

# Nevada State Seed Law and Regulations

## Division of Plant Health & Compliance

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State of Nevada seed laws are enforced by the Nevada Department of Agriculture (NDA). These laws have been established, under [Nevada Revised Statute Chapter \(NRS\) 587](#) and [Nevada Administrative Code \(NAC\) Chapter 587](#), to protect consumers when buying/selling seed materials. Laws ensure that seed is packaged and labeled properly to allow the consumer to make an informed decision when purchasing these products. The laws set forth within the state are guided by the Federal Seed Act (FSA), which establishes provisions for nationwide regulations pertaining to interstate seed commerce. The seed industry has been strictly regulated since the establishment of the FSA in 1940. Due to the sensitive nature of seed and the impact it can hold on not only the agricultural community, but the environment in general, various governmental organizations, as well as trade groups, exist to ensure the stability of the industry.

### Why do laws exist for something like seed?

Seed laws, governed by the Federal Seed Act (FSA) and enforced by the USDA's Agricultural Marketing Service (AMS), protect both consumers and sellers. State regulators, collaborating with federal agents, maintain national seed commerce integrity. Some seed species are classified as noxious or restricted due to their potential impact on agriculture and ecosystems, prompting the need for seed laws. These regulations cover aspects such as minimum germination standards, and labels must accurately reflect seed quality, ensuring truthfulness in sales claims.

### Where can I locate the regulations?

Regulatory language can be located online and is listed under [NRS 587](#). Enforcement language can be located under [NAC 587](#). The Federal Seed Act is hosted online in its entirety on the USDA-AMS website at this [link](#).

### Do these laws pertain to all types of seed?

All seed offered for sale must adhere to a certain set of regulations. Regulations vary based upon the category of seed. Many categories of seed exist, including vegetable, agricultural, flower, tree and shrubs seeds. Laws exist regarding the classification of weed seeds, and certain species classified as weeds are regulated to ensure the lack of distribution of these species. For more information on each category of seed, review [NRS](#) and [NAC 587](#).

### How does the NDA enforce these regulations?

The NDA's [Seed Program](#) is responsible for enforcing state seed law. Program inspectors conduct marketplace inspections to ensure proper labeling and will pull samples to test seed products in the State Seed Laboratory to confirm compliance. Wholesale sellers of seed are subject to inspections as well, which check for labeling compliance and lot purity.

### If I buy seed and am concerned about the contents, how/when should I contact NDA?

If there are suspicions of non-compliant seed being sold, reach out to program staff. Specific information will be needed to perform an investigation including where the product was purchased, type of seed, how the seed was packaged and photographs. You may also be required to provide the product to NDA staff for testing. Program staff can be reached via phone at (775) 353-3711 or email at [seed@agri.nv.gov](mailto:seed@agri.nv.gov).

### I sell seed at the retail level, is there anything I should be aware of?

Seed retailers are required to comply with state seed laws when selling seed. Seed products purchased for retail sale must comply with both federal and state law, including proper labeling and packaging. Retailers should assess products to ensure compliance prior to offering any product for sale. In addition, seed retailers must obtain an annual license, known as a Seed Retailer License from the NDA to be

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eligible to sell seed within the state. Licenses cost \$75.00 and can be obtained on the NDA website. There are exceptions to license requirements, which identified in [NAC 587.221](#).

### **I am a wholesaler of seed but am located in a different state, is there anything I need to be aware of?**

Wholesalers of seed located within or outside the state of Nevada who sell seed intended for resale to retailers, distributors, brokers or other wholesalers are subject to comply with state seed law. This includes obtaining an annual Seed Wholesaler License. Licenses need to be acquired on or before July 1 each year the wholesaler operates within the state and are valid for that fiscal year (July 1 – June 30). Licenses cost \$750.00 and can be obtained on the NDA website.

### **What information needs to be listed on the seed label?**

Label requirements vary based on the type and volume of seed being offered for sale. There are four major types of seed categorized under state of Nevada law:

- Vegetable Seed
- Agricultural Seed
- Flower Seed,
- Tree and Shrub Seed

Each kind of seed has a different label requirement based on the amount being sold and the type of packaging it's being sold in. Specific label requirements are prescribed under [NRS 587](#).

### **Does seed have an expiration date?**

Seed expiration varies based on type:

Seed Type	Test Validity
Agricultural/vegetable seeds	18 months
Hermetically sealed retail-packaged seeds	36 months (Wholesale: 18 months)

Post-expiration seeds can be re-tested. If deemed compliant, they may be re-sold. Those testing below standards must be labeled accordingly. Exceptions apply to small quantities of vegetable and flower seeds for home gardening.

### **Do these laws only pertain to seed being sold?**

Seed laws pertain to seed that is sold, offered for sale, or transported within the state of Nevada for sowing purposes.

### **Are there any specific regulations pertaining to treated seed?**

Any time seed is adulterated with a substance that could be considered as a “treatment,” the label should be formatted in a manner describing the nature of the treatment and a statement must be made indicating the seed has been treated. Depending upon what type of treatment has been made, additional information may be required. Refer to [NRS 587](#) for more information regarding laws related to treated seed.