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2004 Annual Report • Plant Protection Section

Minnesota's Seed Regulatory Program

Charles Dale, Supervisor

Overview

This year our primary responsibility was in the seed regulatory program. With only a small amount of funding for noxious weed program activities, we were able to perform only two tasks and they were the annual training we sponsor for new county agricultural inspectors and meetings of the Noxious Weed Potential Evaluation Committee (NWPEC). In between doing our normal tasks we found time to:

- Plan and carry out three meetings of the Seed Program Advisory Group (SPAG);
- Conduct 149 inspections of private pesticide applicator records under a USDA Cooperative Agreement;
- Collect over 50 samples for kernal bunt detection;
- Complete over 15 inspections for the corn borer screener equipment;
- Complete numerous functions and conduct meetings associated with the US Environmental Protection Agency's Urban Initiative Project;
- Host a group of seed industry representatives from Denmark;
- Map and document, using GPS, abandoned sites where agricultural chemical spills had been reported in the past but were not high priority sites and had not been monitored or cleaned up.



Seed Unit Staff

We began the year with 4.8 FTE staff ended with 5.8 because Jeff Siira was transferred back to the Seed Unit in May as a part of a realignment of section staff when Anne Selness, supervisor of the Invasive Species Unit, resigned in May.



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2004 Highlights

AASCO Met at Ottawa, Manitoba, Canada in July

The annual meeting of the Association of American Seed Control Officials (AASCO) was held in Ottawa, Manitoba, Canada on July 25 to 29. The AASCO is made up of seed regulatory staff from all the states, the USDA, and the Canadian Food Inspection Agency (CFIA). Representatives of several affiliated groups also attend and they include the Association of Official Seed Analysts

(AOSA), the Society of Commercial Seed Technologists (SCST), Association of Official Seed Certifying Agencies (AOSCA), American Seed Trade Association (ASTA), Canadian Seed Trade Association, and Society of Commercial Seed Technologists.

It again was a very busy meeting with many issues to discuss and take action on. Four issues stand out as more important than the rest. Test date labeling, variety/brand labeling, Quality Management System development for AASCO, and some exciting new seed technology for soybeans.

Test Date Labeling

All seed offered for sale must be tested to insure the viability is as claimed on the label. On vegetable packets for home gardeners, a "packed for (year)" date means it was tested for use in that year. Several states adopted a new "sell by (month/year)" in lieu of the "packed for" date. Packet seed companies preprint their packets for up to two years in advance. The new labeling requirement made these packets unlawful to use and potentially costing the labelers hundreds of thousand of dollars. A compromise was reached allowing continued use of the old packets until they are depleted. We also adopted this new requirement in Minnesota in 2003 but we left the old "packed for" requirement in the law as an option meaning the old or new packets were both acceptable

New Seed Technology

New seed technology developed by Purdue University and licensed to an Indiana firm is claimed to offer complete resistance to all known races of soybean cyst nematodes. Plant breeders from over 180 seed companies have already signed contracts to use the technology and commercial seed should be available in at least limited quantities in 2005. The same firm also has a license agreement with Purdue on technology to provide the same type of protection from phytophthora in soybeans. The latter is still two or more years away but both technologies have the potential to provide significant benefit for Minnesota farmers. Both technologies are non-GMO.

Quality Management

System Development For AASCO

AASCO voted to go ahead with the development of a quality management system (QMS) for the association and its members. The QMS developed could become a part of USDA's Process Verified Program. A consultant from the St. Louis area has been contracted to assist in the development. Minnesota is a member of the task force established by the AASCO for this project.



AASCO

Association of American Seed Control Officials

Variety/Brand Labeling

Misrepresenting brand names as varieties continues to be the number one problem faced by all the states. A panel of regulatory and industry representatives was convened at the meeting in the hope of finding a solution. A solution that has been proposed in the past is for federal registration of variety names. The industry strongly opposes this concept. After a lengthy discussion, both groups agreed to join forces to educate labelers on the correct way to label variety and brand names.

Identifying Abandoned Contaminated Sites

We were asked to assist the Incident Response Unit in the division's Pesticide Section in a project aimed at identifying and updating information on sites alleged to be contaminated with agricultural chemicals. The Seed Unit field staff spent 302 hours on this project identifying and updating information on 80 sites in west central and northern parts of the state. This project utilized new technology by using a GPS in combination with a laptop computer to map the site. Whenever possible, clientele were interviewed to provide at least some anecdotal information on the site status.

MDA Hosts Danish Visitors

MDA hosted a group of 45 visitors from Denmark on September 15. The group was in Minnesota to learn of the management and advisory role needed by large farming operations. The tour guide was Dave Johnson, retired CEO of Land O' Lakes. Seven members of the group were from the Board of Directors of Broerup Seeds. Broerup Seeds specializes in the marketing and distribution of cereal seeds, most of which are from DLF Trifolium, the largest marketer of clover and grass seed in the world. The remaining members of the group were cereal advisors, an occupation very similar to certified crop consultants in Minnesota. Geir Friisoe from the division's Plant Protection Section welcomed them to Minnesota and the MDA in Norwegian which brought smiles to all the members. In the short time they were here they were able to tour our seed laboratory and hear presentations on seed regulation, certification, and research in Minnesota as well as having lunch.



Urban Initiative – Outreach Program

The Minnesota Pesticide Exposure Reduction Initiative (Urban Initiative) program continues to be a priority for the Minnesota Department of Agriculture (MDA) and the United States Environmental Protection Agency (U.S.EPA). This initiative involves educating urban communities about illegal pesticide use, pest management practices and, if needed, proper pesticide use. The program focuses on reducing pesticide use and exposure, especially around children.

The Urban Initiative involves community outreach through a short presentation, a demonstration and a free pest management kit to participants. The kits include several items that can be used to help control indoor

pests such as cockroaches, ants, mice, spiders, etc. An important feature of the initiative is its focus on individuals and families. The MDA staff visit homeowners, renters, parents of young children, childcare workers, recent immigrants and other groups in their communities. This allows our staff to address the specific needs of individuals and communities, and provide tools needed to reduce pesticide exposure.

During the past four years we have worked with over 186 federal, state, local, community and environmental organizations and made over 387 presentations to over 7,200 people. We continue to get more requests each month including requests from rural communities throughout Minnesota.

The outreach program this year will focus on:

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| 1) A \$200,000.00 Legislative Commission on Minnesota Resources (LCMR) grant awarded to the MDA to develop and implement the Urban Initiative program in 4 different languages; English, Hmong, Somali and Spanish. The grant involves developing videos, DVDs, educational materials and a train-the-trainer component. | 3) The City of Minneapolis division of Environmental Services “HUD Health Homes Demonstration” project, | 7) The Crow Wing Co. Childcare Training Conference at Central Lakes College, |
| 2) MDA will continue to partner with the American Lung Association on its “Controlling Asthma in American Cities” grant, | 4) The Minnesota Department of Health “Healthy Homes Demonstration” grant proposal, | 8) The International Health Institute of Minnesota |
| | 5) The Minnesota Office of Environmental Assistance “Sustainable School Practices” grant, | 9) The Indigenous Training Institute |
| | 6) The Alliance For Sustainability “Living Green Expo” and “Immigrant Environmental Health Outreach Team”, | 10) The Headwaters Foundation Grant Fund |
| | | 11) The Greater Twin Cities United Way Community Investment Grant Fund |

Restricted Use Pesticide Private Applicator Record Inspection Project

The APPD’s Seed Unit has been cooperating with the USDA since 1998 to survey compliance with federal record keeping requirements for licensed private applicators of restricted use pesticides (RUP). The records are required in part to be able to provide information on the pesticide used to first responders if a private applicator is injured while making an application. Private applicators must be licensed to be able to purchase and apply RUP’s. Annually, the project involves inspecting the records of 150 to 188 applicators selected at random from the database of licensed applicators in Minnesota. The inspection consists of a review of all RUP applications for the previous two years to make sure the nine required items are present. Compliance has consistently been very high indicating that the training the applicators receive has been highly effective. The training has been a responsibility of the Minnesota Extension Service and the licensing is done by the MDA. The responsibility for these inspections is being passed from the Division’s Seed Unit to the Agricultural Chemical Investigation Unit for FY 2005.

Advisory Groups and Committees

Seed Program Advisory Group (SPAG)

The Seed Program Advisory Group met at the MDA on April 22, August 19, and November 17. Agenda topics at these meetings included a seed program update, seed related legislation in the 2004 session, a review of the proposed Standard Operating Procedures for the seed program, labeling of brands and varieties, and numerous other topics of interest to one or more members of the group. The November meeting was the fifteenth for the group since its inception in 2001.

Noxious Weed Potential Evaluation Committee (NWPEC)

The NWPEC met twice in 2004 on January 6 and February 19. The committee chairmanship was passed to Peter Dziuk of the Invasive Species Unit at the November, 2003 meeting and passed back to the unit at the February meeting. With only a limited budget for activities in the noxious weed area, only essential tasks were completed. The committee, although important, is not essential and will meet only when there is a significant need for them to do so.

2005 Plans

Development of Hybrid Field Corn Variety Relative Maturity Evaluation Model

One of the amendments made to the seed law in 2003 was to develop a standardized or model maturity testing system in preparation for the ending of registration and testing of hybrid seed corn varieties in September, 2006. To do this, the MDA must establish a working group made up of the Minnesota Agricultural Experiment Station (MAES), representatives of instate hybrid seed corn registrants, and a representative(s) from the Minnesota Corn Growers Association. The system, once developed, will become a part of the seed rules. We began to establish the committee in 2004 but did not meet as we had hoped. This will be a high priority for early 2005.



Internet Search - Unregistered Hybrid Corn Varieties and Unpermitted Seed Labelers

A member of the unit field staff has been assigned the responsibility of searching the internet for companies who have not registered their varieties for sale in the state and to find seed labelers who do not currently have a permit. It is likely that many of the companies or labelers we find do not need to register and obtain a permit because they do not do business in the state. Those that do need to register or obtain a permit will be brought into compliance.

Seed Program Summary

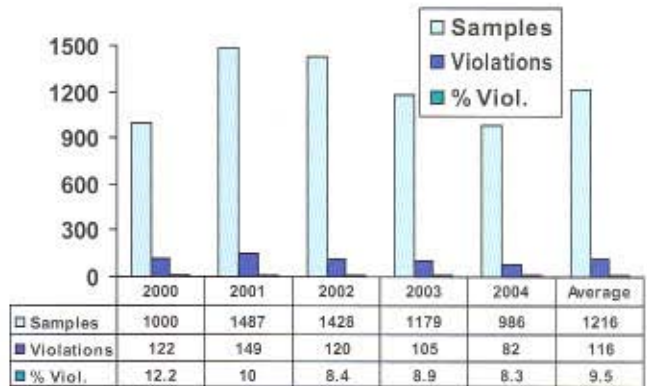
District Meetings

The state is divided into three work areas or districts for unit field staff. Each field staff person holds or attends up to 6 meetings per year with the County Agricultural Inspector's (CAI) in their work area. The meetings normally last two hours and are held in a central location in the work area. The purpose of the meetings is provide training for CAI's and to maintain good communication and working relationships with these important workers in the seed program.

Seed Law Enforcement

In the early 1990's, a decision was made to focus the seed sampling and inspection efforts on specific problem areas rather than a strictly random approach. The

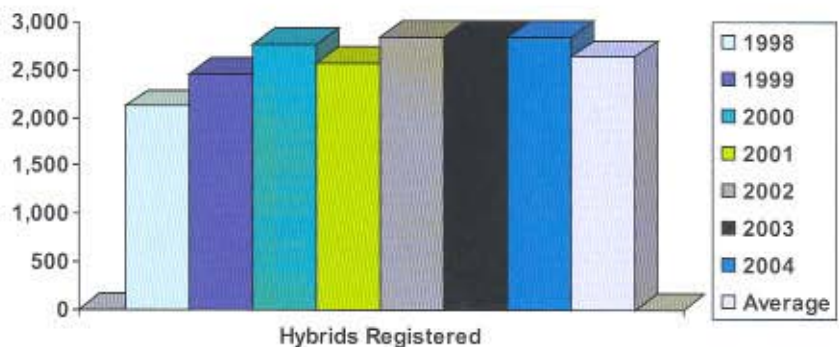
goal was to try to influence more compliance in areas where we have traditionally found the higher rates of non-compliance. So far the results are very encouraging. The violation rate on samples continues to drop and specific labelers are doing a much better job of compliance because we address their problems individually. This approach will be continued until we see the level of compliance stabilize at as low a level as we can attain.



Hybrid Corn Registration

The number of hybrid seed corn varieties registered has increased steadily for the past ten years. In fiscal year 2003, that trend ended when just over 2,500 hybrids were registered by eighty-eight companies. The new hybrids are tested each year by the Minnesota Agricultural Experiment Station to determine if the maturity rating assigned to them is accurate.

To insure that all hybrids are being registered, one of our field staff has been assigned the duty of doing an internet search for companies marketing hybrids in 2005 that are adapted to Minnesota.



Inspection and Sampling

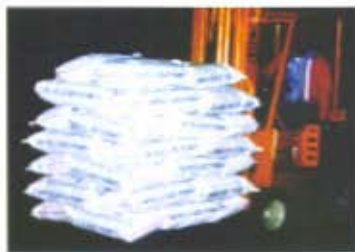
The 2004 seed season was an average one for Minnesota. No major problems were noted. Very dry growing and harvest conditions may mean lower than normal seed size and higher than normal mechanical damage to seed during conditioning due to hard and brittle seeds. Unit staff and CAI's will be looking for problems to make sure we do everything we can to keep any problems within manageable limits

We will continue to test for label accuracy all seed lots that are identified as being genetically enhanced in some way. We have found virtually no problems to date but we will continue to monitor the market for these traits.

A new building and laboratory for the department is planned for completion by the fall of 2005.

Inspection and Sample Summary for Fiscal Year 2004

- 1) Number of official seed samples obtained. . . . 986
- 2) Number of violations cited on samples 82
- 3) Number of warnings issued on samples 42
- 4) Sample numbers were down in FY 2004 due to the reduction in staff made as a result of a statewide budget shortfall in FY 2003. We hope to add staff to the seed program in FY 2005 as a result of the increase of fees in 2004. Revenue is up about 40% over the previous year.
- 5) The table on the previous page was automatically updated as samples are obtained throughout the year. Our compliance monitoring program is a part of the new Laboratory Information Management System (LIMS). Once the sample is logged in, all information sharing is paperless from that point until a report is made on the sample. The system was developed by Nautilus and tailored to fit our needs. It has reduced the time needed to report the testing and regulatory decision, purity tolerances are automatically calculated, and the resulting data and report files serve as a permanent record. A new department wide licensing system is also in place and it handles all seed permit applications and payments and the brand and hybrid corn variety registrations. These two systems have significantly improved our capabilities and efficiency.
- 6) PDF files that can be downloaded of a fact sheet on labeling and compliance, a seed permit application, and a copy of our seed law and rules are available on the department website at www.mda.state.mn.us under the heading "Crops and Horticulture."



Outreach

The following meetings and events were either sponsored or attended by one or more of the unit staff, provided an educational display, or presentations were given:

- New County Agricultural Inspector Training
Alexandria, Minnesota
January 7, 8, and 9, 2004
(sponsored)
- Minnesota Crop Improvement Association Annual Meeting
Fergus Falls, Minnesota
January 21, 22, 2004
- Minnesota Association of Townships (MAT) Shortcourses
15 locations around the state
March 15 to April 2, 2004
- Native Seed Conference,
Mankato, Minnesota
April 7, 2004
- USDA Cooperators Conference
Las Vegas, Nevada
July 19 to 21, 2004
- Association of American Seed Control Officials (AASCO)
Ottawa, Ontario, Canada
July 25 to 29, 2004
- Minnesota Association of County Agricultural Inspectors (MACAI) Shortcourse
Grand Rapids, Minnesota
July 26, 27, 28, 2004