ARTICLE 74-01
GENERAL ADMINISTRATION

Chapter
74-01-01 Organization of Commission

CHAPTER 74-01-01
ORGANIZATION OF COMMISSION

Section
74-01-01-01 Organization of Seed Commission

74-01-01-01. Organization of seed commission.

1. History. The state seed department was established by the 1931 legislative assembly. The main office was designated to be at North Dakota state university. Branch offices are maintained in Grafton to more efficiently serve the potato industry with official grade inspection services. The department is governed by the state seed commission.

2. Commission. The state seed commission consists of a representative of the North Dakota crop improvement association, a representative of the North Dakota certified seed potato growers association, a representative of the North Dakota dry edible bean seed growers association, a representative of the North Dakota agricultural association, an elected member of the North Dakota potato council selected by the North Dakota potato council, a representative of the northern plains potato growers association who is a North Dakota resident, a representative of the North Dakota grain dealers association who also operates a state-approved seed conditioning plant, selected by the board of directors of the North Dakota grain dealers association, and the agriculture commissioner or the commissioner's designee, who shall serve as chairman. The director of the experiment station, or the director's designee, of the college of agriculture of the North Dakota state university of agriculture and applied science is a voting member of the commission.

3. Functions. The seed department is designated as the official seed certification agency of the state. The seed department enforces state seed laws, inspects and analyzes seed offered for sale, provides a public laboratory service for examining and analyzing seed and commercially produced crops for planting and consumption purposes, maintains a seed certification system for field seeds and potatoes, inspects and grades potatoes and other produce, regulates wholesale potato dealers, and establishes grade standards and grades commodities not in the federal grain standards. Lists of field-inspected seeds published by the seed department, specifically bulletin nos. 92 and 95, are produced for the express purpose of informing producers of the availability of certified seed grown in North Dakota, and are not intended to induce reliance on the part of producers on the department's inspection, certifications, or any other act or undertaking relating to quantity or quality of the seed or crop produced, fitness, presence or absence of disease, or identity of variety or selection.

4. For the purposes of this section, North Dakota Century Code chapter 4.1-53 and North Dakota Administrative Code article 74-03 generally apply to the certification and conditioning of field seeds; North Dakota Century Code chapter 4.1-53 and North Dakota Administrative Code article 74-02 to the regulation of field crops and seeds; North Dakota Century Code chapter 4-10 and North Dakota Administrative Code article 74-04 to the certification and inspection of potatoes; North Dakota Century Code chapter 4.1-57 and North Dakota Administrative Code article 74-05 to the regulation of wholesale potato dealers; and North Dakota Century Code chapter 4.1-53 and North Dakota Administrative Code article 74-06 to the inspection and grading of crops not in federal grain standards.

5. Seed commissioner. The commission appoints the seed department manager, who is the state seed commissioner.

6. Inquiries. Inquiries regarding the seed department may be addressed to the commissioner:

   State Seed Commissioner
   State Seed Department
   1313 18th Street North
   Fargo, ND 58105

History: Amended effective December 1, 1981; November 1, 1985; October 1, 1989; September 1, 2002; January 2, 2006; July 1, 2010.
General Authority: NDCC 4.1-53-11, 28-32-02.1
Law Implemented: NDCC 4.1-53-02, 4.1-53-04, 4.1-53-08, 4.1-53-42, 4.1-53-59