

# **CERTIFIED WEED FREE FORAGE: AN EMERGING PROGRAM FOR WESTERN STATES**

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## **ABSTRACT**

Hay, raw feeds, and straw can contain germinable weed seeds if grown in fields where weeds are allowed to produce seeds, or rhizomes. These weeds can be spread into new areas by animal feed and mulches used for erosion control. Verifying that animal feed and mulch is weed free before it is used in an area can prevent the spread of weeds. Prevention programs are much simpler and cheaper than detection, control, or eradication programs for weeds that are already established. Certified weed free forage and mulch programs have been established in 13 western states and Canadian provinces since 1994. The purpose of these programs is to prevent the further spread of invasive noxious weeds. In California, the program has been initiated by three federal agencies, which have notified the public of their intention to close their lands to non-certified materials. The closure has a three-year timeline: the first season, 2002, drafting of certification procedures will be finished and education about the program, inspections and closures. The second year, closure are enacted with warnings to those who are not in compliance. The third year, full enforcement with citations will occur. There has been increasing concern by growers that the program will move beyond a voluntary, value-added marketing niche to a new minimum standard for market acceptability.

**Keywords: weeds, weed-free, forage, certified, prevention**

## **INTRODUCTION AND BACKGROUND**

Noxious weeds threaten the beneficial uses of land, jeopardize the safety of our citizenry due to their extreme flammability, and destroy California's rich and unique environmental biodiversity. Due to lack of funds at the county level, especially in rural parts of the state, landowners and agencies have been losing economic and biological resources to the spread of noxious weeds. The cost to the United States from nonindigenous pests is estimated at \$137 billion per year (Pimental et al. 2000). Many of the worst noxious weeds in the western US, such as yellow starthistle, spotted knapweed, diffuse knapweed, Mediterranean sage, tall whitetop, Canada thistle were brought in as contaminants in alfalfa seed sent from the old-world (Sheley and Petroff 1999). Noxious weed seeds move throughout the landscape by the following vectors: 1) state and county roads; 2) wind, water, animals; 3) crop seed, hay; 4) fill, equipment, construction materials; and 5) vehicles and shoes.

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## LIMITING WEED SPREAD THROUGH PREVENTION

To limit the further spread of noxious weeds that have entered the country the following measures are to be implemented: 1) limit weed seed dispersal; 2) contain neighboring weed infestations; 3) minimize soil disturbances; 4) detect and eradicate weed infestations early; 5) establish competitive grasses and 6) properly manage grasses. (Sheley and Petroff 1999). Limiting seed dispersal can be achieved by the following practices:

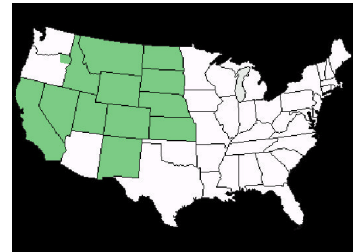
- use certified seed
- use certified feed & straw mulch
- clean equipment
- clean vehicles
- clean animal stock
- clean hiking boots, bike tires

The certified weed free forage and mulch program in California is designed to stop the spread of weed seeds in feed and straw mulch onto federal and state owned lands.

## CERTIFICATION OF WEED-FREE FEED

### Western States and Provinces:

The following states and provinces have either a MOU or a letter stating that they certify in accordance with the North American Weed Free Forage standards: Minnesota; South Dakota; Alberta, Canada; Nevada; Wyoming; Kansas; Nebraska; Montana; North Dakota; Wallowa County, Utah, New Mexico, Oregon. The North American Weed Free Forage standards are set of coordinated standards developed by the North American Weed Management Association (NAWMA) a Rocky Mountain based professional organization. ([www.nawma.org](http://www.nawma.org)). The purpose of the MOU is to let certified products move easily between states. Unfortunately, the weeds on the NAWMA weed list are not compatible with California



The NAWMA standards are designed:

- To provide some assurance to all participants that forage certified through this program meets a minimum acceptable standard;
- To provide continuity between provinces and states in the program; and
- To limit the spread of noxious weeds through forage and mulch

### California:

In California, the program has been initiated by three federal agencies, which have notified the public of their intention to close their lands to non-certified materials. The closure has a three-year timeline: the first season (tentatively 2002) there will be drafting of certification and education about what the closure means for land users. The second year, enforcement will be limited to warnings to those who are not in compliance. The third year, full enforcement with citations will occur. Authority to certify forage as weed

free is permitted under sections 5101 and 5205 under authority of section 403 of the California Food and Agricultural Code. The California Agricultural Commissioners and Sealers Association created a set of coordinated guidelines to standardize inspections within the state. (The guidelines are attached starting on the next page)

<u>Timeline:</u>	<u>Land Closures:</u>	<u>Inspections</u>
•2002 - Education	•US Forest Service	•County Ag Commissioners
•2003 - Closures & warnings	•BLM	
•2004 - Citations	•National Parks	<u>Coordination</u>
	• <u>Caltrans</u>	•Steering Committee
		•CA Dept. of Ag
<a href="http://www.weedfreefeed.com">www.weedfreefeed.com</a>	<a href="http://www.cdfa.ca.gov/weedhome">www.cdfa.ca.gov/weedhome</a>	

### **IS WEED-FREE FEED FOR ALL GROWERS?**

There has been increasing concern by growers that the program will move beyond a voluntary value-added marketing niche to a new minimum standard for acceptability by wholesale and retail purchasers. This concern is difficult to evaluate. There has not been a trend in the other western states toward weed-free status moving toward a mandatory standard for all hay. It may be that growing the weed-free product is initially adopted by smaller operations which market directly to consumers and feed stores. If demand increases and an enhanced price is available then there will be widespread desire to go weed-free.

- Certified feed does sell at a higher cost.
- Many fields are already free of noxious weeds
- Identification of product can be problematic.
- Tends to be smaller growers who participate.

### **REFERENCES**

Sheley, R.L. and J.K. Petroff. 1999. Biology and Management of Noxious Rangeland Weeds. Oregon State University Press. Corvallis.

Pimentel, D., L. Lach, R. Zuniga and D. Morrison. 2000. Environmental and Economic effects of nonindigenous species in the United States. BioScience 50:53-65.

**(The following are the certification guidelines that were established by the California Agricultural Commissioners and Sealers Association.)**

**GUIDELINES FOR THE CERTIFICATION OF WEED FREE FORAGE, HAY,  
STRAW AND MULCH**

(Authorized under California Food and Ag Code Sections 5101 & 5202)

**STATEMENT OF PURPOSE**

The purpose of these rules is for the certification of forage free from noxious weeds. Forage certified under these procedures will satisfy the requirements of The United States Forest Service, Bureau of Land management, The National Park Service and any other agency accepting these procedures, permitting only weed free forage on lands under their control. Included are definitions of terms, state list of noxious weeds, procedures for inspection and certification of weed free forage, and procedures for identifying and tracking certified forage crops. Authority to certify forage as weed free is permitted under sections 5101 and 5205 under authority of section 403 of the California Food and Agricultural Code.

**1.00 DEFINITION OF TERMS**

- a. "Weed free" means to be free from propagative plant parts and seed from plants listed in the California Code of Regulations, Title 3, Division 4, Chapter 6, Subchapter 6, Section 4500.
- b. "Propagative plant parts" are any part of a plant capable of reproducing itself, including live roots, rhizomes, stolons or any other viable part.
- c. "Noxious weed" means any species of plant that is, or is liable to be, troublesome, aggressive, intrusive, detrimental, or destructive to agriculture, silviculture, or native plant communities, and difficult to control or eradicate, which the secretary, by regulation, determines to be a noxious weed.
- d. "Secretary" means the Secretary of the California Department of Food and Agriculture.
- e. "Certification" as used in this document means to certify a forage cutting as to the producer, commodity, amount of production and freedom from weed content.
- f. "Forage" includes hay, straw or mulch.
- g. "Producer" is the grower of the forage.
- h. "Commissioner" as used in these rules includes county agricultural commissioners and their deputies and inspectors.

**2.00 WEED LIST**

a. Certified Weed Free Forage shall be free from propagative plant parts of noxious weeds listed in section 4500 of title 3, division 4, chapter 6, subchapter 6 of the California Code of Regulations.

### 3.00 PROCEDURES FOR CERTIFICATION OF WEED FREE FORAGE CROPS

a. Application for certification shall be made by the producer or his agent to the agricultural commissioner of the county where the crop to be certified is growing or to be grown. Such application shall be made no later than 14 days prior to harvest. Application shall be made on a form(s) required by the commissioner. Application shall include grower's name, address, telephone number, field location(s), crop, acreage(s), estimated yield and a detailed map of the field(s) to be certified.

b. Requests for certification inspections shall be made at least 14 days prior to harvest. Requests may be made in person, by phone, or by fax or any other method permitted by the commissioner. Requests shall include grower, field number or location, crop, date of proposed harvest, and estimated total production by weight and number of bales.

### 4.00 INSPECTION PROCEDURES PRIOR TO CUTTING

a. The forage crop shall be inspected in the field of origin by the agricultural commissioner no more than 5 days prior to harvest. The inspection shall include surrounding ditches, fence rows, rights of way and buffer zones. The harvested forage crop shall be removed from the field within 14 days and shall be stacked and stored at any site where it would not be allowed to become contaminated with propagative noxious weed components.

b. Forage which contains any weed(s) designated on the prohibited noxious weed list may be certified weed free if the following conditions are met:

1. Live roots, rhizomes, stolons, seeds, or other propagative plant parts of noxious weeds are not present in the forage to be harvested.

c. Inspection procedures should be based on but not limited to methods outlined in the California Department of Food and Agriculture Nursery Manual and Quarantine Circulars, Seed Manual and the National Plant Board Plant Quarantine, Nursery Inspection, and Certification Guidelines.

### 5.00 PROCEDURES FOR TRACKING AND IDENTIFYING CERTIFIED FORAGE

a. A certificate of inspection shall be completed for each field and crop cutting inspected. The certificate shall document that all conditions of these rules have been met, and shall contain the growers name, address, commodity, and estimated amount by number of bales and weight.

b. The producer shall keep inventory sheets for each cutting from each field and maintain records of each sale and quantity sold from each cutting.

c. The producer shall maintain these records for 2 years and make them available for inspection by the county agricultural commissioner.

d. All inspected forage shipments shall be accompanied by an embossed shipping document, or a tag, either of which may be issued by the county agricultural commissioner. Individual units which are subdivisions of the total shipment may be bound with a designated color-coded twine supplied to the agricultural commissioner by the U.S. Government and distributed to the producer. The use of these identification mechanisms shall be evidence that the forage is certified by the county agricultural commissioner to be weed free and traceable to the source of the original cutting.

e. Records shall be maintained for two years by anyone receiving shipments of certified weed free forage with the intention of distributing the product as certified weed free either as a complete shipment or sub-divided.

f. Each sale of sub-divided or partial shipments shall be accompanied by a receipt when requested by the buyer with the statement "The forage, hay, straw and/or mulch categorized by this receipt has been certified to be free from noxious weeds in accordance with the Food and Agricultural Code of California".

#### 6.00 VIOLATIONS

a. Any county agricultural commissioner, under the authority of section 5311 with reference to section 5208 of the State of California Food and Agricultural Code, may at any time, initiate a notice and hearing process to determine whether a violation of these provisions has occurred. Violations of Federal requirements concerning weed free forage on federal grounds will not be enforced by agricultural commissioners.

The hearing process may review the actions of:

1. The certificate holder
2. Any other person whose actions may have resulted in the violation.

b. The notice of hearing shall be on a form approved by the secretary and contain:

1. Specific provisions violated, and a warning to cease such violations.
2. A hearing date to determine if the certificate(s) involved in the violation or participation privileges should be revoked.

#### 7.00 FEES

a. The county agricultural commissioner may charge a fee for conducting inspections and issuing certificates as set by the board of supervisors of that county, but not to exceed the actual cost of the performing the inspections and issuing the certificates as permitted by section 5202 of the California Food and Agricultural Code.