

12:36:02:01. Seed testing. In carrying out the administration of SDCL 38-12A, inspectors shall follow the procedure set forth in the ~~2016~~ 2018 **Rules for Testing Seeds**, Association of Official Seed Analysts (October 1981, revised ~~2016~~2018).

General Authority: SDCL 38-12A-20.

Law Implemented: SDCL 38-12A-19.

Reference: **Rules for Testing Seeds**, Association of Official Seed Analysts, October 1981, revised ~~2016~~ 2018. Copies may be obtained by contacting the Association of Official Seed Analysts, 653 Constitution Avenue NE, Washington DC. 20002; ~~\$205 per copy (print) or \$100~~ \$110 per copy (electronic).

12:36:03:01. Prohibited noxious weed seeds. Seed may not contain prohibited noxious weed seeds in any amount. Prohibited ~~The prohibited~~ noxious weed seeds are as follows:

- (1) Field bindweed (*Convolvulus arvensis*);
- (2) Leafy spurge (*Euphorbia esula* ~~and~~ *E. xpseudovirgata*);
- (3) Hoary cress (~~*Cardaria draba*~~ *Lepidium draba*);
- (4) Russian knapweed (~~*Centaurea repens*~~ *Rhaponticum repens*);
- (5) Perennial sowthistle (~~*Sonchus arvensis*~~ *Sonchus arvensis*);
- (6) Canada thistle (~~*Cirsium arvensis*~~ *Cirsium arvense*);
- (7) ~~Quackgrass~~ (~~*Agropyron repens*~~) Palmer amaranth (*Amaranthus palmeri*); and
- (8) Horse nettle (~~*Solanum carolinense*~~ *Solanum carolinense*).

General Authority:SDCL 38-12A-20.

Law Implemented:SDCL 38-12A-1, 38-12A-26.

12:36:03:02. Restricted noxious weed seeds. ~~The restricted~~ Restricted noxious ~~weeds~~ weed seeds shall not exceed a cumulative total of 20 per pound. Restricted noxious weed seeds are as follows:

- (1) Wild oats (*Avena fatua*);
- (2) Dodder (*Cuscuta* spp.);
- (3) Wild mustard (*Sinapis arvensis* L. subsp. *arvensis* [syn. *Brassica kaber* ~~[syn. *Sinapis arvensis*]~~, *B. nigra*, *B. juncea*);
- (4) Hedge bindweed (~~*Convolvulus*~~ *Calystegia sepium*);
- (5) Wild carrot (*Daucus carota* L. subsp. *carota*);
- (6) Field pennycress (~~*Thlaspi*~~ *Thlaspi arvense*);
- (7) Annual bluegrass (*Poa annua*);
- (8) Spotted knapweed (*Centaurea* ~~*maeulosa*~~ ~~*stoebe*~~ L. subsp. *australis*);
- (9) Giant foxtail (*Setaria faberi*);
- (10) Musk thistle (*Carduus nutans*); ~~and~~
- (11) Plumeless thistle (*Carduus acanthoides*); ~~and~~
- (12) Quackgrass (*Elymus repens*).

General Authority: SDCL 38-12A-20.

Law Implemented: SDCL 38-12A-1, 38-12A-26.

12:36:03:03. Maximum content of weed seed. Seed other than the grasses listed in this section may not contain more than ~~two~~ one percent by weight of weed seed. Seed of the following grasses or mixtures of these grasses may not contain more than ~~five~~ three percent by weight of weed seeds:

- (1) Bluestems (~~*Andropogon* spp.~~ *Andropogon* spp., *Bothriochloa* spp., and ~~*Schizachyrium scaparium*~~ *Schizachyrium scaparium*);
- (2) Indiangrass (~~*Sorghastrum nutans*~~ *Sorghastrum nutans*);

(3) Gramas(~~*Bouteloua* spp.~~); (*Bouteloua* spp.); and

(4) Prairie sandreed (~~*Calamovilfa* longifolia~~)(*Calamovilfa longifolia*).

General Authority:SDCL 38-12A-20.

Law Implemented:SDCL 38-12A-16.

12:36:04:05. Seeds for which TZ test may be used. ~~For each of the following grasses, the~~ The result of a tetrazolium test may be shown in lieu of the percentage of germination to indicate the potential viability of ~~the~~ the green needlegrass (*Nassella viridula*) seed.

(1) ~~Needlegrass, green, *Stipaviridula*;~~

(2) ~~Wheatgrass, western, *Agrophyronsmithii*.~~

For all other seeds, the result of a tetrazolium test may be shown along with the percentage of germination.

General Authority: SDCL 38-12A-20.

Law Implemented:SDCL 38-12A-2.