



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 637 (as introduced 12-3-15)  
Sponsor: Senator Joe Hune  
Committee: Agriculture

Date Completed: 4-14-16

**CONTENT**

**The bill would amend the Michigan Seed Law to do the following:**

- **Require cool season lawn and turf seed and mixtures to include a "sell by" date, which would have to be within 15 months from the date of the germination test.**
- **Prohibit a person from selling any cool season lawn and turf seed and mixtures if the germination test were not completed within 15 months immediately before the sale.**
- **Require seed treated with a harmful substance to be labeled with warning and caution statements in at least 8-point, rather than 12-point, font.**

The bill would take effect 90 days after its enactment.

Under the Seed Law, for agricultural seed and mixtures of agriculture seed, and for vegetable seed in containers of more than one pound, certain information is required. Under the bill, cool season lawn and turf seed and mixtures would have to include the statement "sell by", which would have to be within 15 months from the date of the germination test exclusive of the month of the test. "Cool season lawn and turf grass" would mean grasses including Kentucky Bluegrass, Red Fescue, Chewings Fescue, Hard Fescue, Tall Fescue, Intermediate Ryegrass, Annual Ryegrass, Colonial Bentgrass, Annual Bentgrass, and mixtures of any of these.

A person may not sell, offer for sale, advertise, expose, or transport for sale any seed subject to the Law if the test to determine the percentage of germination was not completed within an 11-month period, exclusive of the month in which the test was completed immediately before sale. Under the bill, this provision also would refer to the 15-month period described above for cool season lawn and turf seed and mixtures.

Seed that has been treated with an irritating or poisonous substance, harmful to human or other vertebrate animals, must be colored or dyed a color contrasting with the natural color of the seed, and must be labeled with the following information:

- A warning statement in 12-point or larger type that the seed has been treated.
- The common, coined, or abbreviated chemical name of the substance applied to the seed.
- A caution statement in 12-point type as follows: "treated seed--do not use for food, feed, or oil purposes".

Where the Law specifies 12-point type, the bill instead would require 8-point or larger type.

A person who violates the Seed Law is guilty of a misdemeanor punishable by a fine of at least \$100 but not more than \$2,000 for each offense, or imprisonment for up to 90 days. Also, the Director of the Department of Agriculture and Rural Development may issue and enforce a stop sale order, and the lot of seeds not in compliance with the Law is subject to seizure and destruction or other method of disposal.

MCL 286.702 et al.

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill could have a negative fiscal impact on State and local government. The additional provisions in the bill could lead to more misdemeanor charges and convictions for violations. An increase in misdemeanor arrests and convictions could place incremental resource demands on local court systems, law enforcement, and jails. Any associated increase in fine revenue would be dedicated to public libraries.

Fiscal Analyst: Ryan Bergan

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.