



**Weed Seeds Order Review
Submission by
The Canadian Seed Trade Association
January, 2010**

The submission provides the comments of the Canadian Seed Trade Association on proposed amendments to the Weed Seeds Order. As the Canadian national association of seed companies, it is our sincere hope that, in this assessment process, CSTA's input will be given serious consideration and will be weighted to recognize our structure and representation.

I ABOUT THE CSTA

The Canadian Seed Trade Association brings together 130 member companies who are engaged in all aspects of seed research, production and marketing, both domestically and internationally. Our membership ranges from those who market garden seed and herbs to large western grain handlers; and from small family-run businesses to large multi-national corporations. CSTA members work with seeds from 50 principal crops, including grains, oilseeds, special crops, forage and turf grasses, flowers, vegetables and fruits.

CSTA's direction comes from its membership. Our mission statement commits us to work with our value chain partners towards an environment that promotes innovation and benefits the entire value chain.

II PROPOSALS TO CHANGE THE WEED SEEDS ORDER

CSTA has been a part of the process to review the Weed Seeds Order since early 2008. Staff and member representatives participated in technical working sessions organized by the National Forum on Seed, where some proposals for change were discussed. However, we don't believe that the document issued on October 23, 2009 reflects the discussions that were held during those technical working sessions. In fact, it is the opinion of some of CSTA's members that implementing some of the changes proposed in the consultation document would have a very negative impact on the seed sector.

CSTA's input to the consultations provided in this submission is made with the clear understanding that the October 23 consultation document has no formal standing other than to stimulate discussion. CSTA will oppose any decision to simply implement the proposals outlined in this document.

A. Definitions

CSTA is requesting some changes to the proposed definitions to ensure that they are clear and concise. The comments and proposals that will follow for the classification of species are based on the definitions that we have proposed, and may not stand if our proposals for tightened definitions are not translated into policy

Class 1 – Prohibited Noxious - CSTA accepts the proposed definition of Class 1 – Prohibited Noxious. It is, however, important that the weed species in Class 1 truly meet the definition of either not present in Canada, or under official control.

Class 2 – Primary Noxious – CSTA also accepts the proposed definition of Class 2 – Primary Noxious, once again it is very important that the weed species in this Class clearly meet the definitions.

Class 3 – Secondary Noxious – CSTA members are concerned that the proposed definition should be more clearly defined, and should include some of the provisions of the current definition of secondary noxious. CSTA proposes that Secondary Noxious be defined as:

“The species is relatively common and widespread in Canada. The species must be a weed whose presence in seed could affect the value and/or intended use of the seed lot. The species must have the potential to be a serious weed in certain crops, but be relatively easy to eradicate with current crop and seed pant management practices. The species must have identifiable seeds that can be visually distinguished from those of other species, or in rare instances, from entire genera. “

Classes 4, 5 and 6 - CSTA believes that Classes 4, 5, and 6 should remain as is currently the case. The impact on Canada’s forage and turf sector, of merger or deletion of these classes could be significantly negative.

B. Application of Classes

CSTA supports the maintenance of crop specific application of classes of weeds. In particular, we support that Classes 2 through 5 should continue to not apply Tables XIV (*lawn and turf mixtures of two or more kinds of seeds*) and Table XV (*ground cover mixtures composed of seed of two or more kinds other than cereal mixtures, forage mixtures and lawn or turf mixtures*) of the Grade Tables.

C. Proposed Placement of Species

The placement of many weed species proposed in the CFIA consultation document is of extreme concern to CSTA’s members. Many of the proposed placements could seriously impact the seed industry in Canada. This part of the submission flags the weed species that CSTA’s members believe should not be placed as proposed in the CFIA document.

It is imperative that the advice of those who actually operate in the seed industry is given very serious consideration.

Class 1 – Prohibited Noxious

- *Alopecurus myosuroides* - **Slender Fox Tail** – does not meet the definition of Class 1. The definition states that “the species is not yet present in Canada, or is present and is under official control.” According to the United States Department of Agriculture’s Plant Profile <http://plants.usda.gov/java/profile?symbol=ALMY> In addition to being present in many U.S. states, Slender Foxtail is present in Manitoba. While it is present in Canada, it has not likely reached its full ecological range, and would be better placed in Class 2 – Primary Noxious.

Class 2 - Primary Noxious

- *Bassia scoparia* – **Kochia** – is a common weed in well over 75% of alfalfa and red clover seed in Saskatchewan (Canada’s largest producer of alfalfa seed) and other provinces. CSTA members are very concerned that re-classification of Kochia from “other weed” to Primary Noxious would make it virtually impossible to make grade on red clover and alfalfa. CSTA supports that Kochia not be classified in Class 2, but should be in Class 6 – other weeds.

- *Bromus japonicus* – **Japanese Brome** – is a well established weed in the United states and in the southern prairie provinces of Canada. It is most widely found in turf species, but does not affect turf establishment or quality. CSTA supports that Japanese Brome should not be placed in Class 2 , but should be in Class 6 – other weeds.
- *Bromus secalinus* – **Cheat** – is also a well established weed in almost every province in Canada. It is currently an “other weed”. The seed sector does not accept that it should be re-classified in Class 2 as it is relatively easy to control, and does not pose a significant threat to commercial production. It should remain an “other weed”
- *Galium aparine* – **Cleavers**; *Galium Spurium* – **False Cleavers**; and *Galium verrucosum* – **Warty bedstraw** – While these herbaceous vines are difficult to separate from canola seeds, the increased use of glyphosate tolerant canola varieties has made these weeds quite easy to control. CSTA proposes that they be moved from Class 2 (primary noxious) to Class 3 because they are widespread, and can be chemically controlled in canola seed fields.
- *Sinapis arvensis/Brassica arvensis/Brassica kaber* – **Wild Mustard** – since the advent of modern herbicide usage, Wild mustard has not posed an agronomic problem in any jurisdiction in Canada. All of Europe, and many large US states do not list this weed as restricted, and no American state lists it as prohibited. CSTA proposes that wild mustard be re-classified from the current Class 2 to Class 3 (secondary noxious).

Class 3 - Secondary Noxious

- *Amaranthus hybridus* – **Slim Amaranth**; *Amaranthus powelli* – **Powell’s Amaranth**; and *Amaranthus retroflexus* – **Redroot pigweed** - At least one of these weeds: Redroot pigweed; is very widespread. It is found in most, if not all fields in Western Canada, and is relatively easy to clean out of most seed lots. It is, however, very difficult to distinguish between this Amaranth and the other two listed. For that reason, CSTA supports leaving all of these weeds in the “other weeds” classification.
- *Cerastium spp.* – **Mouse Ear Chickweed** – is currently classified in classes 4 and 5. It has been found in crops in Canada for many, many years, and poses no threat to most of the seed sector. It should remain in classes 4 and 5.
- *Chenopodium album* – **Lambsquarters** – is a very widespread weed in Canada. In some areas, Lambsquarters is actually cultivated for the leaves, which are used in salads. In cultivated fields, lambsquarters is relatively easy to control with herbicides. CSTA submits that this weed should remain in the “other weeds” classification.
- *Digitaria spp* – **Crabgrasses** – this species of weeds is widespread in Canada. The proposal to place weeds of this species in Class 3 would have a very serious impact on the imports of turf seed to Canada. CSTA supports leaving this species in classes 4 and 5.
- *Hordeum jubatum* – **Foxtail Barley** – is a native species to Canada and is very widely spread in cultivated and non-cultivated fields. As it is found in most fields of Smooth brome grass, Meadow brome grass and Fescue, the impact of its reclassification to secondary noxious would have a very negative impact on Canada’s forage and turf seed sector. This weed must remain in the “other weeds” classification.

- *Panicum spp.* – **Panic Grass** – is currently classified in classes 4 and 5. Moving these weeds to Class 3 (secondary noxious) could have a significantly negative impact on the imports of turf seed. Panic Grass should remain in classes 4 and 5.
- *Stellaria media* – **Common Chickweed** – is a common weed across Canada and can be found in most small seeded forage crops, but is quite easily cleaned out of most of these crops. This weed should remain in its current classification: Classes 4 and 5.
- *Tripleurospermum maritimum subsp. Inodorum* - **Scentless chamomile** – is a widespread weed throughout Canada that is easily controlled with modern day crop protection products. As it does not pose a threat to agricultural production, it should remain in its current classification (Classes 3 and 5).
- *Elytrigia repens* – **Couchgrass, Quackgrass** – is currently classified in classes 2 and 5. CSTA members are concerned with the proposal to move this weed species to classes 3 and 5 because there is a potential for disruption in both domestic sales and sales to the United States. We support leaving this weed species in classes 2 and 5.

Species That Are Difficult To Identify Or Distinguish From Other Species

CSTA members are concerned with some of the proposed classifications of species that are extremely difficult to distinguish from other weed species. Because of this, listing these weed species as proposed could have a substantially negative impact on the Canadian seed industry. For example:

- *Echinochloa colona* – **Jungle Rice** - the seeds of this species, which is said to not be present in Canada, are very difficult to distinguish from *Echinochloa Crus-galli* – Barnyardgrass. However, Jungle Rice is proposed for placement as a prohibited noxious weed, and Barnyardgrass is quite common throughout Canada.
- *Solanum ptycanthum* – **Eastern Black Nightshade** – is very similar in appearance to *Solanum americanum* – American Black Nightshade; and *Solanum nigrum* – Black nightshade. Neither of those two species are listed on the weed seeds order, but the document proposes to class Eastern Black Nightshade as a secondary noxious weed.

Removal of Weeds from the Weed Seeds Order

CSTA accepts that some plants that were classed as weeds in the past may have some promise as commercial crops. However it extremely important that these decisions not be made without assessing the potential for damage to the seed industry in Canada.

- *Thlaspi arvense* – **Stinkweed** (Frenchweed, Field Pennycress, Fanweed) – is a noxious weed in 9 states in the U.S.A. if this weed is found in samples of seed destined for the states of Indiana, ,Kansas Michigan, Minnesota, Nebraska, Nevada, Ohio, South Dakota or Washington, the seed no longer has “Clear Tag” status and is either discounted or refused. If this weed was removed from the Weed Seeds order, many U.S. markets for Canadian forage legumes and grasses would be lost. This weed must be left in its current classification as Secondary Noxious (Class 3).

III CONCLUSION

CSTA's forage and turf, oilseeds and cereal seed company members have reviewed very carefully the proposals presented by the CFIA in its consultation document. We are very concerned that many of the proposals for changes in placement of weeds are not clearly based on the criteria stated for the class. Many of these proposals, if implemented would have detrimental effects on the Canadian seed industry.

We trust that the comments and suggestions of the CSTA on behalf of its 130 member companies will be given very serious consideration and that the revisions to the Weed Seeds Order will reflect that CSTA's input.