedures for maintaining purity and identity of bulk certified seed.
- D.** It is the seller's responsibility to:
1. Handle seed in a manner to prevent mixtures or contamination.
  2. Supply seed that is representative of the seed tested and approved for certification.
  3. See that all bins, augers, conveyors, and other equipment are adequately cleaned before handling certified seed.
  4. Determine that the vehicle receiving bulk certified seed is clean. If it is not clean, note information on the bill of sale or transfer certificate.
  5. Keep a sample of each load of bulk certified seed sold.
- E.** It is the buyer's responsibility to maintain purity of the seed after it has been loaded into the buyer's vehicle.
- F.** Certification Analysis Tags will be issued for seed sold in bulk. The tags will contain the required information for labeling bagged seed except for the weight. The weight or amount will be filled in by the seller on the Plant Variety Protection Acknowledgement Form. A completed and signed Plant Variety Protection Acknowledgement Form with the certified analysis tag is required for all seed sold in bulk including the following situations:
1. For sale of seed from the applicant producer to an Approved Conditioner or Approved Bulk Retail Facility.
  2. For sales from an Approved Conditioner to an Approved Bulk Retail Facility.
  3. For sale of seed from an Approved Bulk Retail Facility to another Approved Bulk Retail Facility.
- G.** Storage and handling facilities must be inspected annually.
1. All bins, augers, conveyors, and other equipment must be cleaned before storage or handling of certified seed.
  2. A separate bin must be available for each variety that will be sold in bulk.
  3. A bin must be reinspected before changing to another variety.

4. All bins must be clearly and prominently marked to show crop and variety.
  5. All bin openings must be closed to prevent contamination except when seed is being put into or removed from the bin.
- H. The following records must be maintained by the applicant producer (seed grower):
1. Amount of seed grown and conditioned for bulk sale.
  2. Copies of the "Plant Variety Protection Acknowledgement Form" with the appropriate certified analysis tags documenting sales of seed.
  3. Transfer report documenting movement of seed between growers.
  4. A current inventory of seed of each variety available for sale.
- I. The following records must be maintained by the Approved Conditioner or Approved Bulk Retail Facility:
1. Amount of seed purchased and conditioned for bulk sale.
  2. Copies of Plant Variety Protection Acknowledgement Forms with the appropriate certified analysis tags documenting sales of seed.
  3. A current inventory of seed of each variety available for sale.

### **XXXIII ACCOUNTING FOR APPROVED SEED AND CERTIFICATION LABELS**

At the end of each marketing season of the fall and spring planted crops, growers and approved conditioners of certified seed must account for all approved seed handled and for all certification labels issued to him by the Association. This information is furnished on forms supplied by the Association.

### **XXXIV APPROVED CONDITIONERS**

The term "Approved Certified Seed Conditioner" as used in the "Regulations for Conditioning of Oklahoma Certified Seed by Oklahoma Seed Firms" means any person, firm or corporation authorized by OCIA under the provisions of these Regulations to condition pedigreed seeds.

Conditioning, as defined under Article I of these Regulations means cleaning, recleaning, blending multiple lots, and repackaging of agricultural seed produced in Oklahoma, or any combination of these operations, for the purpose of selling, offering or exposing the same for sale for planting purposes.

Each approved seed conditioner works under a memorandum of understanding and agreement with the Oklahoma Crop Improvement Association. The conditioner maintains a complete and separate system of records which show all details involved in the handling of certified classes of seed as required to maintain the identity and disposition of all certified seed handled. Appropriate forms are supplied by the Association.

The conditioner designates one person, who meets the approval of the Association, to supervise the actual conditioning involving certified seed and to assume the responsibility of maintaining all required records.



### **XXXV           CONDITIONING CERTIFIED SEED**

Certified classes of seed may be conditioned by the grower using his own equipment on his farm. Otherwise, all certified seed which is to be conditioned prior to planting or sale must be delivered to an Approved Certified Seed Conditioner.

### **XXXVI           Marketing**

For marketing, all classes of certified seed must be conditioned, packaged in new containers (if used) and properly labeled and sealed.

Certified seed may be conditioned, packaged and labeled by a seed firm that is operating under a written agreement with the Association as an “approved Certified Seed Conditioner” without the seed grower’s personal supervision. Otherwise the seed grower must perform these operations on his own farm with his own equipment. A list of “Approved Certified Seed Conditioners” is available to growers upon request.

Certified seed of small grains may be sold in bulk by the applicant producer, an approved conditioner, or by an approved bulk retail facility. Bulk Registered and Certified may only be sold as described in XXXII B. A retail seed facility must be an approved bulk retail facility before they can handle Registered or Certified seed in bulk.

Certified seed of small grains may be sold in bulk by Approved Conditioners as defined in Article XI of the regulations for processing of Oklahoma Certified Seeds by Oklahoma seed firms.

It is the applicant producer’s and/or approved conditioners responsibility to produce, harvest, thresh, condition, label, & store all Foundation, Registered and Certified seed in such a manner as to prevent mixtures and to maintain varietal identity and purity of the seed within the tolerance allowed for each individual crop.

### **XXXVII           RECORD OF SALES**

Each member of the Association who produces and sells certified classes of seed is required to keep a record of all sales. This record shall show the crop, variety, registration lot number, quantity sold, name of purchaser, and date of sale. “Plant Variety Protection Acknowledgement” forms for the member’s use in supplying that information to buyers are supplied by the Association without charge. The blank forms occur in triplicate thus allowing one copy of the record for the producer, one for the buyer and one for the Association, for each transaction.

### **XXXVIII           SUPPLIES**

Labels representing all classes of certified seed may be obtained from the Association office at nominal cost. *Making copies of seed certification labels is not allowed.*

## **XXXIX COMPLYING WITH FEDERAL AND STATE SEED LAWS**

It is the responsibility of certified seed growers, conditioners and subsequent handlers to comply fully with the provisions of both the Federal and State Seed laws. Responsibility for any obligation arising from the sale or shipment of seed which has been certified rests with the grower or subsequent handler making the sale or shipment.

## **XL INTERAGENCY CERTIFICATION**

- A.** Interagency certification is the participation of two or more official certifying agencies in performing the services required to certify the same lot or lots of seed. Oklahoma Seed Certification Standards or comparable standards of other official seed certifying agencies must be met if the Oklahoma Crop Improvement Association is to issue interagency certification tags. This includes the requirement that all certified seed to be tagged by the Oklahoma Crop Improvement Association must be analyzed by the Association's Seed Testing Laboratory.
- B.** Only those varieties declared eligible for certification by the Oklahoma Crop Improvement Association or another official seed certifying agency will be eligible for interagency certification in Oklahoma.
- C.** Seed to be recognized for interagency certification must be received in containers carrying official certification tags or if shipped for conditioning, the previous agencies records, together with the following information:
  - 1.** Variety (if certified as to variety) and kind
  - 2.** Quantity of seed (pounds or bushels)
  - 3.** Class of seed
  - 4.** Inspection or lot number traceable to the previous agency's records
- D.** Interagency certification tags shall carry the certification identification number and clearly identify the certifying agencies involved, the variety, kind and class of seed.

## **XLI DEFINITIONS**

### **A. LIMITED GENERATION**

Limited generations refer to the number of generations through which seed of a variety may be multiplied from the Foundation seed class. The number of generations through which a variety may be multiplied shall be limited to that specified by the originating breeder or owner of the variety and shall not exceed two generations beyond the Foundation seed class with the following exceptions:

- 1.** Recertification of a certified class may be permitted for older varieties where Foundation seed is not being maintained.
- 2.** The production of an additional generation of the Certified class only may be permitted on a one-year basis when an emergency is declared prior to the harvesting season. Approval is granted after it has been determined that Foundation and Registered seed supplies are not adequate to plant the needed certified acreage of the variety. The permission of the originating or sponsoring plant

breeder, institution, firm or owner of the variety, if existent, must be obtained. The additional generation of certified seed to meet the emergency need is ineligible for recertification.

**B. PURE SEED**

Pure seed shall include all seeds of each kind, variety or type under consideration whether shriveled, cracked or otherwise injured, and pieces of seeds that are larger than one-half of the original size whether broken, insect- damaged or diseased, except seeds of legumes and crucifers with the seed coat entirely removed, which shall be classified as inert matter.

**C. INERT MATTER**

Inert matter shall include seed like structures from both crop and weed plants and other matter not seeds as follows:

1. Seed like structures from crop plants. Pieces of seeds one-half the original size or less whether broken, insect-damaged or diseased; seeds of legumes and crucifers with the seed coats entirely removed; empty glumes and sterile florets of grasses; attached sterile florets of grasses (which must be removed from the fertile floret except in bluegrasses, tall meadow oatgrass, rhodes-grass, bluestems, and grammas).
2. Seed like structures from crop plants, all badly injured, underdeveloped or empty structures which resemble seeds, but which by visual examination (including dissection or reflected light) can be definitely demonstrated as having an embryo that has been destroyed by a disease organism. Included as inert matter are structures from weak plants according to the Association of Official Seed Analysts.

**D. KIND**

Kind shall mean one or more related species or subspecies which singly or collectively is known by one common name, for example, corn, wheat, and alfalfa.

**E. VARIETY (CULTIVAR)**

An assemblage of cultivated individuals which are distinguished by any characters (morphological, cytological, chemical or others) significant for the purposes of agriculture, forestry or horticulture and which, when reproduced (sexually or asexually) or reconstituted, retain their distinguished features.

**F. OTHER VARIETIES**

Other varieties shall include varieties, strains, or types, other than the variety under consideration.

**G. OFF-TYPE**

Off-type plants or seeds are those which deviate in one or more characteristics from those which were described by the breeder, originator, developer or owner of the variety when eligibility for certification was requested.

**H. HYBRID**

The term “hybrid” applies to kinds or varieties of seed means the first generation seed of a cross produced by controlling the pollination and by combining (1) two or more inbred lines; (2) one inbred or a single cross with an open pollinated variety; or (3) two selected clones, seed lines, varieties, or species. “Controlling the pollination” means to use a method of hybridization which will produce pure seed which is at least 75 percent hybrid seed. Hybrid designators shall be treated as variety names.

**I. OPEN-POLLINATION**

Open-pollination is pollination that occurs naturally as opposed to controlled pollination, such as detasselling, cytoplasmic male sterility, self- incompatibility or similar processes.

**J. GERMINATION**

Germination shall include only those seedlings that have developed into normal seedlings. Broken, weak, malformed and obviously abnormal seedlings shall not be counted in the percent of germination.

**K. HARD SEED**

Hard seed includes seeds which, because of hardness or impermeability, do not absorb moisture or germinate under prescribed tests but remain hard during the period prescribed for germination of the kind of seed concerned.

**L. TOTAL GERMINATION AND HARD SEED**

Total germination and hard seed is the sum of the percent of germination plus the percent of hard seed.

**M. WEED SEEDS**

Weed seeds shall include the seeds of all plants generally recognized as weeds within Oklahoma and includes noxious weed seeds.

**N. OBJECTIONABLE WEEDS**

Objectionable weeds shall include noxious and other undesirable weeds as indicated.

**O. NOXIOUS WEEDS**

The following weeds have been declared noxious in Oklahoma. The number of seed of each weed species permitted in crop seed for planting purposes is limited by the State Seed Law and by the OCIA Regulations governing the production of certified seed. The OCIA tolerance for noxious weed

seed in any class of certified seed is zero unless specifically allowed in standards for that crop.

1. Bindweed, field (*Convolvulus arvensis*)
2. Knapweed, Russian (*Centaurea picris*)
3. Nutgrass or nut sedge (*Cyperus rotundus*)
4. Thistle, Canada (*Cirsium arvense*)
5. Whitetop or Hoary cress (*Cardaria draba*)
6. Wild oat (*Avena fatua* and *Avena sterilis*)
7. Moonflower or Giant Morningglory (*Cononyction muricatum*)
8. Onion or garlic, wild (*Allium spp.*)
9. Wild morningglory (*Ipomoea spp.*)
10. Bindweed, hedge (*Convolvulus sepium*)
11. Giant foxtail (*Setaria faberii*)
12. Johnsongrass (*Sorghum halepense*) – includes (*Sorghum alum*) and other indistinguishable seeds.
13. Quackgrass (*Agropyron repens*)
14. Blueweed, Texas (*Helianthus ciliaris*)
15. Dodder (*Cuscuta spp.*)
16. Corncockle (*Agrostemma githago*)
17. Darnel (*Lolium temulentum*)
18. Dock (*Rumex spp.*)
19. Horsenettle (*Solanum carolinense*)
20. Nightshade, purple (*Solanum elaeagnifolium*)
21. Cheat or chess (*Bromus secalinus*)
22. Plantain, bracted (*Plantago aristata*)
23. Plantain, buckhorn (*Plantago lanceolata*)
24. Sorrel, sheep or red (*Rumex acetosella*)
25. Cocklebur (*Xanthium spp.*)
26. Goatgrass, jointed (*Aegilops cylindrica*)
27. Buckwheat, wild (*Polygonum convolvulus*)
28. Mustard, wild (*Brassica spp.*)
29. Balloonvine (*Cardiospermum halicacabum*)
30. Musk Thistle (*Carduus nutans L.*)
31. Red Horned Poppy (*Glacium corniculatum*)
32. Sericea Lespedeza (*Lespedeza cuneata*)
33. Scotch Thistle (*Onoprodum acanthium*)
34. Serrated Tussock (*Nassella trichotoma*)
35. Sicklepod (*Cassia obtusifolia*)
36. Yerba de Tajo (*Eclipta alba*)

#### **P. PROHIBITED WEEDS**

Prohibited weed seeds are those which have no tolerance in certified seed. They are as follows: Canada thistle, Field dodder, Field bindweed, Hoary cress, Johnsongrass, Nutgrass, Russian Knapweed, Wild onion/garlic, and Wild oat.

**Q. UNIT OF CERTIFICATION**

The unit of certification shall be a clearly defined field or fields.

**R. CERTIFICATION FOR GENETIC PURITY ONLY**

Certification for genetic purity only approves seed for certification based on meeting minimum inspection requirements for those factors affecting varietal purity only. These factors include (1) eligibility of seed planted, (2) eligibility of land, (3) isolation of seed production field from sources of varietal contamination and (4) varietal mixtures as determined from both field and laboratory inspections.

Seed quality factors which are not considered in approving seed for certification include: (1) germination percentage, (2) seed purity (mechanical), (3) weed seed content, (4) other crop seed content, and (5) disease factors.

Special wording such as the following may appear on the face of the certified seed tag when seed is certified for genetic purity only:

1. Certified for genetic identity only
2. Genetic Purity Certified
3. Variety Identity Certified

Certifying seed for genetic purity only places an even greater importance on the information contained on the analysis tag.

**S. BREEDER SEED**

Breeder seed is a class of certified seed directly controlled by the originating or sponsoring plant breeding institution, or person, or designee thereof, and is the source for the production of seed of the other classes of certified seed.

**T. FOUNDATION SEED**

Foundation seed is a class of certified seed which is the progeny of Breeder or Foundation seed and is produced and handled under procedures established by the certifying agency, in accordance with federal seed act regulations, for producing the Foundation class of seed, for the purpose of maintaining genetic identity and purity.

**U. REGISTERED SEED**

Registered seed is a class of certified seed which is the progeny of Breeder or Foundation seed and is produced and handled under procedures established by the certifying agency, in accordance with federal seed act regulations, for producing the Registered class of seed, for the purpose of maintaining genetic identity and purity.

## **V. CERTIFIED SEED**

Certified seed is a class of certified seed which is the progeny of Breeder, Foundation or Registered seed and is produced and handled under procedures established by the certifying agency, in accordance with federal seed act regulations, for producing the Certified class of seed, for the purpose of maintaining genetic identity and purity.

## **SECTION II**

# **REGULATIONS FOR CONDITIONING OF OKLAHOMA CERTIFIED SEED**



## **REGULATIONS FOR CONDITIONING OF OKLAHOMA CERTIFIED SEEDS**

In the public interest, and more specifically in the interest of the agricultural industry of the State of Oklahoma, the following rules and regulations for the conditioning of Oklahoma certified seed firms, are hereby established and promulgated by the Oklahoma Crop Improvement Association, pursuant to the provisions of Section 784-787, Chapter 19, Title 2, Oklahoma Statutes 1941.

### **ARTICLE I – Definitions**

- 1.** Conditioning shall be defined as cleaning, recleaning, blending multiple lots, packaging and repackaging of agricultural seeds produced in Oklahoma, or any combination of these operations, for purpose of selling, offering, or exposing the same for sale for planting purposes.
- 2.** The term “agricultural seed” as used in these Regulations shall be defined as the seed of all cereals, saccharin and non-saccharin sorghums, grasses used for hay, forage, or lawn; all legumes including peanuts, cotton, broomcorn, rape and other forage crops; stock beets and sugar beets; the tubers or plants of Irish potatoes, sweet potatoes, cabbage, tomatoes and onions and all other field crops which are now grown or may be hereafter grown in the State of Oklahoma.
- 3.** The term “blending” as used in these Regulations shall be defined as the mixing of seeds from various lots, as authorized by these Regulations.
- 4.** The term “certified seed conditioner” as used in these Regulations shall be defined to mean any person, firm or corporation, authorized under the provisions of these Regulations, to engage in the business of conditioning agricultural seeds, as defined in Section 1 of the Article.
- 5.** The term “Association” as used in these Regulations, shall be defined to mean the Oklahoma Crop Improvement Association.

**ARTICLE II – Authorization to engage in business as a certified seed conditioner.**  
No person, firm or corporation shall engage in business as a certified seed conditioner within the State of Oklahoma, except upon compliance with the provisions of these Regulations.

### **ARTICLE III – Requirements for qualification as certified seed conditioner.**

- 1.** Any person, firm or corporation desiring to become an approved certified seed conditioner shall submit one application per conditioning unit to the Oklahoma Crop Improvement Association no later than April 15 of the calendar year in which such approval is sought. The type of crops intended to be conditioned must be specified in each application. Each application must be accompanied by an annual fee of seventy five dollars (\$75.00). Applications received after April 15<sup>th</sup> will be subject to an additional \$50 late fee.
- 2.** Before any person, firm or corporation is approved as a certified seed conditioner it must be determined that he or it is in good standing with existing state and federal seed control agencies.

**3.** Before any person, firm or corporation is approved as a certified seed conditioner, satisfactory proof shall be made that his or its conditioning plant is provided with the following minimum equipment:

**(a)** A cleaner equipped with not less than two and preferably four separate screens for a single cleaning operation. Such cleaners must be equipped with traveling brushes beneath the screens, variable air blast and/or vacuum pick-up.

**(b)** Intakes to bins must be such that they can be completely blocked off during the period the bin contains certified seed. All bins in which certified seed is to be stored must be so located that there will be no possible source of contamination from above.

**(c)** All parts, elevator heads, elevating equipment, spoutings, and elevator castings must be such that they can be thoroughly cleaned. The elevator head must have an inspection plate or be such that it may be removed for thorough cleaning and inspection. All elevator cups must be separated from elevator belts by a washer of at least ¼ inch in thickness for ease of cleaning.

**(d)** If a sacking bin is used, it must be so constructed and equipped that it can be thoroughly and completely cleaned.

**(e)** Plants requesting approval for the cleaning of small seeded legumes and grasses must be equipped with additional special equipment necessary to clean seed to certification standards in addition to the equipment mentioned above.

**(f)** It is required that the plant be equipped with a seed treater for purposes of disinfecting planting seed.

**(g)** Plants requesting approval must be equipped with an industrial type vacuum cleaner and blower in order to thoroughly clean all equipment prior to the processing of a lot of certified seed.

**(h)** All cleaners, bins, floors, augers, and other equipment where certified seed is handled must be so constructed and arranged that they can be easily cleaned prior to cleaning of certified seed.

**(i)** All certified seed conditioned by an approved conditioner must be packaged in new bags.

**4.** Each application to become an approved certified seed conditioner shall cover only one conditioning plant. Any person, firm or corporation owning more than one conditioning plant must submit a separate application for each plant in which certified seed will be conditioned.

**5.** The identity of all certified seed must be maintained at all times. All storage facilities whether bins, boxes, bags, or other containers must be identified with crop, variety, certification class, lot number, and source of seed.

#### **ARTICLE IV – Inspections**

The Oklahoma Crop Improvement Association shall have the right to inspect any plant of any certified seed conditioner, as herein defined, during the conditioning of any lot of seed. At the request of the Association, the conditioner

shall notify said Association two days in advance of the date conditioning of any particular lot of seed will begin.

**ARTICLE V – Conditioning fees**

The conditioner shall pay to the Oklahoma Crop Improvement Association an annual, per unit fee of seventy five dollars (\$75.00) for “Oklahoma Certified Seed” or “Interstate Certified Seed.” No additional per pound or per bushel conditioning fee will apply. Certified seed tags will be furnished to the conditioner by the Oklahoma Crop Improvement Association at a nominal cost.

**ARTICLE VI – Classes of seed permitted for conditioning**

Conditioning shall be confined to the Registered and Certified classes of seed.

**ARTICLE VII -- Oklahoma Crop Improvement Association Representative**

In each plant approved for the conditioning of certified seed, some competent person in the plant who actually supervises the conditioning operation shall be assigned the responsibility of faithfully complying with the provisions of these Regulations and with the regulations of any written agreement entered into between the conditioner and the Oklahoma Crop Improvement Association relative to the conditioning of certified seed.

**ARTICLE VIII – Records**

Conditioners shall maintain a complete and separate system of records which shall show all details in the purchase of certified classes of seed. These records shall include all grower tags removed from bags of seed, copies of receiving, cleaning, conditioning, transfer, and bulking records showing the varietal name of the seed, weight of seed in each component lot, the weight of the recleaned seed, the weight of screenings when appropriate, and the lot numbers assigned by the conditioner to the bulked conditioned lots, and the conditioned certified seed label registered lot number assigned to the lot of conditioned seed.

**ARTICLE IX – Reports**

Form “C” must be delivered to the Approved Conditioner by the grower following field inspection and approval for certification by a representative of OCIA. The original copy is to be mailed to the OCIA office by the grower. The remaining two copies shall accompany the lot of seed, so stated on the report, to the approved conditioner. The conditioner keeps the second copy and returns the third copy to the OCIA laboratory upon completion of conditioning. The failure of the grower or the conditioner to handle these reports as instructed may prevent final certification of the seed.

**ARTICLE X – Bulk deliveries**

Certifiable seed delivered from an Oklahoma grower to an Oklahoma Approved Conditioner of Certified Seed under the direct supervision of the

grower may be delivered in bulk. In such bulk deliveries, the conditioner shall secure from the grower the official "Form C" as indication of the field's passing certification requirements. If not conditioned and bagged immediately, such bulk delivered seed shall be stored in thoroughly cleaned bins and all intake and discharge openings to these bins shall be completely closed and doors sealed with metal seals. Legs or chutes from cleaning equipment shall be blanked off with solid flanges to prevent any possible contamination prior to processing. Bulk seed delivered in box cars shall be placed only in cars thoroughly cleaned and paper-lined, such cars to be sealed at point of origin and the seal must be unbroken at the time of receipt at the conditioning plant. The procedure for handling bulk seed received at the conditioning plant in box cars shall be identical to procedure for handling any other seed received in bulk. The grower shall not be expected to accompany seed delivered in sealed box cars.

#### **ARTICLE XI – Bulk blending and retailing of certified small grain seed**

The following regulations are in addition to those previously outlined for conditioning Oklahoma Certified Seeds and apply specifically to retailing certified seed of small grains in the bulk:

- (a) Seed must be kept separate as to lot until an analysis has been completed by the Oklahoma Crop Improvement Association. If purity requirements are met, lots may be blended if desired.
- (b) A "Plant Variety Protection Acknowledgement Form" shall be issued with each sale of seed. The certificate shall be made out in 4 part; one copy shall be issued to the purchaser, one kept for the dealer's files and t sent to the Oklahoma Crop Improvement Association.
- (c) A "Vendors Statement of Analysis" shall be issued with each certificate.
- (d) Sales of bulk small grain seeds shall be limited to the certified class only.
- (e) Bulk sales of certified small grain seed shall be made to consumers for their own use in planting, and not for resale.

#### **ARTICLE XII – Issuing of Oklahoma Crop Improvement Association Labels**

The conditioner shall request certified seed labels from the Oklahoma Crop Improvement Association, for each lot of certified seed purchased for conditioning. Only one label will be issued for each bag of seed when requested. The designated representative of the Oklahoma Crop Improvement Association, as herein before defined, shall account for the disposition of all such labels.

#### **ARTICLE XIII – Referee samples**

1. The conditioner shall draw a representative sample from each lot of seed received prior to the unloading of the seed or as the seed is being unloaded into the conditioning plant. Such referee samples shall be properly tagged for positive identification with the conditioner's receiving lot number, the grower's name and address, the kind and variety of seed. The sample shall be forwarded promptly to the Oklahoma Crop Improvement Association of Stillwater, Oklahoma. After conditioning the seed, another representative sample of the conditioned lot of seed shall be drawn, properly tagged for positive identification

with the conditioner's lot number and forwarded to the Oklahoma Crop Improvement Association.

**2.** Each referee sample of corn, sorghum, cotton, wheat, oats, barley, rye, soybeans, cowpeas, mungbeans, vetch, broomcorn, sudan, or peanuts shall consist of two pounds of seed. Each referee sample of alfalfa, sweet clover, flax, lespedeza, bromegrass or ryegrass shall consist of one pound of seed. Each referee sample of weeping lovegrass, sand lovegrass, crabgrass or other grass seed of similar size shall consist of one-half pound of seed. Each referee sample of watermelons or cantaloupes shall consist of four ounces of seed.

**ARTICLE XIV – Violations – Enforcement Committee**

**1.** Any and all alleged violations of the provisions in these Regulations contained, or any amendments thereto hereafter adopted and promulgated, shall be reported to the Enforcement Committee.

**2.** Such Enforcement Committee shall be composed of three directors of the Oklahoma Crop Improvement Association and three members of the Oklahoma Seedsmen's Association. A seventh member, appointed by the enforcement Committee, shall not necessarily be a director or member of either of such Associations. The respective Presidents shall also designate the directors and members of the respective Associations who shall serve as members of such Enforcement Committee.

**ARTICLE XV – Powers of Enforcement Committee**

The Enforcement Committee shall inquire into any and all alleged violations of the provisions of these Regulations, make investigations, take testimony of witnesses, hold hearings, and do all things necessary or convenient to determine the merits of any complaint of alleged violation ledged before it. After full and complete hearing, in which the alleged violator shall have an opportunity to appear to be heard, and to produce any evidence he or it may desire, such Enforcement Committee shall thereupon, by a majority vote of the full Committee, take such action in the premises as it deems just and proper, within the limitations of the laws of the State of Oklahoma, and conformable to the provisions of Regulations or any Amendments thereto hereafter adopted and promulgated.

