

§201.15

known, the statement "origin unknown."

(b) Whenever such seed originates in more than one State, the name of each State and the percentage of seed originating in each State shall be given in the order of its predominance. Whenever such seed originates in a portion of a State, it shall be permissible to label such seed as originating in such portion of a State.

(c) Reasonable precautions to insure that the origin of seed is known shall include the maintaining of a record as described in §201.5. The examination of the seed and any pertinent facts may be taken into consideration in determining whether reasonable precautions have been taken to insure the origin to be that which is represented.

[5 FR 31, Jan. 4, 1940, as amended at 20 FR 7929, Oct. 21, 1955; 32 FR 12779, Sept. 6, 1967]

§201.15 Weed seeds.

The percentage of weed seeds shall include seeds of plants considered weeds in the State into which the seed is offered for transportation or transported and shall include noxious weed seeds.

[5 FR 31, Jan. 4, 1940]

§201.16 Noxious-weed seeds.

(a) Except for those kinds of noxious-weed seeds shown in paragraph (b) of this section, the names of the kinds of noxious-weed seeds and the rate of occurrence of each shall be expressed in the label in accordance with, and the rate of occurrence shall not exceed the rate permitted by, the law and regulations of the state into which the seed is offered for transportation or is transported. If in the course of such transportation, or thereafter, the seed is diverted to another State of destination, the person or persons responsible for such diversion shall cause the seed to be relabeled with respect to the noxious-weed seed content, if necessary to conform to the laws and regulations of the State into which the seed is diverted.

(b) Seeds or bulblets of the following plants shall be considered noxious-weed seeds in agricultural and vegetable seeds transported or delivered for transportation in interstate commerce

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(including Puerto Rico, Guam, and the District of Columbia). Agricultural or vegetable seed containing seeds or bulblets of these kinds shall not be transported or delivered for transportation in interstate commerce. Noxious-weed seeds include the following species on which no tolerance will be applied:

Aeginetia spp.
Ageratina adenophora (Spreng.) King and H.E. Robins.
Alectra spp.
Alternanthera sessilis (L.) DC.
Asphodelus fistulosus L.
Avena sterilis L. (including *Avena ludoviciana* Dur.)
Azolla pinnata R. Br.
Carthamus oxyacantha M. Bieb
Chrysopogon aciculatus (Retz.) Trin.
Commelina benghalensis L.
Crupina vulgaris Cass.
Digitaria abyssinica Stapf.(= *D. scalarum* (Schweinf.) Chiov.)
Digitaria scalarum (Schweinfurth) Chiovenda
Drymaria arenarioides Roem. and Schult.
Eichornia azurea (Sw.) Kunth
Emex australis Steinh.
Emex spinosa (L.) Campd.
Galega officinalis L.
Heracleum mantegazzianum Sommier & Levier
Homeria spp.
Hydrilla verticillata (L. f.) Royle
Hygrophila polysperma T. Anders.
Imperata brasiliensis Trin.
Imperata cylindrica (L.) Raeusch.
Ipomoea aquatica Forsk.
Ischaemum rugosum Salisb.
Lagarosiphon major (Ridley) Moss
Leptochloa chinensis (L.) Nees
Limnophila sessiliflora (Vahl) Blume
Lycium ferocissimum Miers
Melaleuca quinquenervia (Cav.) Blake
Melastoma malabathricum L.
Mikania cordata (Burm. f.) B.L. Robins.
Mikania micrantha H.B.K.
Mimosa invisa Mart.
Mimosa pigra L. var. *pigra*
Monochoria hastata (L.) Sloms-Laub.
Monochoria vaginalis (Burm. f.) K.B. Presl
Nassella trichotoma (Nees) Arechavaleta
Opuntia aurantiaca Lindl.
Oryza longistaminata A. Cheval. and Roehr.
Oryza punctata Steud.
Oryza rufipogon Griff.
Ottelia alismoides (L.) Pers.
Paspalum scrobiculatum L.
Pennisetum clandestinum Chiov.
Pennisetum macrourum Trin.
Pennisetum pedicellatum Trin.
Pennisetum polystachion (L.) Schult.
Prosopis alapataco R.A. Philippi
Prosopis argentina Burkart
Prosopis articulata S. Watson
Prosopis burkartii Munoz