§ 201.31a Labeling treated seed.

(a) 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 point 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 section; for example,

Treated with ____________________________ (name of substance or process) or ____________________________ (name of substance or process) treated.

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 section. The label shall contain the required information in any form that is clearly legible and complies with the regulations in this part. The information may be on the tag bearing the analysis information 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 section shall be the commonly accepted coined, chemical (generic), or abbreviated chemical name. Commonly accepted coined names are free for general use by the public, are not private trade-marks, and are commonly recognized as names of particular substances; such as thiram, captan, lindane, and dichlone. Examples of commonly accepted chemical (generic) names are: blue-stone, calcium carbonate, cuprous oxide, zinc hydroxide, hexachlorobenzene, and ethyl mercury acetate. The terms “mercury” or “mercurial” may be used in labeling all types of mercurials. Examples of commonly accepted abbreviated chemical names are: BHC (1, 2, 3, 4, 5, 6-Hexachlorocyclohexane) and DDT (dichloro diphenyl trichloroethane).

(c) Mercurials and similarly toxic substances. (1) Seed treated with a mercurial or similarly 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,” “Treated with Poison,” “Poison treated,” or “Poison”. The word “Poison” shall appear in type no less than 8 point.

(2) Mercurials and similarly toxic substances include the following:

Aldrin, technical  
Demeton  
Dieldrin  
p-Dimethylaminobenzene diazo sodium sulfonate  
Endrin  
Ethion  
Heptachlor  
Mercurials, all types
§ 201.33 Seed in bulk or large quantities; seed for cleaning or processing.

(a) In the case of seed in bulk, the information required under sections 201(a), (b), and (i) of the act shall appear in the invoice or other records accompanying and pertaining to such seed. If the seed is in containers and in quantities of 20,000 pounds or more, regardless of the number of lots included, the information required on each container under sections 201 (a), (b), and (i) of the act need not be shown on each container; Provided, That: (1) The omission from each container of a label with the required information is with the knowledge and consent of the consignee prior to the transportation or delivery for transportation of such seed in interstate commerce; (2) each container has stenciled upon it or bears a label containing a lot designation; and (3) the invoice or other records accompanying and pertaining to such seed bear the various statements required for the respective seeds.

(b) Seed consigned to a seed cleaning or processing establishment, for cleaning or processing for seeding purposes, need not be labeled to show the information required on each container under sections 201 (a), (b), and (i) of the act if it is in bulk, or in containers and in quantities of 20,000 pounds or more regardless of the number of lots involved, and the invoice or other records accompanying and pertaining to such seed show that it is “Seed for processing,” or if the seed is in containers and in quantities less than 20,000 pounds and each container bears a label with the words “Seed for processing.” If any such seed is later to be labeled as to origin and/or variety, the origin and/or variety shall be shown on the invoice if the seed is in bulk, otherwise, on a label, at the time of transportation to such establishment, except that if it is covered by a declaration of origin and/or variety, the lot designation appearing in the declaration is placed on the invoice if the seed is in bulk, or on a label if the seed is in containers, regardless of the quantity.