



## **TO: SEED RETAILERS & DISTRIBUTORS IN NEW MEXICO**

As seed retailers and distributors, you are responsible for ensuring that the seed you are selling is in compliance with the New Mexico Seed Law.

Section 76-10-14 of the New Mexico Seed Law states: “It is unlawful for any person to sell, offer for sale, expose for sale or to transport for sale any agricultural or vegetable seed (in larger than 1 pound packets) within this state:

(1) unless the test to determine the percentage of germination required by Section 2[76-10-12] shall have been completed **within a nine (9) month period**, exclusive of the calendar month in which the test was completed, immediately prior to sale, exposure for sale, or offering for sale or transportation”

**The New Mexico Seed Law may be downloaded at:**

**<http://www.nmda.nmsu.edu/STATUTES/AES/FSF/SEEDLAW.HTM>**

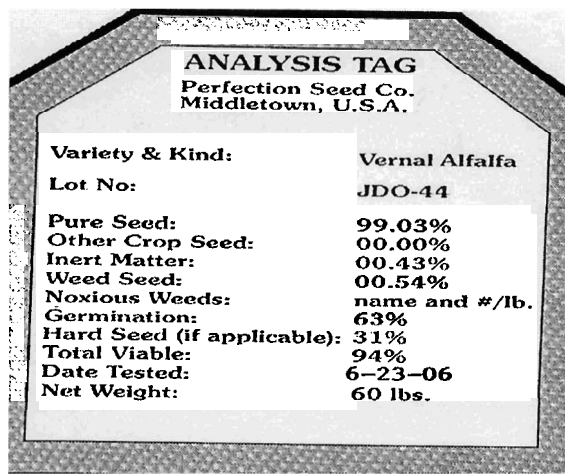
### **If the seed has expired test dates, you have several options:**

1. The seed may be re-tested and re-labeled. The seed distributor may have reference samples available and be able to re-test and re-label the seed for the retail store, if such an agreement has been reached with the seed distributor.
2. The seed may be returned to the distributor, if such an agreement has been reached with the seed distributor beforehand
3. The seed may be destroyed

The seed inventory should be checked **each month** to determine which seed will go out of test during that month. **Any** seed with expired test dates should be removed from the sale floor. Refer to above options for disposition of this seed.

It is also important to check incoming seed to ensure that a distribution center/warehouse has not shipped you seed that has expired test dates. If you receive seed that has expired test dates, please contact our office.

**If you have any questions, please call our office at (505) 646-3107**



**Typical Seed Analysis Label (Test Date 6-06, expires 3-31-07, Lot #JDO-44)**

**USE THIS CHART TO DETERMINE IF SEED IS OUT OF TEST:**

<b><u>If seed is tested in this month:</u></b>	<b><u>It may be sold thru the END of this month:</u></b>
January	October
February	November
March	December
April	January
May	February
June	March
July	April
August	May
September	June
October	July
November	August
December	September