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Nebraska Seed Focus

Nebraska Crop Improvement Association

2010

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September 2010

Dates & Events

NCIA Office Hours
7:30-12:00 and 1:00-4:30

November 25-26

NCIA Office Closed

December 1

Sales Reports Due-Winter
Small Grains

December 1

Sales Reports Due-Grass

December 2

NCIA Board of Directors
Meeting

December 24-31

NCIA Office Closed

January 17-19, 2011

Nebraska Seed Improvement
Conference - Sandhills
Convention Center, North
Platte - **Attendance will
complete your Continuing
Education Credits.**

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Selling Seed in Bulk

Cutting corners, by not completing bulk sales certificates at the time of the seed sale, is unacceptable! Completing a bulk sale certificate at the time of the sale protects you and your seed business. If you sell wheat seed without a bulk sales certificate, it is **not** recognized by the Nebraska Crop Improvement or the Nebraska Department of Agriculture as certified seed. If that variety is protected by the Plant Variety Protection Act it is a violation of Federal Law.

The NCIA Standards **Handling Certified Seed in Bulk** state:

All field and seed standards applying to bagged seed shall also apply to classes of bulk certified seed with the exception of bag labeling. In addition, the following requirements must be complied with:

- A. **An authorized Nebraska Bulk Sales Certificate must be completed for each sale. Certificates can be requested from the NCIA office.**
 - 1) At the time of purchase, each buyer must be given a copy of the official Bulk Sales Certificate completely and properly filled out and signed by the seller and buyer.
 - 2) The delivery of bulk seed must be made from the seller's place of business.
- B. Registered seed may be downgraded for sale as bulk Certified class at the discretion of the applicant.
- C. Due to the typically unprotected state of bulk seed, the buyer of bulk seed will be fully responsible for maintaining the purity of that seed at all times after it has been loaded into his vehicle. Bulk seed may not be returned to the seller for resale as certified seed.

There are two ways that wheat may be sold outside of your facility. It may be sold from a retail sales location for your business. The bulk retail location must sell the certified wheat to the end user using a bulk certificate with your name and lot number on the certificate. The second way is through a Bulk Retail Facility who is inspected and approved by the NCIA.

New Insurance Product

Growing Certified wheat seed can, and should, be a profitable venture. One of the hurdles to increasing the availability of certified seed, however, is the lack of insurance to cover the higher value of the crop. That may soon be changing with a new insurance product designed specifically to cover Certified wheat seed production.

This effort started in February 2008, when members of AGSECO met with Risk Management Agency officials in Kansas City. AGSECO, Inc. is a group of regional seed companies who cooperatively market wheat genetics in Kansas, Oklahoma, Colorado and Nebraska. The RMA was receptive to the idea, and several others groups signed on to support the process. These included Nebraska Crop Improvement Association, Colorado Seed Growers Association, Colorado Association of Wheat Growers, Kansas Seed Industry Association, Kansas Crop Improvement Association, and Kansas Wheat Alliance. This group was able to retain the services of Rob Cerda with Crop Insurance Systems, an expert in developing insurance products, and a former Risk Management Specialist employed by RMA. Mr. Cerda was able to develop a proposal for RMA in a way that the development costs were funded by RMA so that our group didn't have to provide a large upfront fee. To this date CSGA has been very supportive of the project but has not needed to put in any funding.

On November 23, 2009, the Federal Crop Insurance Corporation approved funding for the concept proposal. The next step, which is being worked on now, is for Crop Insurance Systems to develop the actual insurance product. One of the key elements to be worked out is how certified seed gets priced. To that end, growers across Kansas, Oklahoma, Nebraska, Colorado, and North Dakota have been called to survey how they set their price for certified wheat seed. The latest timeline is that we could have a product ready for Spring 2011 plantings if accepted by the FCIC Board of Directors at the September 22, 2010, meeting.

Kansas Wheat Alliance Settles 3 PVP Infringement Cases

Adding to a growing list of past settlements, the Kansas Wheat Alliance (KWA) has settled three more PVP infringement cases for illegal wheat seed sales occurring in 2009.

The most significant case involves Eric Rossillon of Yates Center, Kansas. Mr. Rossillon admitted to selling the federally protected wheat variety Fuller, as non-certified seed without the authorization of KWA. In the federal court case, the parties ultimately agreed to a judgment whereby Rossillon is liable to KWA for \$100,000 in damages. Furthermore, Rossillon must allow inspection of his records for the next 3 years.

Another matter included a Reno county Kansas farmer who was caught selling Jagger. KWA received \$18,000 in damages and may inspect the farmer's operations for 3 years. In a third matter, a Sumner county Kansas farmer was caught selling Fuller in a non-certified manner. This farmer paid \$16,250 in damages to KWA and must disclose the names of his downstream buyers.

KWA continues a strong educational campaign in support of continued wheat research by supporting an educational cooperative known as the Farmers Yield Initiative, a coalition of public and private organizations dedicated to the education

of the benefits of wheat research. Another component of education is enforcement of PVP laws. With this educational campaign, the KWA hopes to inform producers and sellers of the importance of wheat seed certification and the value it adds to the farming community through investment and research.

"We have an obligation to legal producers and the Kansas State University wheat research program to prevent illegal use of our federally protected seed," says Daryl Strouts, KWA president. "The certified seed industry protects the quality of our wheat industry, and royalties represent a substantial source of funding for our scientists to be able to develop new varieties for tomorrow."

The Kansas Wheat Alliance is a not-for-profit organization formed by wheat producers, researchers, and seed marketers with the goal of maximizing value for wheat farmers by promoting responsible management of new wheat varieties developed by Kansas State University and other wheat-breeding programs. Royalties are used to support wheat research that enhances the profitability of wheat producers.

Sales Reports Due Dates

Due dates for Sales and Disposition Reports have changed. Winter small grains and all grass sales reports are now due **December 1**. Reports will now be considered delinquent if not received in 15 days. So reports not postmarked by December 15 will be assessed a \$10 per field late fee. This fee will be assessed each month until reports are received.

Inspected Acres 2010

(does not include Foundation)

Crop	2010	2009	%Change
Grasses - Total	1,066	1,208	-11.8%
Cool Season	61	100	
Warm Season	1,055	1,108	
Hybrid Corn - Total	24,259	19,096	27.0%
Certified & OECD	22,124	16,549	
Quality Assurance	2,125	2,547	
Millet	520	707	-26.4%
Oats	697	693	0.6%
Phytosanitary	18,221	10,947	66.5%
Soybeans - Total	1,409	2,568	-45.0%
Quality Assurance	139	765	
Roundup Ready	1,270	1,563	
Wheat - Total	19,216	24,981	-23.0%
Hard Red Winter	18,596	24,092	
Hard White Winter	595	784	
Hard Red Spring	25	105	
TOTALS	65,388	60,238	9.0%