

Guidelines for Seed Grader Accreditation in the United States

1. Purpose

The purpose of this document is to set forth the policies, procedures, and requirements for Seed Grader Accreditation in the United States. This is a voluntary program through which individuals who meet all requirements will be accredited to grade seed with a Canada pedigreed grade name in the United States for marketing in Canada. The U.S. Department of Agriculture (USDA)'s Agricultural Marketing Service (AMS) will administer the program.

2. Scope

The Guideline for Seed Grader Accreditation in the United States applies to individuals seeking accreditation under this program. AMS will conduct examinations and reviews of graders' documentation and procedures.

3. Objective

The objective of this program is to improve the efficiency of the seed trade between the United States and Canada by allowing seed destined for marketing in Canada to be graded by accredited graders in the United States and thereby labeled with a Canada pedigreed grade name.

4. Reference Documents

The most current versions of Canada's

- Weed Seeds Order, 2005.
- Seeds Act and Seeds Regulations, including Schedules I, II, and III.
- Canadian Methods and Procedures for Testing Seeds
- Seed Laboratory Accreditation and Audit Protocol (SLAAP)
- List of Varieties Registered in Canada (LOVRIC).

5. Definitions

Accreditation groups: Groupings of Grade Tables representing various crops found in Schedule I to the Seeds Regulations, for which accreditation may be granted.

GD grader classification: A grader accredited to review the analytical information on reports of analysis issued by accredited seed testing laboratories recognized by Canada and to assign a Canada pedigreed grade name to all crop kinds set out in one or more of the following groups of Grade Tables: Grade Tables I to VI, and/or Grade Table VII, and/or Grade Tables VIII-X, and/or Grade Tables XI-XII, and/or Grade Tables XIII-XV and/or Grade Tables XVI-XX of Schedule I.

Grade: To determine, establish, or assign a grade name to seed based on the analysis of a representative sample of the seed lot and the seed standards found in sections 6 and 7 of Canada's Seeds Regulations, including the standard set out in the Grade Tables of Schedule I. Varieties that are not registered in Canada cannot be assigned a Canada pedigreed grade name by a grader in the United States.

Officially-recognized laboratory: A seed testing laboratory that has been recognized by Canada as an accredited laboratory.

Officially-recognized sample: A sample of seed that has been drawn and prepared by, or under the supervision of, an accredited sampler in accordance with recognized standard methods. A sampler may be accredited by the Accredited Seed Sampling Program (ASSP), a laboratory accredited by the International Seed Testing Association (ISTA), an official seed certifying agency, or a government body that has the authority to regulate the import, export, or marketing of seed.

Pedigreed grade name: A designation that contains one of these words: “Foundation,” “Registered,” or “Certified.”

Pedigreed status: The seed are derived from a crop that has been certified by an official seed certifying agency as having met the product and process standards of the certification scheme and designated as Foundation, Registered or Certified seed.

Program Administrator: Individual within AMS with the day-to-day responsibility for overseeing the accreditation program.

Recognized standard method: as indicated in one of the following: the Canadian Methods and Procedures for Testing Seed, the Rules for Testing Seed published by the Association of Official Seed Analysts (AOSA), or the International Rules for Seed Testing published by ISTA.

5.10 U.S. Accredited grader: A U.S. resident who is authorized to grade seed with a Canada pedigreed grade name for marketing in Canada.

6. Program Requirements

The grader must be employed by a seed testing laboratory accredited under the U.S. Accredited Seed Laboratory (ASL) Program or by ISTA.

The grader must be either a Registered Seed Technologist (RST), a Certified Seed Analyst (CSA), for purity and germination, or an active member of the Commercial Seed Analysts Association of Canada (CSAAC).

The grader is responsible for ensuring that the laboratory by which he/she is employed understands that the accreditation is for the specific individual and not the laboratory or other organization.

The grader is responsible for ensuring that the laboratory by which they are employed or for which they are grading seed understands that records relative to the graded seed must be maintained for at least three years following the shipment of graded seed.

Individuals who have been accredited as GD graders or samplers by the Canadian Food Inspection Agency (CFIA) are also recognized under this program.

7. Grader Responsibilities

Submit application for accreditation as a grader to the Program Administrator or a designee.

The applicant must take a written theory examination and a practical examination. These examinations test the applicant's knowledge of grading methodology and the ability to assign a grade to pedigreed seed using appropriate Grade Tables and regulations. The applicant must achieve a passing score (80%) on the written theory examination and on components of the practical examination for which accreditation is sought. Failure to pass one or more of the components of the practical exam will not preclude accreditation being granted for those components successfully passed. Examination results will be reported simply on a pass or fail basis.

The newly accredited grader will provide to the Program Administrator or a designee the first five grading reports for review.

The grader shall maintain complete records or ensure that such records are maintained for at least 3 years from the time of shipment of graded seed in order to demonstrate conformance with Canadian regulations and requirements.

The grader shall ensure that the grading process is carried out in a manner required by Canada's Seeds Regulations in that:

The sample was an officially recognized sample.

Analytical testing information is taken from a Report of Analysis produced by an officially recognized laboratory.

The grader shall immediately notify the Program Administrator or a designee of any significant changes to the status of the laboratory by which the grader is employed or on the status of the grader. Significant changes would include items such as a laboratory losing its accreditation, the loss of accreditation by the grader, or a change in employment by the grader to a laboratory not accredited.

The grader shall pay costs associated with testing and an annual renewal fee to the Program Administrator or designee. Optional training will be made available as necessary and feasible.

8. AMS Responsibilities

- a. Review application.
- b. Provide the opportunity for grader training (as needed and feasible).
- c. Administer test for grader accreditation or designate appropriate authority to do so.
- d. Upon successful completion of the examination by the applicant, AMS will notify CFIA of the accreditation as a grader, establish a unique number for the grader, and provide a certificate to each grader recognizing him/her as an accredited grader.
 - i. The Program Administrator or designee will be responsible for assigning a unique identification number to a grader.
 - ii. This number will consist of: the first three characters will be USG, reflecting United States Grader; the first two digits will indicate the calendar year, presently 07, followed by a sequential number beginning with 01, i.e. the first grader will be USG0701.
- e. Maintain and publish a listing of accredited graders on the Seed Regulatory and Testing Division website, <http://www.ams.usda.gov/services/seed-testing>, which is available to the public.
- f. Maintain records for at least as long as the grader maintains his/her accreditation.
- g. Review appeals of decisions regarding suspending or canceling accreditation.
- h. Periodically update the program in consultation with CFIA officials.
- i. Conduct reviews at 3-year intervals, or more often if necessary. Reviews will include random examination of grading records maintained by the grader. Such reviews will occur at least every three years and if complaints are received will be conducted as decided upon by the Program Manager.

9. Approval Procedures

An applicant who passes all components of the examination while working at a Canadian approved U.S. Accredited Seed Laboratory or ISTA accredited seed laboratory and meets all other requirements will be considered accredited as a grader. Once accredited, AMS will post the information on its Web site.

An applicant who fails one or more components of the examination may apply to be retested on those failed component(s), provided that such application is made within 12 months of the original examination.

Unless the accreditation of a grader has been suspended or cancelled, the Program Administrator shall annually renew the accreditation upon receipt of payment of the applicable annual fee before January 1 of the year for which the accreditation is to be renewed.

10. Suspension or Cancellation of Accreditation

A grader may choose to cancel his/her accreditation at any time by notifying the Program Administrator in writing. A grader who cancels his/her accreditation will be removed from the list of accredited graders.

The accreditation of a grader may be suspended if:

- a. False or misleading information has been submitted in the application for accreditation.
- b. The grader does not comply with the relevant provisions of Canada's Seeds Act and Seeds Regulations or the Guideline for Seed Grader Accreditation in the United States.

The accreditation of a grader may be cancelled if any of the following occur:

- a. The grader does not pay the annual fee before January 1 of the year for which accreditation is to be renewed.
- b. The grader maintains any false or misleading records or samples of any seed that the grader has graded; or the grader falsely represents any seed to be of pedigreed status.
- c. The grader provides false or misleading information.
- d. The accreditation of the grader has been suspended three times within a 24-month period.
- e. The suspension of the accreditation has been in effect for one year and the grader has not yet implemented corrective measures.
- f. The Program Administrator, at his discretion, concludes that it is in the best interest of the program.

If an individual's accreditation as a grader has been cancelled, the individual shall be ineligible for another accreditation for at least 24 months after the date of cancellation.

The Program Administrator, prior to suspending or canceling the accreditation of a grader, shall provide to the grader:

- a. A notice of potential suspension or cancellation.
- b. The opportunity to make either an oral or written presentation regarding the potential suspension or cancellation.

11. Appeals

If an individual's accreditation as a grader has been cancelled or suspended, the individual may, within 30 days after the day on which the notice was received, make a written request to the Program Administrator for a review of the decision.

- a. The request shall include the reasons why the individual believes the Program Administrator should review the decision.

- b. The request may include any documentation or information that the applicant considers appropriate.
- c. The Program Administrator or designee will review the decision and respond to the request within 30 days after receipt of the appeal.

12. Accreditation Groups

- a. Tables I-VI
- b. Tables VII
- c. Tables VIII-X
- d. Tables XI-XII
- e. Tables XIII-XV
- f. Tables XVI-XX

13. Confidentiality

All materials submitted by applicants and maintained by USDA AMS are subject to disclosure under the Freedom of Information Act. The Freedom of Information Act applies to documents that are in the control of or maintained by a government agency.

Individual examinations and results are considered to be confidential and maintained by the Program Administrator or designee.

14. Contact Information

All applications, documentation, updates, or other information should be submitted to the following:

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