



Regulations of Approved Bulk Retailers of Small Grain and Soybeans

A. General

The purpose for bulk retailing standards is to establish procedures by which certified seed can be sold in bulk, not bagged, for use when seeding is done with spreaders, trucks, buggies, airplanes, etc.

Bulk Retailing of Certified Seed is permitted for certain crops by individuals or firms who have been approved as Bulk Retailers by Kentucky Seed Improvement Association. This approval is made on an annual basis and may be revoked at any time by KSIA. Applications for Approved Bulk Retailing are available upon request from the KSIA office.

B. Eligibility of Seed

Only the Certified Class of certified wheat, barley, oats and soybeans are eligible to be bulk retailed in Kentucky. Seed moving in bulk retail channels may only be sold twice: 1) from an approved conditioner or grower to the approved bulk retailer, and 2) from an approved bulk retailer to the consumer who will plant the seed. If more than two sales are made, the seed is automatically ineligible for certification and bulk retailing as Certified Seed.

C. Application and Inspection

To insure inspection of the facilities before planting time, the application for bulk retailing must be received by the KSIA office prior to April 1 for soybeans and before July 15 for small grains to insure inspection. An official of KSIA will arrange to inspect the facilities after the application has been received. All procedures for transporting, storing, dispensing and record-keeping will be reviewed during this inspection. The applicant must demonstrate a satisfactory means of maintaining genetic purity and identity of bulk certified seed from conditioning or time received to final dispersal. Any certified seed received prior to inspection and approval will be ineligible for bulk retailing as certified seed and for further certification. One individual at each approved bulk retail outlet will be approved by KSIA as the person responsible for bulk retailing of certified seed.

The approval period extends from September 1 to August 31 of the next year.

D. Requirements for Approved Bulk Retailers

1. Equipment

Each retailer must demonstrate an acceptable procedure for handling bulk certified seed to assure that genetic purity and identity are maintained throughout all seed movement from receiving and storage to final dispersal.

Approved methods of handling bulk seed:

a. Hopper-Bottom Storage Bins

A separate storage bin (hopper-bottom) must be available for each variety that will be sold in bulk. These bins must be easily cleaned and must be constructed to allow complete inspection. These bins must be cleaned and emptied prior to inspection and before any bulk certified seed is received. All augurs, conveyors, blenders, trucks, buggies and any other equipment must be cleaned before they are used to handle bulk certified seed.

All bins containing certified seed will be clearly and conspicuously identified as to the crop, variety, lot number and complete analysis information and seed protectant information.

b. Flat Storage Bins

Only one flat storage bin will be approved for each bulk retailer to use for bulk seed. These bins must be constructed so they can be easily cleaned to prevent contamination. Flat storage bins must be cleaned and emptied prior to inspection and before any bulk certified seed is received. All augurs, conveyors, blenders, trucks, buggies and other equipment must be cleaned before they are used to handle bulk certified seed.

c. Tote Bags

Tote bags may be used to handle bulk seed provided the bags are clean and in good condition. Only KSIA approved conditioners are authorized to fill tote bags with bulk certified seed. Each individual bag must be labeled as to the crop, variety, lot number and complete analysis information before it leaves the conditioner's premises and be sealed with an official KSIA seal.

2. Records

A current set of records must be maintained by each Approved Bulk Retailer for all movement of certified seed into and from their facilities for each variety sold.

A Certificate of Bulk Transfer of Conditioned Seed (KSIA Form #20) must accompany each load of bulk certified seed as it is received at the bulk retailer. This certificate must be kept with the retailer's records and the amount received must be recorded on the inventory sheet (KSIA Form #22).

A Bulk Retail Sale Certificate for Certified Seed (KSIA Form #21) must be issued by the retailer with each load of seed sold. The original of this certificate accompanies each load and is given to the buyer. Their copy remains in the records of the retailer.

A current inventory of the amount of seed on hand for each variety must be maintained by the retailer. This inventory must be up-to-date at all times. An inventory sheet (KSIA Form #22) will be provided by the KSIA office. Each incoming and outgoing shipment must be recorded on this sheet.

Before December 31 of each year, a report must be sent to the KSIA office regarding all sales of bulk certified seed. This report will include the number of bushels and lot numbers on all shipments of bulk seed received. It will also include total number of bushels (of each variety) sold and the number of Bulk Sale Certificates used. The total number of unused certificates, as well as the serial numbers of each, must be included in this report.

All records and bins are subject to inspection and audit at any time by KSIA officials or officials of the Division of Regulatory Services.

3. Responsible Person

One person at each Approved Bulk Retailer will be responsible for the bulk retailing procedure. This person is responsible for all record keeping and shall be responsible to see that genetic purity and identity are maintained at all times. This person must notify the KSIA office five days prior to changing varieties from those originally covered on the application for approval.

If this person leaves the retailer or is transferred from the above duties, approval must be obtained from the KSIA office before any certified seed can be received or dispersed by the retailer.

E. Withdrawal of Approved Bulk Retailer Status

The approved status may be withdrawn for any of the following reasons:

1. If at any inspection the records are found to be out of order
2. If seed identity is lost or questionable
3. Failure to notify the KSIA office of changes in varieties being handled
4. Failure to notify the KSIA office if the person designated as the responsible person leaves or is transferred from that position
5. Failure to issue certificates with all retail sales
6. Failure to report sales by December 31 of each year
7. A non-cooperative attitude by the firm or the person designated as being responsible for the bulk retailing
8. Violations of KSIA certification standards and/or bylaws and conduct materially detrimental to the Association

If the approved status is removed, the unused Bulk Retail Sale Certificates must be surrendered to the KSIA office, or a KSIA or Division of Regulatory Services official. The certified bulk seed remaining in the bins will be disposed of in a manner approved by KSIA and the Division of Regulatory Services. Withdrawal of approved bulk retailer status may be appealed to the KSIA Executive Committee.

F. Requirements for KSIA Approved Conditioners Who Condition Bulk Certified Seed for Bulk Retail Sales

To be eligible to condition and store certified seed in the bulk, the conditioner must be approved by KSIA.

Sampling must be done by the responsible person as outlined in the Approved Conditioner's Regulations. Samples will be submitted to an approved seed laboratory (listed in KSIA Directory). Lot size will be limited to no more than 2500 bushels, which means a new analysis and lot number must be assigned for anything more than 2500 bushels.

Up to four lots of seed of the same variety may be binned together in one bin. However, samples for testing must be drawn for each lot after the seed is cleaned but before being placed in the bin. All seed in the bin up to 10,000 bushels will be sold under one final lot number specified by KSIA and would be labeled off of the lowest test of the four lots.

Each load of bulk certified seed dispersed to an Approved Bulk Retailer must be accompanied by a Certificate of Bulk Transfer of Conditioned Seed (KSIA Form #20). This form will be filled out in triplicate by the Approved Conditioner. The original will accompany the seed and one copy will be sent to the KSIA office. The third copy remains with the KSIA Approved Conditioner.

Before bulk seed is sold to a person or firm, the conditioner should check with the KSIA office to see if the buyer is on the approved list. Any certified seed delivered to a retailer not approved will automatically become ineligible for resale as certified seed. Conditioners that retail bulk seed to the public must comply with the same requirements as those for Approved Bulk Retailers.

The results of the laboratory analysis report must be forwarded or called to the KSIA office before the first shipment is made of each lot. If analysis results are called to the KSIA office, a laboratory report must accompany the first Certificate of Bulk Transfer of Conditioned Seed form sent to the KSIA office on that lot.

The normal tag fees for small grain and soybeans will be levied against each bushel of seed moving in bulk retail channels. This fee will be charged to the KSIA grower producing the seed unless other arrangements are made with the KSIA office.

For bulk certified seed which is custom conditioned, the same certificate (KSIA Form #20) will be filled out and copies sent in the same manner as in the preceding paragraph. The only exception is that the original will become the property of the KSIA grower.

G. Selling of Bulk Certified Seed by a KSIA Grower

A KSIA grower may have certified seed custom cleaned by an approved conditioner and stored in his (KSIA grower) own storage facilities if approved by Kentucky Seed Improvement Association. The seed can then be sold to an approved bulk retailer by the KSIA grower. The grower must fill out the Certificate of Bulk Transfer of Conditioned Seed (KSIA Form #20) and send a laboratory analysis report.

If the grower has any doubt as to whether the person or firm to whom he is selling the seed is approved as a bulk retailer, he should contact the KSIA office. Seed which has been moved to a retailer who is not approved will automatically become ineligible for sale as certified seed.

H. Certified Bulk Seed From Other States

Certified bulk small grain and soybean seed produced in other states is eligible for sale in Kentucky provided the certification agencies in the states involved have prior agreement on the procedures to be followed. All certified small grain and soybean seed moving to Kentucky Approved Bulk Retailers must have met the following provisions prior to or at the time of the first bulk sale unless other arrangements are made with the cooperating state agency:

1. Copies of Field Inspection Report submitted to KSIA office
2. Laboratory Analysis submitted to KSIA office
3. File Sample submitted to KSIA office
4. Copies of Bulk Transfer submitted to Approved Bulk Retailer and KSIA office
5. Meet KSIA requirements
6. Payment of fees to KSIA
7. Abide by all other rules for Bulk Retailing
8. Ship only to Approved Bulk Retailers