

IC 15-15-4

Chapter 4. Certification of Agricultural Seeds and Plant Parts

IC 15-15-4-1

Dean of agriculture; administration of chapter

Sec. 1. The dean of agriculture of Purdue University:

- (1) shall administer and implement this chapter; and
- (2) may adopt rules under IC 4-22-2 that the dean of agriculture considers necessary to carry out the purposes and secure the efficient administration of this chapter.

As added by P.L.2-2008, SEC.6.

IC 15-15-4-2

Persons subject to chapter; certification for specified crop

Sec. 2. (a) A person, a firm, an association, a limited liability company, or a corporation that issues, uses, or circulates a certificate, an advertisement, a tag, a seal, a poster, a letterhead, a marking, a circular, a written or printed representation, or a description of or pertaining to seeds or plant parts intended for propagation or sale or sold or offered for sale on which:

- (1) the words "Indiana State Certified", "State Certified", "Indiana Certified", "Certified", or similar words or phrases are used or employed; or
- (2) signs, symbols, maps, diagrams, pictures, words, or phrases are used or employed that expressly or impliedly state or represent that the seeds or plant parts comply with or conform to the standards or requirements for certification recommended or approved by Purdue University;

is subject to this chapter.

(b) For purposes of this chapter, an issuance, a use, or a circulation of a certificate or another instrument described in subsection (a) is considered to be certification under this chapter.

As added by P.L.2-2008, SEC.6.

IC 15-15-4-3

Compliance with rules; control of certification work by Purdue University

Sec. 3. (a) A person, a firm, an association, a limited liability company, or a corporation that is subject to this chapter shall observe, perform, and comply with all rules and requirements fixed, established, or specified by Purdue University as to the crops grown or to be grown in Indiana that are eligible for certification under this chapter and concerning:

- (1) the conduct of;
- (2) the standards and requirements for; and
- (3) the forms of and for;

certification by Purdue University or by an authorized agent of Purdue University.

(b) Not more than one (1) agent for certification under this chapter may be designated for a specified crop.

As added by P.L.2-2008, SEC.6.

IC 15-15-4-4

Certification work on self-supporting basis; qualification of agency

Sec. 4. (a) Certification work conducted by Purdue University or an agent described in section 3 of this chapter is performed on a self-supporting basis and not for financial profit.

(b) Purdue University may designate as an agent for the certification of seeds or plant parts intended for propagation for sale a properly qualified:

- (1) nonstock, nonprofit agricultural association incorporated under Indiana law; or
- (2) agency.

As added by P.L.2-2008, SEC.6.

IC 15-15-4-5

Exemption of Purdue University from liability

Sec. 5. Purdue University is not financially responsible for debts incurred by, damages inflicted by, contracts broken by, or claims against certifying agencies in conducting certification work under this chapter.

As added by P.L.2-2008, SEC.6.

IC 15-15-4-6

Withholding certification for dishonest practices

Sec. 6. Purdue University or an agent of Purdue University described in this chapter may withhold certification from a grower of seeds or plant parts who is engaged in or attempting to engage in dishonest practices to evade the requirements of this chapter, including standards and rules established by Purdue University for certification under this chapter.

As added by P.L.2-2008, SEC.6.

IC 15-15-4-7

Certification of foreign seeds or plant parts

Sec. 7. (a) Except as provided in subsection (b), the term "certified" must not be used in connection with seeds or plant parts that are:

- (1) produced outside Indiana; and
- (2) offered for sale in Indiana.

(b) The term "certified" may be used in connection with seeds or plant parts described in subsection (a) if the seeds or plant parts have been certified by the:

- (1) agency officially approved by the inspection officials of the state, province, or country in which the:
 - (A) seeds or plant parts originate; and
 - (B) certification standards are equal to Indiana certification standards; or
- (2) dean of agriculture of Purdue University.

As added by P.L.2-2008, SEC.6.

IC 15-15-4-8

Offense; unauthorized use of certification

Sec. 8. It is a Class C infraction for a person to issue, make, use, or circulate a certification described in this chapter without the authority and approval of Purdue University or the authorized agent of Purdue University.

As added by P.L.2-2008, SEC.6.