

## Illegal Seed Sales at Livestock Auction Barns

Drake Farms of Fairland, OK has been selling illegal seed again in Arkansas. A Plant Board Inspector found his truck on a parking lot of a sale barn in Northwest Arkansas in mid-October and confiscated the seed. For years he has refused to get a license or label his seed according to regulations in Arkansas. Two years ago, his van or truck with bags of illegal grass seed was seen at several sale barns and complaints from buyers and subsequent tests of his seed revealed as much as half of the contents of the bag was weed seed and inert material such as chaff and fungal bodies (ergot). The seed contained noxious weeds at the rate of more than 2000 seed per pound. At that time, he refused to come into compliance and the seed was confiscated – but now he's back again.

This time he was selling seed in bags marked K 31 lawn seed - again with no label and no license to sell seed in Arkansas. He also had some plain bags marked only "Kobe" (a variety of Striate Lespedeza). Initial tests reveal both the Tall Fescue and the Lespedeza seed to be illegal due to excessive noxious weeds or percent weed seed.

Arkansas' regulations on the sale of planting seed requires anyone who sells or advertises agricultural planting seed for sale in Arkansas to have a Seed Dealer's license issued from the State Plant Board and to label the seed according to regulations. The label must include the percent pure seed, weed seed, other crop, non-seed matter (inert) and a list of the noxious weeds by name and number per pound. The percent germination must also be given and must have been tested within the previous 9 months. All bagged seed should have a label with this information and bulk seed should have the labeling information on or attached to the invoice. The labeler's name and address must also be on the label.

Buying seed without a label and/or from un-licensed dealers leaves buyers with no recourse if the seed fails to perform. **Buyer Beware!** For information on seed dealers licensed to sell seed in Arkansas, call the Plant Board Seed Division at 501-225-1598 or visit the Plant Board web page at <http://plantboard.arkansas.gov>.

