

HOUSE BILL No. 1192

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-15-1.

Synopsis: Seed laws. Incorporates various administrative rules into the Indiana seed law. Repeals certain administrative rules. Makes conforming and technical changes.

Effective: July 1, 2026.

Aylesworth, Baird, Culp

January 5, 2026, read first time and referred to Committee on Agriculture and Rural Development.



Introduced

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1192

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 15-15-1-2, AS AMENDED BY P.L.75-2010,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 2. As used in this chapter, "agricultural seed"
4 means the seeds of legume, grass, forage, cereal, fiber, **field crops**, or
5 oil crops, **including agricultural seeds listed in 7 CFR 201.2(h)**. The
6 term includes other kinds of seeds commonly recognized in Indiana as
7 agricultural seeds, lawn seeds, and mixtures of such seeds.

8 SECTION 2. IC 15-15-1-3, AS ADDED BY P.L.2-2008, SECTION
9 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
10 2026]: Sec. 3. As used in this chapter, "brand" means a word, name,
11 **term, sign, symbol**, number, or design, used **alone or in a**
12 **combination**, to identify **the** seed of one (1) person **or a group of**
13 **persons and** to distinguish **it that seed** from **the** seed of another
14 person.

15 SECTION 3. IC 15-15-1-6, AS ADDED BY P.L.2-2008, SECTION
16 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
17 2026]: Sec. 6. As used in this chapter, "distribute" means to sell, offer



1 to sell, barter, or supply or transport for sale agricultural **seed** or
 2 vegetable seed for sowing and seeding purposes in Indiana.

3 SECTION 4. IC 15-15-1-7.5 IS ADDED TO THE INDIANA CODE
 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 5 1, 2026]: Sec. 7.5. As used in this chapter, "grower's declaration"
 6 means a statement signed by the grower, shipper, processor,
 7 dealer, or importer giving, for any lot of seed, the:

- 8 (1) lot number;
- 9 (2) kind;
- 10 (3) variety;
- 11 (4) type; and
- 12 (5) origin.

13 SECTION 5. IC 15-15-1-8, AS ADDED BY P.L.2-2008, SECTION
 14 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 15 2026]: Sec. 8. As used in this chapter, "hybrid" means the first
 16 generation of a cross made under controlled conditions between strains
 17 of different parentage and of satisfactory purity produced by
 18 controlling the pollination, which will produce pure seed which is
 19 at least seventy-five percent (75%) hybrid seed, and by combining:

- 20 (1) two (2) or more inbred lines;
- 21 (2) one (1) inbred or a single cross with an open pollinated
 22 variety; or
- 23 (3) two (2) selected clones, seed lines, varieties, or species.

24 **Hybrid designations shall be treated as variety names.**

25 SECTION 6. IC 15-15-1-15.5, AS ADDED BY P.L.75-2010,
 26 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2026]: Sec. 15.5. As used in this chapter, "permit" means a
 28 written authorization granted by the seed commissioner and required
 29 under this chapter before a person may distribute agricultural **seed** or
 30 vegetable seed in Indiana subject to this chapter.

31 SECTION 7. IC 15-15-1-23.5 IS ADDED TO THE INDIANA
 32 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2026]: Sec. 23.5. As used in this chapter,
 34 "variety name" refers to the name of each variety of agricultural
 35 seed or vegetable seed as determined in 7 CFR 201.34(d).

36 SECTION 8. IC 15-15-1-24, AS ADDED BY P.L.2-2008,
 37 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2026]: Sec. 24. As used in this chapter, "vegetable seed"
 39 means the seeds:

- 40 (1) of crops grown commercially or in home gardens; and
- 41 (2) commonly known and sold in Indiana as vegetable seeds.

42 **The term includes vegetable seeds listed in 7 CFR 201.2(i) and**



agricultural seeds packaged and sold for home gardens.

SECTION 9. IC 15-15-1-27, AS AMENDED BY P.L.10-2022, SECTION 1, AND P.L.33-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 27. (a) The state seed commissioner shall administer this chapter. The state seed commissioner may authorize an agent to act for the state seed commissioner under this chapter.

(b) The state seed commissioner may do any of the following to administer this chapter:

(1) Sample, inspect, analyze, and test agricultural **seed** and vegetable seed distributed within Indiana for seeding and sowing purposes, when, where, and to the extent the state seed commissioner considers necessary to determine whether the agricultural **seed** or vegetable seed is in compliance with this chapter.

(2) Notify a seed distributor of any violations of this chapter.

(3) Adopt rules:

(A) governing:

(i) methods of sampling, inspecting, analyzing, testing, and examining agricultural seed and vegetable seed; and

(ii) tolerances to be followed in the administration of this chapter; and

(B) necessary for the efficient enforcement of this chapter.

(4) Adopt rules to establish lists of prohibited **noxious weeds** and restricted noxious weeds.

(5) Subject to section 28 of this chapter, adopt rules to establish reasonable standards of germination (as defined by rule adopted under section 28 of this chapter) for **agricultural seed** and vegetable seed.

(6) Adopt rules to establish standards for the effectiveness of legume inoculant applied to pre-inoculated seed.

(7) Adopt rules to govern the treatment of seed and the labeling and distribution of treated seed.

(8) Publish at least one (1) time each year, in the form the seed commissioner considers proper, information concerning:

(A) the sales of agricultural seed and vegetable seed; and
(B) the results of the analysis of official samples of

(B) the results of the analysis of official samples of agricultural seed and vegetable seed sold within Indiana.

agricultural seed and vegetable seed sold within Indiana as compared with the analysis guaranteed on the label.

information concerning production and use of agricultural **seed** and vegetable seed may not disclose the operation of any person.

(9) Enter any.



(A) public or private property during regular business hours; or

(B) vehicle that transports seed, whether by land, water, or air, at any time the vehicle is accessible;

to inspect seed and the records relating to the seed, subject to this chapter and the rules adopted under this chapter.

(10) As used in this subdivision, "stop sale order" refers to a written order issued by the state seed commissioner to the owner or custodian of a lot of agricultural **seed** or vegetable seed that the state seed commissioner has found violates this chapter or rules adopted under this chapter. The state seed commissioner may issue and enforce stop sale orders. A stop sale order prohibits the future sale, processing, and movement of the seed until the state seed commissioner issues a release from the stop sale order. The owner or custodian of the seed is entitled to appeal a stop sale order to a court with jurisdiction in the locality in which the seed is found, as provided in IC 4-21.5, seeking a judgment as to the justification for the order for the discharge of the seed from the stop sale order in accordance with the findings of the court. This subdivision does not limit the right of the state seed commissioner to proceed as otherwise authorized by this chapter.

(11) Establish and maintain or make provisions for seed testing facilities.

(12) Employ qualified persons.

(13) Incur necessary expenses.

(14) Test or provide for testing seed for purity (**as defined by 7 CFR 201.2(w)**) and germination (as defined by rule adopted under section 28 of this chapter) for farmers and dealers on request of a farmer or dealer and:

(A) prescribe rules governing such testing; and

(B) charge for the tests made.

Without adopting a rule, the state seed commissioner shall charge fees that are commensurate with fees that are standard in the seed testing industry.

(15) Cooperate with the United States Department of Agriculture and other agencies in seed law enforcement.

(16) Enter the property of a producer of hybrid seed to determine whether the seed produced is as the seed is represented.

(17) **Subject to subsection (c)**, issue a written special use permit to a person to use a prohibited noxious weed seed or a restricted noxious weed seed for purposes of research, development, production, or education. **subject to subsection (c)**.



(18) Adopt rules under IC 4-22-2 to establish fees that are necessary for the administration of this chapter, including costs of inspections, analysis, and publications.

(19) Adopt rules under IC 4-22-2 to establish civil fines for the following:

(A) Failure to submit a report required under this chapter.

(B) Failure to pay a fee required under this chapter.

(c) The seed commissioner, in response to an application for the issuance of a special use permit under subsection (b)(17), may:

(1) issue a special use permit;

(2) issue a special use permit subject to conditions; or

(3) deny a special use permit request.

In determining whether to issue a special use permit, the seed commissioner shall consider each species of prohibited noxious weed or restricted noxious weed separately. The seed commissioner may revoke a special use permit at any time if it appears that the permit holder is not complying with the conditions established under the special use permit.

SECTION 10. IC 15-15-1-28, AS AMENDED BY P.L.143-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 28. (a) The state seed commissioner may by rule define seed labeling and testing terms in common usage such as "pure seed" and "germination".

24 (b) A rule adopted by the state seed commissioner under this section
25 must be based on published sources such as the rules of the Association
26 of Official Seed Analysts.

27 (c) The state seed commissioner shall apply the agricultural seed
28 and vegetable seed standards set forth in 7 CFR 201 as the state
29 germination standards and requirements for agricultural seed and
30 vegetable seed.

(d) The state seed commissioner shall use:

(1) the terms used in seed testing and labeling; and

(2) the methods of testing for official samples;

as provided in the Association of Official Seed Analysts, Rules for Testing Seeds.

36 SECTION 11. IC 15-15-1-29, AS ADDED BY P.L.2-2008,
37 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2026]: Sec. 29. **(a) If any kind and variety of seed present**
39 **in excess of five percent (5%) is "hybrid" seed, the seed must be**
40 **designated "hybrid" on the label.**



1 unless the percentage of pure seed which is hybrid seed is shown
2 separately. If two (2) or more kinds or varieties are present in
3 excess of five percent (5%), each that is hybrid must be designated
4 as hybrid on the label.

5 (c) Any kind and variety that has pure seed which is less than
6 ninety-five percent (95%) but more than seventy-five percent
7 (75%) hybrid seed as a result of incompletely controlled pollination
8 in a cross must be labeled to show the percentage of pure seed that
9 is hybrid seed.

10 (d) One (1) kind and variety of seed may not be labeled as
11 hybrid if the pure seed contains less than seventy-five percent
12 (75%) hybrid seed. However, the seed may be labeled as a mixture
13 or blend.

14 (e) The state seed commissioner may, by rule, define controlled
15 conditions and satisfactory purity for the production of hybrid seed of
16 any kind. A hybrid designation shall must be treated as a variety name.

17 SECTION 12. IC 15-15-1-30.5 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2026]: Sec. 30.5. A disclaimer, nonwarranty,
20 or limited warranty used on any labeling or advertisement may not
21 directly or indirectly deny or modify any information required by
22 this chapter or a rule adopted under this chapter.

23 SECTION 13. IC 15-15-1-31, AS ADDED BY P.L.2-2008,
24 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2026]: Sec. 31. (a) Sections 31.5, 32, and 33 of this chapter do
26 not apply to the following:

27 (1) Seed or grain not intended for seeding and sowing purposes.
28 However, treated agricultural seed must be labeled in accordance
29 with section 32 of this chapter when sold to any person for any
30 purpose whether the seed is in containers or in bulk.

31 (2) Seed in storage or seed that is being transported or consigned
32 to a seed cleaning or processing establishment for cleaning or
33 processing if the invoice or labeling accompanying a shipment of
34 the seed contains the statement "Seed For Processing". Any
35 labeling or other representation that may be made with respect to
36 uncleaned or unprocessed seed is subject to this chapter.

37 (3) A carrier in respect to seed transported or delivered for
38 transportation in the ordinary course of its business as a carrier if
39 the carrier is not engaged in producing, processing, or distributing
40 agricultural seed or vegetable seed subject to this chapter.

41 (4) Seed that satisfies all the following:

42 (A) The seed is grown on the property owned by the seller of



the seed.

- (B) The seed is sold and delivered to the purchaser on the property on which the seed is grown.
- (C) The seed does not contain prohibited noxious weed seed.
- (D) The seed contains not more than one-fourth of one percent (0.25%) of restricted noxious weed seed.
- (E) The seed contains not more than two and one-half percent (2.5%) of all weed seed.

If seed is advertised for sale through the medium of the public press, by circular, by catalog, or by exposing a sample of the seed or a printed or written statement about the seed in a public place or place of business, or if the seed is delivered by a common carrier, (except when transported for the purpose of being recleaned as provided in this section), the producer is considered to be a vendor, and the seed must meet all requirements of this chapter, including complete labeling of the seed. For cereal and soybean seed where the purpose for which the seed is intended may be in question, seed advertised for sale by variety name, as processed, tested, treated, or offered at a price substantially higher than current market prices, is presumed to be offered for seeding purposes and subject to the labeling provisions of this chapter.

(b) A person is not subject to the penalties of this chapter for distributing agricultural **seed** or vegetable seed incorrectly labeled or represented as to kind, variety, or origin and that cannot be identified by examination of the seed unless the person fails to:

- (1) obtain an invoice, ~~genuine~~ grower's declaration, or other labeling information; and
- (2) take other precautions reasonable to ensure the identity of the seed as stated.

SECTION 14. IC 15-15-1-31.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 31.5. (a) After a seed has been processed, the seed must be labeled before distribution to any person, including a wholesaler.**

(b) Labeling of seed supplied to a wholesaler may be by invoice or by an analysis tag attached to the invoice if each bag or other container is clearly identified by a lot number stenciled on the container or if the seed is in bulk. However, each bag that is not identified with an invoice or analysis tag must carry complete labeling.

SECTION 15. IC 15-15-1-32, AS AMENDED BY P.L.75-2010, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2026]: Sec. 32. (a) A container of agricultural seed of any size
2 consisting of more than one (1) pound distributed in Indiana for sowing
3 and seeding purposes must contain or have attached in a conspicuous
4 place on the outside of the container a plainly written or printed tag or
5 label in English giving the information required by this section. If the
6 seed is distributed in bulk, the information required by this section
7 must accompany delivery and be supplied to the purchaser at the time
8 of delivery.

9 (b) The labeling required for seed sold in bags and packages, and in
10 bulk as required by this section, must include the following statements
11 on the labeling attached to the container:

12 (1) The commonly accepted name of each kind and variety of
13 each agricultural seed component that exceeds five percent (5%)
14 of the whole and the percentage by weight of each in the order of
15 its predominance. However, the variety designation may be
16 omitted if the label states the name of the kind and the words
17 "variety not stated". If more than one (1) component is required
18 to be named, the word "mixture" or the word "mixed" must be
19 shown conspicuously on the label. A mixture consisting of two (2)
20 or more varieties of the same kind may be designated as a
21 "blend".

22 (2) Lot number or other lot identification.

23 (3) Origin (state or foreign country where grown) for all seed
24 except hybrid corn. If the origin is unknown, that fact must be
25 stated.

26 (4) The percentage of all weed seed.

27 (5) The name and rate of occurrence per pound of each kind of
28 restricted noxious weed seed present.

29 (6) The percentage of all other agricultural **seed** or vegetable
30 seed, which may be designated as "other crop seeds" or "crop
31 seeds".

32 (7) The percentage of inert matter.

33 (8) For each named agricultural seed:
34 (A) the percentage of germination (as **defined by rule adopted**
35 **provided** under section 28 of this chapter), exclusive of hard
36 seed;
37 (B) the percentage of hard seed, if present; and
38 (C) the calendar month and year the test was completed to
39 determine the percentages.

40 (9) The name and address of the person who labeled the seed or
41 who distributed it within Indiana.

42 (10) For all seed named and treated (for which a separate label



1 may be used):

2 (A) a word or statement indicating that the seed has been
3 treated;
4 (B) the commonly accepted coined chemical or abbreviated
5 chemical (generic) name of any applied pesticide;
6 (C) a description of the process or the commonly accepted
7 name of the substance applied if other than a pesticide; and
8 (D) if the substance in the amount present with the seed is
9 harmful to human or other vertebrate animals, a caution
10 statement such as "Do Not Use For Food Or Feed Or Oil
11 Purposes". A poison statement or symbol must be used as the
12 caution for mercurials and similarly toxic substances.

13 (11) For pre-inoculated seed, in addition to other labeling
14 requirements of this section (for which a separate label may be
15 used):

16 (A) a word or statement indicating that the seed has been
17 pre-inoculated; and
18 (B) the date beyond which the inoculant is not to be
19 considered effective.

20 (12) For cool season lawn and turf grasses, the following
21 statements on the labeling:

22 (A) For single kinds of grasses, the name of the kind or the
23 kind and variety.
24 (B) For grass mixtures:

25 (i) the word "mix", "mixed", "mixture", or "blend" must be
26 stated with the name of the mixture;
27 (ii) the headings "Pure Seed" and "Germination" or "Germ"
28 must be used in the proper places; and
29 (iii) the commonly accepted name of the kind or the kind
30 and variety of each agricultural seed component that exceeds
31 five percent (5%) of the whole, and the percentage by
32 weight of pure seed in order of its predominance and in
33 columnar form.

34 (C) The percentage by weight of agricultural seed other than
35 those required to be named on the label (which must be
36 designated as "crop seed").

37 (D) The percentage by weight of inert matter.

38 (E) The percentage by weight of all weed seeds. The
39 maximum weed seed content may not exceed two and
40 five-tenths percent (2.5%) by weight.

41 (F) The name and rate of occurrence per pound of each kind
42 of restricted noxious weed seed present and listed under the



1 heading "Noxious Weed Seeds". Restricted noxious weed seed
 2 may not exceed twenty-five hundredths of one percent (0.25%)
 3 by weight.

4 (G) For each agricultural seed named under clause (A) or (B),
 5 the following:

- 6 (i) The percentage of germination, exclusive of hard seed.
- 7 (ii) The percentage of hard seed, if present.
- 8 (iii) The calendar month and year the test was completed to
 9 determine the required percentages. The oldest test date
 10 must be used.
- 11 (iv) The statement "Sell by (month/year)". The date may not
 12 exceed fifteen (15) months from the date that must be stated
 13 on the labeling under item (iii), exclusive of the month of
 14 the test.

15 The total of the percentages by weight under clauses (B)(iii), (C),
 16 (D), and (E) must equal one hundred percent (100%).

17 (c) The statements required by this section may not be modified or
 18 denied.

19 **(d) Words and terms that are required to be on a label may not
 20 be abbreviated or contracted when used on a seed label.**

21 **(e) The required seed label for agricultural seeds may not carry
 22 any statement relating to the sum of the percentage of germination
 23 and the percentage of hard seeds.**

24 **(f) The total of the percentages that are stated on the labeling
 25 under subsection (b)(1), (b)(4), (b)(6), and (b)(7) must equal one
 26 hundred percent (100%).**

27 SECTION 16. IC 15-15-1-32.5 IS ADDED TO THE INDIANA
 28 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 29 **[EFFECTIVE JULY 1, 2026]: Sec. 32.5. (a) Any agricultural seed
 30 that remains in the inventory of a distributor after the germination
 31 test has expired must be removed from sale or relabeled. The new
 32 germination and hard seed claim, if applicable, along with the new
 33 germination test date updated on the original label in a manner:**

- 34 **(1) that is clearly legible; and**
- 35 **(2) in which the old data is completely covered or obliterated.**

36 **(b) The person upon whose premises the seed is located is
 37 responsible for obtaining the new test and for subsequent
 38 relabeling of the seed.**

39 SECTION 17. IC 15-15-1-33, AS AMENDED BY P.L.75-2010,
 40 SECTION 7, IS AMENDED TO READ AS FOLLOWS **[EFFECTIVE**
 41 **JULY 1, 2026]: Sec. 33. (a) For vegetable seeds in packets as prepared
 42 for use in home gardens or household plantings or vegetable seeds in**



1 preplanted containers, mats, tapes, or other planting devices in
2 containers that do not exceed one (1) pound, the labeling must include
3 the following information:
4 (1) The name of the kind and variety of seed.
5 (2) The name and address of the person who labeled or who
6 distributed the seed.
7 (3) For seed that germinates less than the standard most recently
8 established under this chapter:
9 (A) the percentage of germination (as ~~defined by rule adopted~~
10 **provided** under section 28 of this chapter), exclusive of hard
11 seed;
12 (B) the percentage of hard seed, if present;
13 (C) the calendar month and year the test was completed to
14 determine the percentages; and
15 (D) the words "Below Standard" in not less than 8 point type.
16 (4) For seed that has been treated, the same labeling information
17 required for agricultural seeds.
18 (5) The number of noxious weed seeds per pound of vegetable
19 seed, if any weed seed is present.
20 (6) Lot number or other lot identification.
21 (7) Germination test information in any of the following forms:
22 (A) The calendar month and year the germination test was
23 completed and the statement "Sell by (month/year)". The date
24 may not exceed twelve (12) months from the date of the test,
25 exclusive of the month of the test.
26 (B) The year for which the seed was packaged for sale, as
27 "Packed for (year)". The date must be for a calendar year and
28 include the statement "Sell by (month/year)". The date may not
29 exceed twelve (12) months from the date of the test, exclusive
30 of the month of the test.
31 (C) The percentage of germination and the calendar month and
32 year the test was completed to determine the percentages.
33 However, the germination test must have been completed
34 within the previous twelve (12) months, exclusive of the
35 month of the test.
36 (b) For vegetable seeds sold in containers that are more than one (1)
37 pound, the labeling must include the following:
38 (1) The name of each kind and variety present that exceeds five
39 percent (5%) and the percentage by weight of each in order of its
40 predominance.
41 (2) Lot number or other lot identification.
42 (3) For each named vegetable seed:



- (A) the percentage of germination, exclusive of hard seed;
- (B) the percentage of hard seed, if present; and
- (C) the calendar month and year the test was completed to determine the percentages. The date may not be later than twelve (12) months after the date of the test, exclusive of the month of the test.

(c) For seeds placed in a germination medium, mat, tape, or another device and in a way to make it difficult to determine the quantity of seed without removing the seed from the medium, mat, tape, or other device, the labeling must include a statement to indicate the minimum number of seeds in the container.

SECTION 18. IC 15-15-1-33.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 33.2. (a) The name of a kind and variety of seed and any descriptive terms pertaining to the seed must be correctly represented in any labeling and advertisement of the seed.**

(b) The label for agricultural seed and vegetable seed must contain the required information, in any form, that is clearly legible and complies with this chapter and any rules adopted under this chapter. The required information may be on a tag attached securely to the container or printed in a conspicuous manner on a side or the top of the container.

(c) The label may contain information in addition to that required by this chapter if the additional information is not misleading.

SECTION 19. IC 15-15-1-33.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 33.4. (a) Except as provided in subsection (b), the name of each kind of agricultural seed or vegetable seed is the name associated with one (1) or more related species or subspecies which singly or collectively are:**

- (1) allowed under 7 CFR 201.34; or**
- (2) known by one (1) common name**

(b) A name of a kind of agricultural seed or vegetable seed that is synonymous through broad common usage may be substituted for the name in subsection (a) if the name:

- (1) does not apply to more than one (1) kind of seed; and
- (2) is not misleading.

(c) The representation of the same kind and variety of agricultural seed or vegetable seed in any advertisement or labeling must be confined to the kind and variety as determined



1 under this chapter. The kind name and variety name may not be
 2 associated with words or terms that create a misleading impression
 3 as to the history or characteristics of the kind and variety.
 4 Descriptive terms and firm names may be used in kind and variety
 5 names if the descriptive terms or firm names are a part of the
 6 name of the kind and variety name of the seed. Examples:
 7 Stringless Green Pod, Detroit Dark Red, Black Seeded Simpson,
 8 and Henderson Bush Lima.

9 (d) A term that describes color, shape, size, habit of growth,
 10 disease resistance, or other characteristics of the kind and variety
 11 may be associated with the name of the kind and variety if it is
 12 done in a manner that clearly indicates the descriptive term is not
 13 a part of the name of the kind and variety. Examples: Oshkosh
 14 Pepper (yellow), Copenhagen Market (round head) Cabbage, and
 15 Kentucky Wonder pole bean.

16 (e) A term that describes the:

- 17 (1) quality;
- 18 (2) origin; or

19 (3) basis for representations made;
 20 may be associated with the name of the kind and variety of seed, if
 21 the term is clearly identified as being other than part of the name
 22 of the kind and variety. Examples: Blue Tag Gem Barley, Idaho
 23 Origin Alfalfa, and Grower's Affidavit of Variety Atlas Sorghum.

24 (f) A descriptive term that describes the manner or method of
 25 production or conditioning of seed may be associated with the
 26 name of the kind and variety of seed if the term is not misleading.
 27 For example, the terms "certified", "registered", "scarified",
 28 "treated", and "hulled" may be used if they are not misleading.

29 (g) A brand name or term taken from a trademark may be
 30 associated with the kind and variety or mixtures of kinds or
 31 varieties or blends of varieties of seed as an indication of the
 32 source. However, the term must clearly indicate that the term is
 33 not part of the name of the kind and variety, mixture, or blend.
 34 Example: Ox Brand Golden Cross sweet corn. A brand name or
 35 trademark may not be used in place of a variety name or in any
 36 manner that may be interpreted as being a variety name.

37 SECTION 20. IC 15-15-1-33.6 IS ADDED TO THE INDIANA
 38 CODE AS A NEW SECTION TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2026]: Sec. 33.6. (a) When both a brand and
 40 variety name are stated, the following terms must be shown on the
 41 seed label in the following order from left to right or top to bottom:

- 42 (1) The brand name.



(2) The word "brand".
(3) The variety name.
(4) The kind name.

(b) When a brand name is stated but no variety name is stated, the following terms must be shown on the seed label in the following order from left to right or top to bottom:

- (1) The brand name.
- (2) The word "brand".
- (3) The kind name.
- (4) The words "variety not stated".

SECTION 21. IC 15-15-1-33.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 33.8. (a) A seed mixture consisting of two (2) or more varieties of the same kind may be designated as a "blend" of seed if the following conditions are met:

- (1) The word "blend" is included on the label as a part of the name of the blend.
- (2) The variety name of each component of a blend is shown on the label along with the following information for each component:
 - (A) The percentage by weight of each component in excess of five percent (5%).
 - (B) The germination percentage.
 - (C) The hard seed percentage, if applicable.

(b) Notwithstanding subsection (a)(2), the following information may be placed on the label:

- (1) The:
 - (A) variety designation of each component;
 - (B) percentage by weight of each component;
 - (C) germination percentage; and
 - (D) hard seed percentage, if applicable;of each component may be omitted if the label states the kind of seed and the words "varieties not stated".
- (2) The blend may be represented by:
 - (A) one (1) common pure seed percentage;
 - (B) one (1) germination percentage; and
 - (C) one (1) hard seed percentage, if applicable; for the blend as a whole.
- (c) A blend or mixture may be assigned a brand name but not a variety name.
- (d) The labeling and advertisement of a varietal blend may not imply that the seed is a single variety.



1 SECTION 22. IC 15-15-1-34, AS AMENDED BY P.L.10-2022,
2 SECTION 2, AND P.L.33-2022, SECTION 2, IS AMENDED TO
3 READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 34. (a) A
4 person who distributes agricultural **seed** or vegetable seed in Indiana
5 may apply to the state seed commissioner for a permit to use the
6 person's own labeling, report the quantity of seed sold, and pay the
7 inspection fee on the basis of the report.

8 (b) In making application for a permit under subsection (a), the
9 distributor must agree to the following:

10 (1) Label the seed with the information required by law.
11 (2) Keep the records the state seed commissioner considers
12 necessary to indicate accurately the number and size of containers
13 of each kind of agricultural **seed** and vegetable seed distributed
14 and the quantity of such seed distributed in bulk.

15 (3) Grant the state seed commissioner or the state seed
16 commissioner's authorized representative permission to examine
17 the records described in subdivision (2) and verify the statement
18 of quantity of seed distributed.

19 (4) Report under oath to the state seed commissioner on forms
20 furnished by the state seed commissioner the quantity of
21 agricultural **seed** and vegetable seed sold during the period
22 covered.

23 (c) The state seed commissioner may grant a permit under
24 subsection (a) if the state seed commissioner determines that the
25 applicant's proposed report of the quality of agricultural **seed** and
26 vegetable seed sold will lead to efficient enforcement of this chapter.
27 The state seed commissioner may revoke the permit at any time if it
28 appears to the state seed commissioner that the distributor is not
29 complying with the agreement described in subsection (b) or this
30 chapter. If:

31 (1) the report is not filed and the inspection fee not paid before
32 ten (10) days following the due date;
33 (2) the report of volume is false; or
34 (3) the labeling requirements of this chapter have not been
35 complied with;

36 the state seed commissioner may revoke the permit. If the inspection
37 fee is unpaid after the ten (10) day grace period, a penalty shall be
38 assessed in the amount of ten percent (10%) in addition to the amount
39 due.

40 (d) The report of quantity sold required under subsection (b)(4) is
41 due, and the inspection fees required under this chapter are payable,
42 semiannually on the last day of the month following the end of the



1 semiannual period. The first half reporting period ends June 30 and the
2 second half reporting period ends December 31.

3 SECTION 23. IC 15-15-1-34.5 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: Sec. 34.5. (a) The state seed
6 commissioner shall charge the amount set forth in this section.

7 (b) A person who distributes agricultural seed or vegetable seed
8 in Indiana may apply to the state seed commissioner for a permit
9 to use the person's own labeling, report the quantity of seed sold,
10 and pay the inspection fee on the basis of the report. Subject to
11 subsection (i), the inspection fee is the following:

12 (1) Thirty cents (\$0.30) per one hundred (100) pounds of
13 alfalfa, clover, vegetable, grass seed, and mixtures of the
14 seeds, with a minimum payment of seven and one-half cents
15 (\$0.075) for each package or container weighing more than
16 one (1) pound.

17 (2) Fifteen cents (\$0.15) per one hundred (100) pounds of all
18 agricultural seed other than seeds described in subdivision (1),
19 with a minimum payment of three and three-fourths cents
20 (\$0.0375) for each package or container weighing more than
21 one (1) pound.

22 (c) A person who distributes vegetable seeds in:

23 (1) packets as prepared for use in home gardens or household
24 plantings; or

25 (2) preplanted containers, mats, tapes, or other planting
26 devices;

27 in containers of not more than one (1) pound shall pay three dollars
28 (\$3) for each retail location offering the assortments or display
29 units of seed for sale in Indiana.

30 (d) When applying for a permit under subsection (c), the
31 distributor must agree to the following:

32 (1) Label the seed with the information required by law.

33 (2) Keep the records the state seed commissioner considers
34 necessary to indicate accurately the number and size of
35 containers of each kind of agricultural seed and vegetable
36 seed distributed and the quantity of the seed distributed in
37 bulk.

38 (3) Grant the state seed commissioner or the state seed
39 commissioner's authorized representative permission to
40 examine the records described in subdivision (2) and verify
41 the statement of quantity of seed distributed.

42 (4) Report under oath to the state seed commissioner on forms



1 furnished by the state seed commissioner the quantity of
2 agricultural seed and vegetable seed sold during the period
3 covered.

19 (g) If the:

20 (1) report is not filed and the inspection fee not paid not more
21 than fifteen (15) days following the due date;
22 (2) report of quantity sold is false; or
23 (3) labeling requirements of this chapter have not been
24 complied with;

25 the state seed commissioner may revoke the distributor's permit.

31 whichever is greater, in addition to the amount due.

42 (k) Two (2) times each year the state seed commissioner shall



1 **issue a credit to any distributor of seed for the inspection fee paid**
2 **to the distributor's supplier on seed subsequently sold to a**
3 **wholesaler.**

4 SECTION 24. IC 15-15-1-36, AS ADDED BY P.L.2-2008,
5 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2026]: Sec. 36. (a) Each person whose name appears on the
7 label as distributing agricultural **seed** or vegetable seed subject to this
8 chapter shall do the following:

9 (1) Keep for two (2) years complete records of each lot of
10 agricultural **seed** or vegetable seed distributed.

11 (2) Keep for one (1) year a file sample of each lot of seed that is
12 distributed after final disposition of the lot.

13 (b) All records and samples relating to the shipments involved must
14 be accessible for inspection by the state seed commissioner or the state
15 seed commissioner's agent during customary business hours.

16 **(c) The permit holder shall report the quantities of agricultural**
17 **seed and vegetable seed on forms furnished to the permit holder by**
18 **the state seed commissioner semiannually. The quantities must be**
19 **reported according to kind of seed as designated on the report**
20 **form.**

21 SECTION 25. IC 15-15-1-38, AS ADDED BY P.L.2-2008,
22 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2026]: Sec. 38. (a) The state seed commissioner may file an
24 action for the seizure of any lot of agricultural **seed** or vegetable seed
25 that violates this chapter.

26 (b) An action filed under this section must be filed in a court with
27 jurisdiction in the locality in which the seed is located.

28 (c) If the court finds the seed to be in violation of this chapter and
29 orders the condemnation of the seed, the seed shall be denatured,
30 processed, destroyed, relabeled, or disposed of in compliance with
31 Indiana law. The court may not order the disposition of the seed unless
32 the claimant is given an opportunity to apply to the court for release of
33 the seed or permission to process or relabel the seed to bring it into
34 compliance with this chapter.

35 SECTION 26. IC 15-15-1-40, AS AMENDED BY P.L.17-2014,
36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2026]: Sec. 40. A person may not distribute agricultural **seed**
38 or vegetable seed within Indiana if any of the following apply:

39 (1) If the test to determine the percentage of germination (as
40 defined by rule adopted under section 28 of this chapter) required
41 by sections 32 and 33 of this chapter has not been completed
42 within a twelve (12) month period, not including the calendar



1 month in which the test was completed immediately before
2 distribution. However, the state seed commissioner may by rule
3 designate:

4 (A) a shorter period for a kind of agricultural **seed** or vegetable
5 seed that the state seed commissioner finds under ordinary
6 conditions of handling will not maintain, during a twelve (12)
7 month period, a germination within the established tolerance
8 limits; or

9 (B) a longer period for a kind of agricultural **seed** or vegetable
10 seed that is packaged in such container materials and under
11 such conditions prescribed by the state seed commissioner that
12 the state seed commissioner finds will, during the longer
13 period, maintain the viability of the seed under ordinary
14 conditions of handling.

15 (2) If the seed is not labeled in accordance with this chapter.

16 (3) If the seed carries labeling that is false or misleading in any
17 particular.

18 (4) If the seed contains or consists of prohibited noxious weed
19 seed.

20 (5) If the seed consists of or contains restricted noxious weed seed
21 in excess of one-fourth of one percent (0.25%). If less than
22 one-fourth of one percent (0.25%) of weed seed by weight is
23 present, the number per pound must be declared on the labeling.

24 (6) If the seed contains more than two and one-half percent
25 (2.5%) of all weed seed.

26 (7) If the seed is represented to be "certified seed", "registered
27 seed", or "foundation seed", the seed has not been produced and
28 labeled in accordance with the procedures and in compliance with
29 rules of an official or officially recognized seed certification or
30 registration agency.

31 (8) If the inoculant applied to pre-inoculated seed is ineffective as
32 determined by standards established by rule.

33 SECTION 27. IC 15-15-1-41, AS AMENDED BY P.L.75-2010,
34 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2026]: Sec. 41. A person may not do any of the following:

36 (1) Detach, alter, deface, or destroy any label provided for in this
37 chapter or the rules adopted under this chapter.

38 (2) Alter or substitute seed in a manner that may defeat the
39 purpose of this chapter.

40 (3) Disseminate false or misleading advertisements concerning
41 agricultural **seed** or vegetable seed.

42 (4) Hinder or obstruct in any way an authorized person in the



1 performance of the person's duties under this chapter.

2 (5) Fail to comply with a stop sale order issued under section 27

3 of this chapter.

4 (6) Use the word:

5 (A) "trace" as a substitute for any statement required by this

6 chapter; or

7 (B) "type" in any labeling in connection with the name of any

8 seed variety.

9 (7) Use a state seed commissioner tag or label more than once.

10 (8) Sell grain or other seed that has been treated to any person for

11 any purpose unless the grain or seed is clearly labeled as required

12 in sections 32 and 33 of this chapter.

13 (9) Distribute seed colored so that it does not contrast with the

14 natural color of the seed.

15 (10) Distribute noxious weed seed without a special use permit

16 issued by the seed commissioner under section 27(b)(17) of this

17 chapter.

18 (11) Assign the same brand designation to more than one (1)

19 variety or blend of the same kind of seed, if not sold by variety

20 name.

21 (12) Use relabeling stickers unless the relabeling stickers state:

22 (A) both the calendar month and year the germination test was

23 completed and the sell-by date, as required under sections

24 **31.5, 32, and 33** of this chapter; and

25 (B) the lot number that matches the existing original lot

26 number.

27 (13) Relabel a seed lot using stickers more than once.

28 SECTION 28. IC 15-15-1-44 IS ADDED TO THE INDIANA

29 CODE AS A **NEW SECTION** TO READ AS FOLLOWS

30 [EFFECTIVE JULY 1, 2026]: Sec. 44. **(a) In order to secure a**

31 **representative sample, equal portions must be taken from evenly**

32 **distributed parts of the quantity of seed or screenings to be**

33 **sampled. Access must be available to all parts of the quantity of**

34 **seed. When more than one (1) trierful of seed is drawn from a bag,**

35 **different paths through the bag must be followed. When more than**

36 **one (1) handful is taken from a bag, the handfuls must be taken**

37 **from well-separated points.**

38 **(b) Free flowing seeds must be sampled as follows:**

39 **(1) For free flowing seed in bags or bulk, a probe or trier must**

40 **be used.**

41 **(2) For small free flowing seed in bags, a probe or trier long**

42 **enough to sample all portions of the bag must be used.**



(c) Non-free flowing seed, including certain grass seed or uncleared seed or screenings, that is difficult to sample with a probe or trier must be sampled by inserting the hand into the bulk and withdrawing representative portions. The hand is inserted in an open position and the fingers are held closely together while the hand is being inserted and the portion withdrawn.

(d) As the seed or screenings are sampled, the person taking the sample shall examine each portion of the sample. If the sample appears to lack uniformity, the portions may not be combined into a composite sample but must be retained as separate samples or combined to form individual container samples to determine if a lack of uniformity may exist.

(e) If the portions appear to be uniform, the portions must be combined to form a composite sample.

SECTION 29. IC 15-15-1-45 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 45. Bulk seed or screenings must be sampled by inserting a long probe or inserting the hand into the bulk as circumstances require in at least seven (7) uniformly distributed parts of the quantity being sampled. At least as many trierfuls or handfuls must be taken as the minimum which would be required for the same quantity of seed or screenings in bags of a size customarily used for the seed or screenings.**

SECTION 30. IC 15-15-1-46 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 46. (a) For lots of six (6) bags or less, each bag must be sampled. A total of at least five (5) trierfuls must be taken.**

(b) For lots of more than six (6) bags, five (5) bags plus at least ten percent (10%) of the number of bags in the lots must be sampled (rounding off numbers with decimals to the nearest whole number, raising five-tenths (0.5) to the next whole number). Regardless of the lot size, it is not necessary that more than thirty (30) bags be sampled.

(c) Samples must be drawn from unopened bags except under circumstances where the identity of the seed has been preserved.

SECTION 31. IC 15-15-1-47 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 47. In sampling seed in a small container where it is not practical to sample as required by section 46 of this chapter, a portion of one (1) unopened container or one (1) or more entire unopened containers may be taken to supply a**



1 **minimum size sample.**

2 SECTION 32. [EFFECTIVE JULY 1, 2026] **(a) The following**
3 **rules are void:**

- 4 **(1) 360 IAC 1-1-1.**
- 5 **(2) 360 IAC 1-1-2.**
- 6 **(3) 360 IAC 1-1-3.**
- 7 **(4) 360 IAC 1-1-4.**
- 8 **(5) 360 IAC 1-1-7.**
- 9 **(6) 360 IAC 1-1-8.**
- 10 **(7) 360 IAC 1-1-9.**
- 11 **(8) 360 IAC 1-1-10.**
- 12 **(9) 360 IAC 1-1-11.**
- 13 **(10) 360 IAC 1-1-12.**
- 14 **(11) 360 IAC 1-1-13.**
- 15 **(12) 360 IAC 1-1-14.**
- 16 **(13) 360 IAC 1-1-15.**
- 17 **(14) 360 IAC 1-2-1.**
- 18 **(15) 360 IAC 1-3-1.**
- 19 **(16) 360 IAC 1-3-2.**
- 20 **(17) 360 IAC 1-3-3.**
- 21 **(18) 360 IAC 1-3-4.**
- 22 **(19) 360 IAC 1-3-5.**
- 23 **(20) 360 IAC 1-3-6.**
- 24 **(21) 360 IAC 1-3-7.**
- 25 **(22) 360 IAC 1-3-8.**
- 26 **(23) 360 IAC 1-4-1.**
- 27 **(24) 360 IAC 1-4-2.**
- 28 **(25) 360 IAC 1-5-1.**
- 29 **(26) 360 IAC 1-6-1.**
- 30 **(27) 360 IAC 1-6-2.**
- 31 **(28) 360 IAC 1-6-3.**
- 32 **(29) 360 IAC 1-6-4.**
- 33 **(30) 360 IAC 1-7-3.**
- 34 **(31) 360 IAC 1-7-4.**
- 35 **(32) 360 IAC 1-7-5.**
- 36 **(33) 360 IAC 1-7-6.**

37 **(b) The publisher of the Indiana Administrative Code and the**
38 **Indiana Register shall remove the rules in subsection (a) from the**
39 **Indiana Administrative Code.**

40 **(c) This SECTION expires July 1, 2027.**

