STATE OF NEW YORK

8215

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. KELLES -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to labeling requirements for native plant seeds

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The agriculture and markets law is amended by adding a new section 142-c to read as follows:

§ 142-c. Labeling of native plant seeds. 1. For the purposes of this section, the term "native plant seeds" shall have the same meaning as defined by section one hundred forty-two-b of this article.

2. Any person, firm, corporation, distributor, or vendor that labels, advertises, markets, offers for sale, or distributes seeds labeled as native plant seeds within New York state shall be required to include on the product packaging, or on documentation made available at the point of sale or distribution of such seeds, the following information in a clear and conspicuous manner:

(a) the original geographic location of collection or source zone of such seeds, including state, region, or ecological zone, as applicable;

(b) a statement identifying the ecological region(s) within New York state for which such seeds are most appropriate, based on adaptation and suitability for restoration, conservation, or landscape use;

(c) the full scientific name of the species, subspecies, variety, and/or cultivar, as applicable, of such seeds, consistent with recognized botanical standards;

(d) whether such seeds are wild-collected, cultivated from wild-collected stock, or produced through other means, and whether such seeds are first-generation (G1) or further generations removed from wild populations;

(e) the calendar year in which such seeds were collected or harvested; and

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(f) a unique code or number for lot traceability of such seeds, where applicable.

3. The commissioner, in consultation with the commissioner of environmental conservation, shall promulgate rules and regulations to implement the provisions of this subdivision. Such rules and regulations shall include, but not be limited to:

(a) standardized terminology and formatting requirements to ensure consistency and consumer readability;

(b) criteria for ecological region identification and mapping, informed by existing seed zones or ecoregions recognized by state or federal agencies;

(c) requirements for seed suppliers or vendors to maintain records verifying the accuracy of the information provided pursuant to subdivision two of this section, for a minimum of three years;

(d) procedures for inspection, compliance monitoring, and enforcement actions, including penalties for misrepresentation or failure to comply with the labeling requirements established under this section.

4. The commissioner shall make available on the department's website a summary of the labeling requirements established pursuant to this section and shall develop educational materials to be distributed to seed vendors, nurseries, plant farms, conservation organizations, municipalities, and other relevant entities, including through the Cornell cooperative extension and other horticultural and agricultural networks.

5. Nothing in this section shall prohibit the commissioner from establishing additional or more specific labeling or documentation standards for particular classes of native plant seeds if deemed necessary for consumer protection, ecological appropriateness, or regulatory clarity.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.