**Section 230.100 Labeling Treated Seed**

All seed treated as defined in Section 4 of the Act shall be labeled to show the following:

a)

1) Contents of label. Any agricultural seed or any mixture thereof or any vegetable seed or any mixture thereof for seeding purposes that has been treated shall be labeled in type no smaller than 8 points to indicate that the seed has been treated and to show the name of any substance or a description of any process (other than application of a substance) used in such treatment in accordance with this rule; for example:

|  |  |
| --- | --- |
| Treated with |  |
|  | (Name of substance or process) |

|  |  |  |
| --- | --- | --- |
| or |  | treated |
|  | (Name of substance or process) |  |

2) If the substance used in such treatment in the amount remaining with the seed is harmful to humans or other vertebrate animals, the seed shall also bear a label containing additional statements as required by paragraphs (c) and (d) of this rule. The label shall contain the required information in any form that is clearly legible and complies with the Act and its rules. The information may be on the analysis tag, or label, or on a separate tag, or it may be printed in a conspicuous manner on a side or top of the container.

b) Name of substance. The name of any substance as required by paragraph (a) of this rule shall be commonly accepted coined, chemical (generic), or abbreviated chemical name. Commonly accepted coined names are free for general use by the public, are not private trademarks, and are commonly recognized as names of particular substances, such as thiram and captan. An example of a commonly accepted chemical (generic) name is hexachlorbenzene.

c) All Highly Toxic Substances.

1) Seed treated with a highly toxic substance, if any amount remains with the seed, shall be labeled to show a representation of a skull and crossbones at least twice the size of the type used for information required to be on the label under paragraph (a) and shall also include in red letters on a background of distinctly contrasting color a statement worded substantially as follows: "This seed has been treated with Poison," "Poison treated," or "Poison." The word "Poison" shall appear in type no smaller than 8 points.

2) Any amount of substances remaining with the seed is considered harmful within the meaning of this rule.

d) Other harmful substances. If a substance, other than one which would be classified as a highly toxic substance under paragraph (c) of this rule, is used in the treatment of seed, and the amount remaining with the seed is harmful to humans or other vertebrate animals, the seed shall be labeled with an appropriate caution statement in type no smaller than 8 point worded substantially: "So not use for food," "Do not use for feed," "Do not use for oil purposes" or "Do not use for food, feed or oil purposes."

e) No treated seed shall be re-packaged and sold without proper warning labels.

f) Any substance used in the treatment of seed grains or seed which might be used for feed or human consumption, which is of a toxic nature, shall be colored so as to be readily discernible as required by rules of the Federal Food, Drug and Cosmetic Act, as amended (21 U.S.C. 301 et seq.).

g) In the case of seed in bulk, the information required on the labels of packaged seed shall appear on the container and the invoice or other records accompanying and pertaining to such seed.