

**CHAPTER 74-03-07.1
SPECIFIC CROP REQUIREMENTS - BUCKWHEAT**

Section

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74-03-07.1-01. Land requirements.

A crop of buckwheat will not be eligible for certification if planted on land on which the same kind was grown the year previous unless the previous crop was of the same variety and was inspected for certification.

History: Effective May 1, 1986; amended effective July 1, 2010; October 1, 2012.

General Authority: NDCC 4.1-52-10

Law Implemented: NDCC 4.1-52-10, 4.1-53-42

74-03-07.1-02. Field inspection.

All field inspection of buckwheat will be made in the bloom stage. A field harvested before inspection will not be eligible for certification.

History: Effective May 1, 1986; amended effective January 2, 2006; October 1, 2012.

General Authority: NDCC 4.1-52-10

Law Implemented: NDCC 4.1-52-10, 4.1-53-42

74-03-07.1-03. Field standards.

1. **Isolation.**

- a. Prior to inspection, the field must be isolated from inseparable crops by a fence row, natural boundary, or by a strip at least five feet [1.52 meters] wide which is either mowed, sprayed, or uncropped.
- b. All buckwheat fields producing certified seed must be isolated by at least six hundred sixty feet [201.17 meters] from buckwheat fields of any other variety or fields of the same variety that do not meet the varietal purity requirements for certification.

2. **Specific field standards.**

Factor	Maximum Tolerance		
	Foundation	Registered	Certified
Other varieties *	1:10,000	1:5,000	1:2,000
Inseparable other crops	1:10,000	1:10,000	1:5,000
Prohibited weed seeds **	none	none	none

*Other varieties include plants that can be differentiated from the variety being inspected, but shall not include variants characteristic of the variety.

**The tolerance for prohibited or objectionable weeds, or both, in the field will be determined by the inspector.

History: Effective May 1, 1986; amended effective May 1, 1988; September 1, 2002; January 2, 2006; July 1, 2010; October 1, 2012.

General Authority: NDCC 4.1-52-10

Law Implemented: NDCC 4.1-52-10, 4.1-53-42

74-03-07.1-04. Seed standards.

Factor	Standards for Each Class		
	Foundation	Registered	Certified
Pure seed (minimum)	99.0 percent	99.0 percent	99.0 percent
Total weed seeds (maximum)	2 per pound	5 per pound	10 per pound
Other varieties *	1 per 2 pounds	1 per pound	3 per pound
Other crop seeds (maximum)	1 per 2 pounds	1 per pound	3 per pound
Inert matter (maximum)**	1.0 percent	1.0 percent	1.0 percent
Prohibited weed seeds ***	none	none	none
Objectionable weed seeds (maximum) ****	1 per 2 pounds	1 per 2 pounds	2 per pound
Germination	85.0 percent	85.0 percent	85.0 percent

*Other varieties shall not include variants characteristic of the variety.

**Foreign matter other than broken seed may not exceed 0.2 percent.

***Including the seeds of quackgrass.

****Objectionable weed seeds shall include the following: dodder, wild oats, hedge bindweed (wild morning glory), giant ragweed (kinghead), falseflax, and dragonhead.

History: Effective May 1, 1986; amended effective September 1, 2002; January 2, 2006; July 1, 2010; October 1, 2012.

General Authority: NDCC 4.1-52-10

Law Implemented: NDCC 4.1-52-10, 4.1-53-42