



October 4, 2013

COVER CROP SEED SALES

Farmers across Nebraska have been experimenting with cover crops. Cover crops are grasses, legumes or small grains grown between regular grain crop production periods for the purpose of protecting and improving the soil. We have had quite a few farmers in the Gage, Jefferson and Saline County area with no-till fields trying cover crops. In seed corn fields near Milford or along I-80 heading to Grand Island, seeing turnips on male rows is quite a site this time of year.

Sometimes the cover crop fields will turn out well and the farmer will decide to harvest the cereal rye, oats, field peas or other cover crop for seed. If the farmer sells any of their cover crop seed to neighbors, they need to be sure they comply with Nebraska Seed Law and Plant Variety Protection or patent rights.

All seed offered for sale needs to have a current germination and purity test from a certified seed lab. The seller also has to have a State of Nebraska seed sales permit. In Nebraska the State Seed lab and the Nebraska Crop Improvement Association are combined. Farmers wanting to sell seed should go the Nebraska Department of Agriculture Website, www.nda.nebraska.gov. Use the search option in the upper left corner and search for “Permit to Sell Ag Seed.” Click on the heading “Seed”, then scroll down to “Seed Lab” where you will find the listing for the permit, the method and quantity of seed to submit for testing, and the fees for the testing. You may also find this form directly at <http://www.nda.nebraska.gov/forms/ff58.pdf>.

Some varieties are patented by the company who developed them or purchased the rights to the genetics. In some cases the variety carries Plant Variety Protection which can only be sold as a class of certified seed. In this case the farmer would have to join the Nebraska Crop Improvement Association or obtain legal right to sell the seed.

Seed laws are in place to protect both the buyer and the seller. They ensure quality in the marketplace and protect against the spread of noxious weeds. It is important that all persons offering seed for sale comply. This will increasingly be more of an issue as demand for cover crop seed continues to increase because of the positive effects on soil health.

Randy Pryor, Extension Educator
University of Nebraska-Lincoln Extension in Saline County
306 West 3rd Street, Wilber, NE 68465
Phone (402) 821-2151 • Fax (402) 821-3398 • e-mail: randy.pryor@unl.edu