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Spring 2024

A Quarterly Update from the Montana Seed Growers Association

The Sprout

Board of Directors

- Jack Lake-President (District 1)
- Bob Hofman- (District 2)
- Phil Davey - (District 3)
- Katie Hatlelid- (District 4)
- Terry Peters (District 5)
- Chad Forest- Vice President (District 6)
- Dr. Mike Giroux Ex. Officio

MSGA Staff

- Heather Unverzagt-Executive Director
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Applications For Certification

Applications for certification of perennial crops and pulse crops are due **May 25th**. Those submitted **AFTER** May 25th will be charged a \$50.00 late fee. Those submitted after June 15th will be assessed a \$100.00 late fee. Applications for certification on all other crops are due **June 15th**. Those submitted after June 15th will be assessed a \$50.00 late fee and a \$100.00 late fee for those submitted after June 30th. After July 15th there will be a \$200.00 late fee per application.

Certification Fees

The following fees will still apply to all applications submitted online.

Annual Processing Fee/Application Fee	\$30.00/application
Acreage Fee- (will be refunded on acres canceled before field inspection)	
All Crops:	\$2.50/acre
Except for Canola and Field Beans	\$6.00/acre
Industrial Hemp	\$6.00/acre

MSGA Executive Director Update

>> Heather Unverzagt

What Can I Plant?

Spring is officially here and that means planting season! As you are gearing up for spring you might be making some last-minute planting decisions, and that is okay. Wheat prices are up, but so is every other input cost. You might be considering just pulling some wheat out of the bin to save on cost, but it could end up the other way around. Think twice and check your varieties before you sow your seed. It is recommended that you purchase new seed, but if you cannot this year here is what you need to know.

According to the Montana Wheat and Barley Committee, the top five spring wheat varieties planted in the state are Vida, SY Longmire, Brennan, Reeder, and Corbin.

1. **Vida:** MSU variety. PVP Title V. You can plant back your seed. You may only buy or sell a class of certified seed.
2. **SY Longmire:** Syngenta variety. PVP Title V. You can plant back your own seed. You may only buy or sell a class of certified seed.
3. **Brennan:** Syngenta variety. PVP Title V. You can plant back your seed. You may only buy or sell a class of certified seed.
4. **Reeder:** NDSU variety. PVP Title V Expired in 2021. You can plant back your own seed and purchase common seed.
5. **Corbin:** WestBred/Bayer variety. PVP. You can plant back your seed, and purchase common seed.

Types of Protection:

1. Plant Variety Protection 1994

- a. **PVP:** The PVPA was amended in 1994 to restrict certain activities allowed in the original act. The amendments apply to all varieties with Plant Variety Protection.
 - i. All varieties must be sold by variety name.
 - ii. Sales of farmer-saved seeds are prohibited.
 - iii. Seed conditioners may be held liable if they clean a PVPA-protected Seed.
 - iv. The protection extends to crops that were planted and/or harvested with illegally obtained seeds.
- b. **PVP Title V:** The variety must be sold as a class of certified seed. Sales of non-certified seed are illegal under Title V of the Federal Seed Act.

2. Patents

- a. An application for a patent can be filed based on specific characteristics and improvements in varieties. A U.S. patent holder can prevent others from making, using, offering for sale, and selling or importing the claimed invention in the United States. Generally, plant patents prohibit buyers from saving seed for replanting. Violation of patents includes seizure/destruction of crops, loss of grower license, and liability for damages to the patent holder.

3. Contractual Agreements/Single Use Seed Agreements/Certified Seed Only

- a. Some varieties now have a Single-Use License Agreement (limited-use variety) attached to them, also referred to as Certified Seed Only (CSO) agreements or Stewardship Agreements. These are contractual agreements with an individual company where the grower agrees that the seed they purchase is used solely for planting and producing a single crop, and not to save any grain produced from seed for planting by the grower or any other person or entity. Information on Single-Use Agreements can be obtained by contacting the owner of the variety.

Please contact the office with any questions on variety protection or if you have questions about your seed.

MSGA Database:

Applications

Welcome to our 4th season of online applications! Remember that all applications are submitted online via the seed tracking database. To access the database please go to www.mtseedgrowers.org and click on the seed tracking database link (main page). We are working on posting a how-to video to our website to give a refresher on applications. If you need assistance, please call Rebecca or Heather. (Contact info on the first page of the newsletter).

Seed Samples:

Certified, Registered, and Foundation Classes of Seed: If you haven't already noticed you are receiving lab reports from the same system as you receive your field application emails from. This transition started at the first of the year. The Montana State Seed lab is using the MSGA database to test, report, and bill for samples of certified, registered, and foundation classes of seed. **Exception:** MSGA does not currently have the Montana State Seed Lab test perennial crops such as grasses, alfalfa, or other native forbs within MSGA's Database. These lab reports will still be found in PureHarvest. If you have questions on this please contact MSGA.

Lab Reports:

You can now access your lab reports anytime by logging into the MSGA database. You no longer need to wait for a hand-stamped copy to come via mail or email upon request. MSGA is also receiving results for seed samples as soon as they are completed by the Seed Lab. This allows us to evaluate the sample to Montana Standards as soon as possible.

Bulk Sales and Tags:

Bulk certificates are done online. If you are a retailer or selling your certified seed in bulk and you are not using this system, you need to contact the MSGA office. (this does not apply to common seed). Tags are still printed in the office and mailed out on a request basis. You can still send in your tag request on your submission paperwork but we prefer if you email your tag requests as you need them.

2024 MAES Field Day Details

- **Thursday June 20th @ 3:00pm NARC Havre, MT**
- **Wednesday June 26th @ 8:30am CARC Moccasin, MT**
- **Thursday June 27th @ 8:00am EARC Sidney, MT**
- **Wednesday July 10th @ 10:00am WRARC Conrad, MT**
- **Thursday July 11th @ 11:00am NWARC Creston, MT**
- **Wednesday July 17th @8:00am MSU Post Farm Bozeman, MT**
- **Thursday August 29th @5:00pm BART & Hort Farm Bozeman, MT**
- **Thursday September 12th @4:30pm WARC Corvallis, MT**

2024 Certification Season

Applications and Perennial Renewals

2024 Perennial rollovers can be done at any time. To roll over your perennial fields, log into the MSGA seed tracking database, under the application tab, you will see "grass application to bring forward". From that tab, you can specify what you would like to happen to your fields for the 2024 season. If you have questions or run into issues, please give Rebecca a call at the office at (406) 994-5121.

Application Check List:

1. **Seed Source Document:** This is required to verify that you have indeed planted a class of certified seed. We cannot process applications that do not have a seed tag that verifies the seed source. You will now upload a picture of your seed tag or bulk certificate when you apply online. Using online bulks in the new system? You will need to find and download your bulk cert and then upload it into the application.
2. **Maps:** Maps will now be made using the mapping tool in the new program. The mapping component uses Google maps, you will simply need to find your field and draw the map. Note: if you are using a field from 2023 or earlier you do not need to re-create your map. You can select it from your list of fields.
3. **Field History:** There will be a place for you to fill out your cropping history online. We will need the 2023, 2022, and 2021 crop history on each application for certification. Planting dates are required and very helpful to inspectors who use that information to prioritize fields that may be ready to inspect earlier than others. **Reminder: Summer Fallow generally will not be accepted as a crop year between different varieties of the same crop species. Please review the field history before planting, if you have questions call the office.**
4. **Acreage Fees and Application Fees:** You will now get an invoice once you submit your applications online. Your invoice will be for your total acres x \$2.50, and the \$30.00 application fee will still apply. Application fees are one per variety, grower, and class. These invoices won't go out until the end of June, or the first part of July.
5. **Signatures and Contact Information:** With this new system we will require an electronic signature when submitting the applications. If you are a contractor you will sign for your grower and by doing so take responsibility for informing them of the application for certification. The grower will still receive a copy of all applications and field inspections in their name via email. Note: we will still be sending out hard copies to growers, but not contractors this year.
6. **Late Fees:** Late fees will be assessed on applications that are submitted after the due date. Please see the first page of this newsletter for our late fee structure.

Montana Seed Growers will now offer an Associate membership to those individuals who do not qualify as an Active member of the Organization.

Associate Members as defined in the Montana Seed Growers Association Bylaws: “Any Person or entity that is not a Producer or Producer Entity but is otherwise actively engaged in the certified seed industry, including, but not limited to, marketing, selling, conditioning, cleaning, handling, or shipping of certified seed. An Associate Member shall pay dues established by the Board and shall have no vote.”

Associate Members will receive our newsletter, publications, and any other information or resources MSGA sends out. Associate Members will also be invited to attend our Annual Board meeting and any other meetings that MSGA hosts, either in person or virtually. A list of Associate members will be listed online.

Associate Membership will be assessed yearly following the end of the fiscal year (April 30th)

Pricing:
Association: \$250
Company: \$100
Individual: \$75

Montana Seed Growers Association Application for Associate Membership 2024

Membership Type: Association:\$250 Company:\$100 Individual:\$75 (Select One)

First Name: _____ Last Name: _____

*Company: _____

Address: _____

City: _____ State: _____ Zip _____ Country _____

Email: _____ Phone: _____

*Companies and Associations may list multiple individuals who should receive emails and publications:

If interested please send in this portion with Payment to MSGA.

MSU-Marsh Labs
P.O. Box 173146
Bozeman, MT 59717

MSGA Bylaws & Constitution Update

After careful consideration and review it was determined that the MSGA By-laws and Constitution had not been updated since 2005. The Board worked with a non-profit attorney to update the By-laws and Constitution of the Association prior to the annual board meeting held on January 30, 2024. The Montana Seed Growers Association board of directors moved to approve the final draft of the By-laws on January 31st, 2024. Following a fifteen-day waiting period the Board per Article IX of the By-Laws, voted unanimously and passed the updated By-laws on February 16, 2024. The Constitution was sent to all active voting members on February 6th, 2024. Following a fifteen-day waiting period for ballot return the MSGA Constitution was amended by a two-thirds majority vote of active members who returned ballots per Article V-Amendments, Section 1 of the Constitution. This letter will serve as notice to all active voting members of the updated changes. A copy for your review is included, and an online copy is available on the MSGA website under the “Resources” tab and then “Forms”.

It was determined that the content of the two original documents was adequate, however they were in opposite documents. A few minor changes to the By-laws include defining "District of record" and defining "Grower or Grower Corporation". The major change to the bylaws came with the addition of a new class of membership, which will be a non-voting Associate Membership. This new class will be opened during our new fiscal year starting May 1, 2024. This will allow more participation in the Association by those Associate Members.

If you have any questions on the documents, please contact the Montana Seed Growers Association office.

Sincerely,

Heather Unverzagt
Executive Director

Production Fees Due

Ideally, production fees are paid 30 days after harvest but are not considered "late" until April 16th. Growers risk having their current year's applications withheld from the program if production fees have not been paid for any previous years. Additionally, foundation seed requests for new MSU varieties may be denied if the previous year's production fees have not been paid. If you have questions about what you owe, please contact the office ASAP. Reminders for those who have not paid will go out the first week of May via Email.



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MSGA Board of Directors Meeting Update

The 2024 MSGA BOD meeting was held in Bozeman, MT on January 30th & 31st. Districts 3 and 2 were up for election in 2023. Bob Hofman of Manhattan, MT was re-elected to serve another 3-year term, and Phil Davey of Laurel, MT was elected from District 3. The Board conducted its yearly review of MSGA staff and financials. The board also took time to thoroughly go through the MSGA bylaws and constitution. The second day the meeting was streamed via Zoom and members and interested parties were invited to either attend in person or online.

This year Districts 1 and 5 will be up for Board of Director elections. Elections will be held in the 4th quarter of the year.



Pictured: Left to Right: President Jack Lake, Terry Peters, Bob Hofman, Vice President Chad Forest, Katie Hatlelid, Phil Davey