

# 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:

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

3 § 142-c. Labeling of native plant seeds. 1. For the purposes of this  
4 section, the term "native plant seeds" shall have the same meaning as  
5 defined by section one hundred forty-two-b of this article.

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

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

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

17 (c) the full scientific name of the species, subspecies, variety,  
18 and/or cultivar, as applicable, of such seeds, consistent with recog-  
19 nized botanical standards;

20 (d) whether such seeds are wild-collected, cultivated from wild-col-  
21 lected stock, or produced through other means, and whether such seeds  
22 are first-generation (G1) or further generations removed from wild popu-  
23 lations;

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

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

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

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

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

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

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

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

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

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

28 § 2. This act shall take effect on the one hundred eightieth day after  
29 it shall have become a law. Effective immediately, the addition, amend-  
30 ment and/or repeal of any rule or regulation necessary for the implemen-  
31 tation of this act on its effective date are authorized to be made and  
32 completed on or before such effective date.