

Legal Notice

State Plant Board Quarterly Meeting and Public Hearings

The Arkansas State Plant Board will meet at 10:00 a.m., Thursday, December 15, 2005 at the State Plant Board offices, #1 Natural Resources, Drive, Little Rock, AR.

1. **Public Hearings:**

A) **Public Hearing** to consider the following changes in the seed regulations:

The Plant Board recently directed the Seed Division to formulate a proposed regulation to amend the seed regulations in Circular 15: Official Standards for Seed Certification in Arkansas (Under Act 73, sections 2-18-101 - 2-18-108 A.S.A. 1947). These proposed changes are being made to comply with recommendations by AOSCA (Association of Official Seed Certifying Agencies) after an audit of our standards was conducted last winter:

- 1) Add the AOSCA (Association of Official Seed Certifying Agencies) policy for entering varieties into certification after appropriate recognition: by a national variety review board, a plant variety protection application, the Organization for Economic Co-operation & Development (OECD), or approval by another AOSCA member agency. This was already being followed by policy, but not written in the regulations.
- 2) Make some minor changes in the description of the classes of certified seed: Changing the term “grade” to “class”, and allowing the Foundation class to be produced from Foundation class. (This occurs occasionally where a portion of a Foundation field will be inspected very carefully and allowed to produce another generation of Foundation seed.)
- 3) Add an application deadline for Rapeseed and Eastern Gamagrass.
- 4) Add a reference that seed will be sampled according to the rules of the Association of Official Seed Analysts (AOSA). Although many of these sampling procedures are already listed in our standards, the AOSCA recommendation is to reference AOSA as the standard for seed sampling.

- 5) Remove a confusing category under the Small Grains standards for Clean Seed. This category of “other varieties –doubtful” is confusing, and is actually included in the total percentage of other varieties allowed. This proposal is mainly for clarification.

If you have questions or comments, you are invited to attend the hearing. If you are unable to attend, but would like your written statements entered as a matter of public record, please send your statements to the attention of Mary Smith at the Plant Board Seed Division, PO Box 1069, Little Rock, AR 72203. If you would rather call, I can be reached at (501) 225-1598.

- B) Public Hearing** to consider the new regulations of Act 857 to clarify the scope and requirements for licensure as an agricultural consultant. The following are the new regulations proposed by this act:

REGULATION 1. Fees.

Annual license fees shall be (100.00) one hundred dollars.

REGULATION 2. Continuing Education.

- a) Minimum 40 hours every 2 years. Continuing education hours must be:
 - (1) Plant Board or designee approved;
 - (2) Certified Crop Advisors (CCA);
 - (3) National Alliance Independent Crop Consultants (NAICC) or combination of the above.
- b) Credit hours determined by agenda for each meeting;
- c) At least 20 hours must be earned from in state (Arkansas) meetings;
- d) Out of state meetings will be accepted if approved by CCA or NAICC;
- e) Plant Board may request each individual to submit verification of meetings attended

REGULATION 3. License.

- a) Anyone charging a fee must be licensed;
- b) Anyone not charging a fee may be licensed within the first year after the effective date (August 12, 2005) if meeting the following:
 - (1) Is currently licensed as an agricultural consultant by the board;
 - (2) Is certified under the Certified Crop Advisors program of the American Society of Agronomy;
 - (3) Is certified by the National Alliance of Independent Crop Consultants; or
 - (4) Has at least 5 years of agricultural consultant experience. Verified by notarized letter from grower(s)/employer(s).
- c) From two (2) to five (5) years after the effective date of this section, resident or out-of-state individual may be licensed as an agricultural consultant if the person meets all three of the following requirements:
 - (1) Has completed two (2) full years of training at a college or university acceptable to the board, with at least nine (9) semester hours of credit or their equivalent in appropriate agricultural disciplines;
 - (2) Has three (3) years of qualifying experience in the field of crop management;

and

(3) Passes a written examination administered by the board or by Certified Crop Advisors.

d) (1) Beyond the fifth year after the effective date of this act, a person may be licensed as an agricultural consultant if the person:

(A)

(i) Has a minimum of a bachelor's degree in a board-approved crop related field; and

(ii) Two (2) years experience working in the field of crop management; or

(B) Has seven (7) years of continuous experience working for a licensed agricultural consultant after the effective date of this section; and

(2) Passes a written examination administered by the board or by Certified Crop Advisors. Such exam is required for either Section (A) or (B).

REGULATION 4. Out of State Consultants.

You must have a minimum of 5 years of work as a consultant in Arkansas in order to be grandfathered if you are an out-of-state resident. Must provide a notarized document from your grower(s)/employer(s). Grandfather clause is only during the first year of the Act.

REGULATION 5. Licensing Period.

January 1 of each year is the beginning of each license year.

If you have questions or comments, you are invited to attend the hearing. If you are unable to attend, but would like your written statements entered as a matter of the public record, please send your statements to the attention of Jamey Johnson at the Plant Board Feed and Fertilizer Division, PO Box 1069, Little Rock, AR 72203. If you would rather call, I can be reached at (501) 225-1598.

2. Approval of Board meeting minutes
3. Approval of pest control exam grades
4. Standing Committee Reports
5. Other business

Board meetings are open to the public. For further information concerning the meeting, contact Darryl Little, Director, at 501-225-1598.

Darryl Little, Director