

Title 3. Food and Agriculture
Division 4, Chapter 5,
SUBCHAPTER 3. SEED INSPECTION

Article 1. Definitions and Construction

3850. Terms Defined.

(a) As used in the California Seed Law, Section 52251 *et seq.*, Food and Agricultural Code, and in Group 3 of these regulations:

- (1) "Lot" means a definite quantity of seed normally identified by a number or other identification.
- (2) Change in Lot. As used in Section 52354(a) of the Food and Agricultural Code the identity of the lot has been changed whenever the information required by any of the following sections of the Food and Agricultural Code has been changed: 52452 (b), (h) and 52453 (c), (d).

3853. Weed Seeds. The following species, when occurring incidentally in agricultural seed, are classed as weed seeds for the purpose of labeling as required by Section 52452, Food and Agricultural Code, unless labeled and sold as specific constituents of a definite seed mixture:

- (a) All species not listed in Section 3899, Schedule I (a).
- (b) All species listed in Section 3901, Schedule III.

3854. Prohibited Noxious Weed Seed. In accordance with Section 52332 of the Food and Agricultural Code, the Secretary hereby designates the seed or propagule of the following species* of plants to be prohibited noxious weed seed within the meaning of Section 52257 of the Food and Agricultural Code:

Acroptilon repens (Russian knapweed)
Alhagi psuedalhagi (camelthorn)
Cardaria chalepensis (lens-podded hoarycress)
Cardaria draba (heart-podded hoarycress)
Cardaria pubescens (globe-podded hoarycress)
Carduus acanthoides (plumeless thistle)
Carduus nutans (musk thistle)
Carthamus leucocaulos (whitestem distaff thistle)
Cirsium arvense (Canada thistle)
Cirsium undulatum (wavyleaf thistle)
Cucumis melo var. dudaim (dudaim melon)
Euphorbia esula (leafy spurge)
Helianthus ciliaris (blueweed)
Lepidium latifolium (perennial peppergrass)
Onopordum spp. (onopordum thistles)
Rorippa austriaca (Austrian fieldcress)
Solanum carolinense (Carolina horsenettle)
Solanum elaeagnifolium (white horsenettle)
Sonchus arvensis (perennial sowthistle)

*Botanical names have been changed to reflect currently accepted nomenclature which is not reflected in the official text of the California Code of Regulations.

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3855. Restricted Noxious Weed Seed. In accordance with Section 52332 of the Food and Agricultural Code, the Secretary hereby designates the seed or propagule of the following species* of plants to be restricted noxious weed seed within the meaning of Section 52258 of the Food and Agricultural Code:

Allium vineale (wild garlic)
Carduus pycnocephalus (Italian thistle)
Carduus tenuiflorus (slenderflowered thistle)
Carthamus baeticus (smooth distaff thistle)
Carthamus lanatus (woolly distaff thistle)
Cenchrus echinatus (southern sandbur)
Cenchrus incertus (coast sandbur)
Cenchrus longispinus (mat sandbur)
Centaurea solstitialis (yellow starthistle)
Chorispora tenella (purple mustard)
Convolvulus arvensis (field bindweed)
Cuscuta spp. (dodder)
Cyperus esculentus (yellow nutsedge)
Cyperus rotundus (purple nutsedge)
Elytrigia repens (quackgrass)
Halogeton glomeratus (halogeton)
Hypericum perforatum (Klamathweed)
Malvella leprosa (alkali mallow)
Iva axillaris (povertyweed)
Salvia aethiopsis (Mediterranean sage)
Sorghum halepense (Johnsongrass and other perennial *Sorghum* spp. including but not limited to *Sorghum almum* and perennial sweet sudangrass.)
Taeniatherum caput-medusae (medusahead)
Tribulus terrestris (puncturevine)

*Botanical names have been changed to reflect currently accepted nomenclature which is not reflected in the official text of the California Code of Regulations.

3856. "Cleaning or Conditioning." As used in Section 52451, Food and Agricultural Code, means cleaning, scarifying, or blending to obtain uniform quality, and other operations which would change the purity or germination of the seed and therefore require retesting to determine the quality of the seed; but not to include operations such as packaging, labeling, blending together of uniform lots of the same kind or variety without cleaning, or the preparation of a mixture without cleaning, any of which would not require retesting to determine the quality of the seed.

Article 2. Labeling

3862. Blank Spaces or the Words "Free" or "None" in place of a number or percentage on the label are construed as equivalent to "0" or "0.00 percent," as the case may be for the purpose of applying the tolerances prescribed in these regulations.

3863. Designation of Kind, Type or Variety.

(a) Agricultural Seeds. The common names listed in Section 3899, Schedule I (a), are recognized as "commonly accepted" names for the purpose of labeling agricultural seeds as required by Section 52452, Food and Agricultural Code.