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State of Utah
DEPARTMENT OF AGRICULTURE
GOVERNOR'S CABINET

Norman H. Bangarter
Governor
Miles 'Cap' Ferry
Commissioner

350 North Redwood Road
Salt Lake City, Utah 84116
(801) 538-7100

File ACT/007/021
Folder #2

March 1, 1989

RECEIVED
MAR 02 1988

DIVISION OF
OIL, GAS & MINING

Native Plants, Inc.
1697 West 2100 North
Lehi, UT 84043

Gentlemen:

SUBJECT: SEED VIOLATION

Enclosed is a copy of the State Official Inspection and Laboratory Report, Number 7676, which is described as Mix 1076 Blazon Site, lot number Mix 1076. This seed sample was collected by District Agricultural Inspector, Carl Bott at Blazon Mine Revegetation Site in Clear Creek, Utah.

Remarks concerning this report are as follows: The above described seed is in violation of the Utah Seed Law Section 4-16-5, and therefore will be withheld from sale in the state, because: 1) germination of Oregon Grape, Elderberry, Yarrow and Big Sage found lower than claimed on the label. 2) Restricted noxious weeds found higher than claimed on the label.

Please inform me within 15 days of receipt of this notice, of the action you are taking to correct this violation.

UTAH DEPARTMENT OF AGRICULTURE

G. Richard Wilson, Supervisor
Grain, Seed & Feed Inspection

GRW/pel
Enclosure

cc: Blazon Mine Revegetation Site
Lynn Kunzler, Div. of Oil, Gas & Mining
Carl Bott
Darrell Cook



UTAH STATE DEPARTMENT OF AGRICULTURE

7676

DIVISION OF PLANT INDUSTRY

SEED LABORATORY SALT LAKE CITY, UTAH

OFFICIAL SAMPLE SERVICE FEE \$ _____

ISSUED: 2/28/89

SEED INSPECTION AND LABORATORY REPORT

1. SAMPLED AT (NAME & ADDRESS)
Blazon Mine Re Vegetation Site Clear Creek, UT

2. NAME OF PERSON FURNISHING RECORDS & INFORMATION
Brent Settler of Utah Division Oil, Gas & Mining

3. DATE SAMPLED
10/20/88

DESCRIPTION OF SHIPMENT: (OBTAINED FROM INVOICE, BILL OF LADING, RECEIVING RECORDS, ETC.)

4. NAME & ADDRESS OF SHIPPER

5. DATE SHIPPED

6. NAME & ADDRESS OF CONSIGNEE

7. DATE RECEIVED

8. SHIPPED FROM

9. SHIPPED TO

10. NAME & ADDRESS OF CARRIER

11. TRANSPORTATION RECORD NO.

12. KIND AND VARIETY SHOWN

13. LOT NO.

14. NO. BAGS

15. TOTAL WT.

16. INVOICE NO.

17. INVOICE DATE

DESCRIPTION OF SAMPLING:

18. NO. BAGS RECEIVED **2**

19. NO. ON HAND **2**

20. NO. SAMPLED **2**

OPENED UNOPENED

21. METHOD OF SAMPLING (LENGTH OF TRIER, BY HAND, ETC.)
48 Trier

22. BRANDS OR LOT NOS. STENCILED ON BAGS, OR OTHER DESCRIPTION OF CONTAINERS

23. WITNESS TO SAMPLING **Brent Settler** INSPECTOR **Carl Bott**

24. REMARKS

DESCRIPTION OF LABELING: (OBTAIN ONE OF THE LABELS AND REPLACE WITH REPLACEMENT LABEL)

25. WERE LABELS LIKE THE ONE ATTACHED ON ALL BAGS WHEN SAMPLED?
 YES NO

26. IF LABELS WERE NOT ATTACHED DESCRIBE THE DOCUMENT ON WHICH THE LABEL APPEARED.

27. WERE BAGS SHIPPED WITHOUT LABELS BY AGREEMENT WITH THE CONSIGNEE?
 YES NO

28. NET WT. CLAIMED
_____ LBS. _____ OZ.
OTHER _____

29. NAME AND ADDRESS OF DEALER SHOWN
Native Plants, Inc. 1697 West 2100 North Lehi, UT 84043

30. CODE DESIGNATION, IF ANY
AMS PMA

31. LOT NO. **MIX 1076**

32. ORIGIN

33. CERTIFIED? YES NO

34. WHERE CERTIFIED?

35. GRADE

36. SUBSTANCE USED IN TREATMENT OF SEED

ANALYSIS CLAIMED	KIND AND VARIETY	37.	38. PURE SEED %	39. WEED SEED %	40. INERT MATTER %	41. OTHER CROP %	42. GERMI-NATION %	43. HARD SEED %	44. GERM. + H.S. %	45. DATE OF TEST
*FOUND BY STATE LAB.	Mix - See Attached									2/89

56. NOXIOUS WEED SEEDS
Wild Oats

57. OTHER WEED SEEDS

58. CROP SEEDS

59. DATE SAMPLE RECEIVED BY LABORATORY **10/25/88**

60. WEIGHT OF SAMPLE **246 grams**

61. REMARKS: **The above described seed is in violation of the Utah Seed Law Section 4-16-5, and therefore will be withheld from sale in the state because, 1) Germination of Oregon Grape, Elderberry, Yarrow and Big Sage found lower than claimed on the label. 2) Restricted noxious weeds found higher than claimed on the label.**

THIS SEED TEST REPORT APPLIES ONLY TO THE SAMPLES SUBMITTED. SAMPLES SHOULD BE REPRESENTATIVE OF THE LOTS FROM WHICH THEY ARE TAKEN. THE SEED LABORATORY DISCLAIMS ANY RESPONSIBILITY FOR THE ACCURACY OF THE SAMPLING, UNLESS THE SAMPLE IS TAKEN BY AN AUTHORIZED EMPLOYEE OF THE UTAH STATE DEPARTMENT OF AGRICULTURE. IN REFERRING TO SAMPLES PLEASE GIVE LABORATORY TEST NUMBER.
* VARIETY CONFIRMED BY LABORATORY ONLY WHEN STATED.

G.R. Wilson
G.R. WILSON — SUPERVISOR GRAIN, SEED and FEED INSPECTION

Official Seed Inspection and Laboratory Report No. 7676 (continued)

The following items were found to be out of testing tolerance in this seed mixture:

	<u>Germ. Claimed</u>	<u>Germ. Found</u>
Creeping Oregon Grape	91.00%	75.00%
Red Elderberry	99.00%	73.00%
Yarrow	96.00%	00.00%
Big Sage	93.00%	67.00%
	<u>Claimed</u>	<u>Found</u>
Restricted Noxious Weeds	none	Wild Oats 6 per pound