

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 727

Representatives Lanese, White

Cosponsors: Representatives Holmes, Manning, Seitz

A BILL

To amend section 907.09 of the Revised Code to 1
exempt the seed of certain native plant species 2
from the agricultural seed law when used for 3
specified purposes. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 907.09 of the Revised Code be 5
amended to read as follows: 6

Sec. 907.09. (A) Sections 907.03, 907.07, and 907.08 of 7
the Revised Code do not apply to: 8

(1) Agricultural, vegetable, or flower seed not intended 9
for sowing purposes; 10

(2) Unprocessed agricultural, vegetable, or flower seed in 11
storage or being transported to or consigned to a seed 12
processing establishment, provided that the label accompanying a 13
shipment of the seed shall bear the statement "seed for 14
processing" and provided further that any label or other 15
representation that is made with respect to the unprocessed seed 16
shall be subject to sections 907.01 to 907.17 of the Revised 17
Code; 18

(3) Agricultural, vegetable, or flower seed that is in interstate transport and that is governed by 7 C.F.R. 201.33;

(4) Agricultural, vegetable, or flower seed of a plant that is native to Ohio, whose ownership is freely transferred, without remuneration of any sort, when used in one of the following ways:

(a) To support conservation of butterflies or other insects;

(b) To plant and create native plants habitats;

(c) To propagate native plants for their specific conservation.

(B) In the case of agricultural, vegetable, or flower seed that is being exported in bulk or containers directly to a foreign country and that is in quantities of twenty thousand pounds or more regardless of the number of lots included, the labeling requirements established under section 907.03 of the Revised Code do not apply, provided that all of the following requirements are satisfied:

(1) The omission, from each container or bulk unit, of a label with the required information is done with the knowledge and consent of the buyer of the seed prior to the transportation or delivery for transportation of the seed in international commerce.

(2) Each container has stenciled on it or bears a label containing a lot designation, variety identification, and kind identification.

(3) The invoice or other records accompanying and pertaining to the seed bear the information concerning the

respective seeds that is required under section 907.03 of the Revised Code. 47
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(4) Records are kept available to be provided to the 49
department of agriculture upon request in order to show proof 50
that the seed is being exported to a foreign country for 51
distribution. 52

Section 2. That existing section 907.09 of the Revised 53
Code is hereby repealed. 54