

TITLE 360 STATE SEED COMMISSIONER

Proposed Rule
LSA Document #18-443

DIGEST

Amends [360 IAC 1-1-5](#), concerning noxious weed seeds and prohibitions, to remove weeds no longer economically harmful. Amends [360 IAC 1-1-6](#), concerning noxious weed seeds and restrictions, to add new economically harmful weeds to the list. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[360 IAC 1-1-5](#); [360 IAC 1-1-6](#)

SECTION 1. [360 IAC 1-1-5](#) IS AMENDED TO READ AS FOLLOWS:

[360 IAC 1-1-5](#) Noxious weed seeds; prohibitions

Authority: [IC 15-15-1-27](#)

Affected: [IC 15-15-1-18](#); [IC 15-15-1-27](#)

Sec. 5. The following ~~list of prohibited~~ noxious weed seeds ~~is prescribed.~~ **are prohibited under [IC 15-15-1-18](#):**

- (1) Canada thistle (*Cirsium arvense*).
- (2) Field bindweed (*Convolvulus arvensis*).
- (3) Johnson grass and *Sorghum almum* (*Sorghum halepense*).
- ~~(4) Perennial peppergrass (*Lepidium draba*)~~
- ~~(5) (4) Perennial sowthistle (*Sonchus arvensis*).~~
- ~~(6) (5) Quackgrass (*Agropyron repens*, **Elymus repense**).~~
- ~~(7) Russian Knapweed (*Centaurea repens*)~~
- ~~(8) (6) Wild garlic and Wild onion (*Allium* spp.).~~

(State Seed Commissioner; Rule 5; filed Dec 23, 1957, 11:10 a.m.: Rules and Regs. 1958, p. 151; filed Dec 6, 1983, 2:18 p.m.: 7 IR 342; readopted filed Dec 2, 2001, 1:15 p.m.: 25 IR 1269; readopted filed Oct 31, 2008, 10:42 a.m.: [20081119-IR-360080676RFA](#); readopted filed Nov 13, 2014, 8:21 a.m.: [20141210-IR-360140379RFA](#))

SECTION 2. [360 IAC 1-1-6](#) IS AMENDED TO READ AS FOLLOWS:

[360 IAC 1-1-6](#) Noxious weed seeds; restrictions

Authority: [IC 15-15-1-27](#)

Affected: [IC 15-15-1](#)

Sec. 6. The following ~~list of restricted~~ noxious weed seeds ~~is prescribed.~~ **are restricted under [IC 15-15-1-20](#):**

- (1) Bitter wintercress (*Barbarea vulgaris*).
- (2) Buckhorn (*Plantago lanceolata*).
- (3) Cocklebur (*Xanthium pensylvanicum*).
- (4) Corncockle (*Agrostemma githago*).
- (5) Curled dock (*Rumex crispus*).
- (6) Dodder (*Cuscuta* sp.).
- (7) Eastern black nightshade (*Solanum ptycanthum*).
- (8) Field peppergrass (*Lepidium campestre*).
- (9) Giant foxtail (*Setaria faberii*).
- (10) Horsenettle (*Solanum carolinense*).
- (11) Mustard (*Brassica arvensis*).
- (12) Oxeye daisy (*Chrysanthemum leucanthemum*).
- (13) Pennycress (*Thlaspi arvense*).
- (14) Palmer Amaranth, Waterhemp, and any pigweed seed, or Amaranth seed (*Amaranthus* spp.). This restriction does not apply to *Amaranthus* species that are sold as vegetable seed, edible grains for**

human consumption, or seed for ornamental landscape plants.

(State Seed Commissioner; Rule 6; filed Dec 23, 1957, 11:10 a.m.: Rules and Regs. 1958, p. 151; filed Dec 6, 1983, 2:18 p.m.: 7 IR 342; readopted filed Dec 2, 2001, 1:15 p.m.: 25 IR 1269; readopted filed Oct 31, 2008, 10:42 a.m.: [20081119-IR-360080676RFA](#); readopted filed Nov 13, 2014, 8:21 a.m.: [20141210-IR-360140379RFA](#))

[Notice of Public Hearing](#)

Posted: 02/27/2019 by Legislative Services Agency
An [html](#) version of this document.