



Province of Alberta

WEED CONTROL ACT

SEED CLEANING PLANT REGULATION

Alberta Regulation 15/2003

With amendments up to and including Alberta Regulation 68/2008

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only, and that the original Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 68/2008)

ALBERTA REGULATION 15/2003

Weed Control Act

SEED CLEANING PLANT REGULATION

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Schedule

Definitions

1 In this Regulation,

- (a) “Act” means the *Weed Control Act*;
- (b) “director” means the director of the Ag Research Division of the Department of Agriculture and Rural Development;
- (c) “licence” means a licence to operate a seed cleaning plant issued under this Regulation;
- (d) “seed cleaning plant” means a building, structure or vehicle designed, intended or used for cleaning grain or seeds to be used for seeding.

AR 15/2003 s1;120/2006;35/2007;68/2008

Request for inspection

2 An applicant for a licence shall contact the municipal secretary of the municipality where the seed cleaning plant is located and the municipal secretary shall request an inspector to inspect the plant.

Inspection forms

3 An inspector who inspects a seed cleaning plant shall complete Form 1 or 2 of the Schedule, as the case may be.

Licence

4 The director or a person authorized by the director may issue a licence in Form 3 of the Schedule if an applicant obtains

- (a) a final rating of 60% or more on Form 1, or
- (b) in the case of a portable seed cleaning plant, a final rating of 60% or more on Form 2.

Term of licence

5 A licence expires one year after its date of issue.

Transfer of licence

6(1) No licensee may transfer a licence.

(2) A licence that has been transferred is void.

Sanctions

7(1) An inspector who is of the opinion that a licensee or an applicant for a licence has contravened or is contravening section 26(2), 31, 32, 33, 34, 35, 36 or 37 of the Act or a provision of this Regulation may report it to the director.

(2) If the inspector intends to or makes a report under subsection (1), the inspector shall inform the licensee or applicant in writing not later than 7 days after reporting to the director that

- (a) the inspector has made or is making a report to the director, and
- (b) the licensee or applicant may make representations or submissions to the director up to 14 days after being informed under this subsection.

(3) Delivery of a letter that complies with the requirements of subsection (2) to the address of the licensee as stated on the licence or to the last known address for the applicant in the records of the chief administrative officer of the municipality where the plant is located is deemed to be delivery to the licensee or the applicant, as the case may be.

(4) The director may, not earlier than 15 days after a licensee or applicant for a licence has been informed under subsection (2),

suspend or cancel any licence, or refuse to issue or renew a licence, if the director is satisfied that the licensee or applicant for a licence has contravened any of the provisions referred to in subsection (1).

(5) A licensee or applicant for a licence may appeal the decision of the director under subsection (4) to the Minister.

Moving plant or equipment

8 The owner or operator of a portable seed cleaning plant or other equipment used to clean grain or seeds that is being moved from one municipality to another municipality shall give written notification of the move to the inspector of the receiving municipality at least 24 hours before the move.

Continuation of licence

9 A licence under the *Seed Cleaning Plant Regulation* (AR 122/82) is continued as a licence under this Regulation.

Expiry

10 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on August 1, 2011.

AR 15/2003 s10;120/2006

Repeal

11 The *Seed Cleaning Plant Regulation* (AR 122/82) is repealed.

Schedule

Form 1

Seed Cleaning Plant Licensing Form

PLANT: _____

ADDRESS: _____

Licences are issued to Seed Cleaning Plants under authority of the *Weed Control Act*. The purpose of licensing is to protect users from the spread of weeds due to faulty practices, design or maintenance of seed cleaning plants.

Plants are to be rated in two categories:

1. The design, maintenance, and operation of the plant relating to the prevention of cross-contamination of lots of seeds.
2. The quality of the end product or seed produced.

Section 1. - Cross-Contamination

In order to receive a licence, a plant must be designed and operated in a manner that eliminates the possibility of cross-contamination. The score obtained in this section contributes 50% towards the final rating. A 60% final rating must be obtained to receive a licence.

In scoring a plant, please indicated N/A opposite any category that does not apply to the plant being rated. Possible score is weighed to reflect the relative importance of each item. Assess score for each item within range stated under "Possible Score" column.

The overall rating will be the percentage of total possible score leaving out those items not applicable.

POSSIBLE SCORE	SCORE	ITEM
0 - 8	___	1. Receiving pit in good repair, lining intact, and no obstruction to hold seed, etc.
0 - 2	___	2. Legs have sufficient space between cup and belt.
0 - 2	___	3. Legs or augers are equipped with a clean-out access.
0 - 10	___	4. Boots cleaned between lots. (If score is zero in Item #3, then score a zero for Item #4).
0 - 5	___	5. Cleaning machines cleaned and/or flushed between lots.
0 - 10	___	6. Bin linings smooth and in good repair, no obstructions to catch seed. (Bins needing repair, numbers ___).
0 - 8	___	7. Bins covered on top or otherwise protected to prevent mixing.
0 - 4	___	8. All spouting in good repair and have no holes or leaks.

0 - 4	_____	9.	All hoppers in good repair and have no holes or leaks.
0 - 5	_____	10.	Floors in cupola clean of spilled grain, weed seeds, refuse and dust.
0 - 8	_____	11.	All cleaning machinery, including screens, are in good repair. Defects are: _____.
0 - 8	_____	12.	All cleaning machinery accessible for cleaning and kept free of accumulated seeds and dust.
0 - 4	_____	13.	A rough analysis is done prior to truck unloading, and this record is on file.
0 - 4	_____	14.	Main area clean of spilled grain, weed seeds, dust and refuse.
0 - 3	_____	15.	Basement clean of spilled grain, weed seeds, dust and refuse.
0 - 2	_____	16.	Treater(s) in good repair and properly spouted to allow free flow and containment of treated seed.
0 - 4	_____	17.	Treater floor clean of spilled grain, weed seeds, dust, refuse, and is tight to prevent spilled grain or chemical from escaping.
0 - 3	_____	18.	Treater(s) cleaned between lots.
0 - 4	_____	19.	Driveway in good repair (no cracks or obstructions to catch and hold seeds).
0 - 5	_____	20.	Loading out of screenings controlled to reduce loss of weed seed.
0 - 5	_____	21.	Licence displayed in conspicuous place.
0 - 5	_____	22.	Suitable grading and inspection facilities present and used.

With no N/A - maximum possible score = 113

Total score obtained = _____(a)

Total maximum possible score = _____(b) (exclude N/A points)

Percent rating = $\frac{(a)}{(b)} \times 100 = \text{___}\%$ Section 1

Section 2. - Product Turned Out

The plant can obtain up to 50% of its final rating based on the end product meeting Canada Seed Grade standards for weed seed content.

Five percent or 20 samples of seed lots, whichever is greater, collected over the year constitutes a bare minimum on which to judge the product. Samples must be collected on at least 10 different occasions and without prior notice of when they are to be collected.

1. No. of samples _____ x 2 = total possible.

2. Points scored (basis of purity)

2 points for each No. 1 Seed 2 x _____ = _____ (a)

1 point for each No. 2 Seed 1 x _____ = _____ (b)

Minus (-) 2 points for each rejected 2 x _____ = _____ (c)

Points obtained from samples graded (a + b - c) = _____

Percent = $\frac{\text{Points obtained ()}}{\text{Points possible ()}} \times 100 = \text{___}\%$ Section 2

FINAL RATING - $\frac{\text{Section 1 ()}\% + \text{Section 2 ()}\%}{2} = \%$

Seed Cleaning Plant _____

I hereby certify that I have personally inspected the above plant and that the plant meets all of the requirements and standards for the final rating given.

Inspector

Date

I hereby certify that the Inspector has discussed the rating with me and advised me of the final rating that the plant will receive.

Plant Manager or Board Member

Date

A Plant must obtain a Final Rating of 60% or greater to receive a licence.

COMMENTS:

Form 2

Portable Seed Cleaning Plant Licensing Form

PLANT OPERATOR: _____

ADDRESS: _____ PHONE NO. _____

Licences are issued to Seed Cleaning Plants under authority of the *Weed Control Act*. The purpose of licensing is to protect users from the spread of weeds due to faulty practices, design or maintenance of seed cleaning plants.

Plants are to be rated in two categories:

1. The design, maintenance, and operation of the plant relating to the prevention of cross-contamination of lots of seeds.
2. The quality of the end product or seed produced.

Section 1. - Cross Contamination

In order to receive a licence, a plant must be designed and operated in a manner which eliminates the possibility of cross-contamination. The score obtained in this section contributes 50% toward the final rating. A 60% final rating must be obtained to receive a licence.

In scoring a plant, please indicate N/A opposite any category that does not apply to the plant being rated. Possible score is weighed to reflect the relative importance of each item. Assess score for each item within range stated under "Possible Score" column.

The overall rating will be the percentage of total possible score leaving out those items not applicable.

POSSIBLE SCORE	SCORE	ITEM
0 - 5	_____	1. Grain receiving system in good repair and no obstructions to hold seed, etc.
0 - 2	_____	2. Legs have sufficient space between cup and belt, and are in good repair.
0 - 2	_____	3. Legs or augers are equipped with a clean-out access.
0 - 10	_____	4. Boots cleaned between lots. (If score is zero in Item #3, then score a zero for Item #4).
0 - 5	_____	5. Cleaning machines cleaned and/or flushed between lots.
0 - 5	_____	6. Clean grain conveyor in good condition (auger, leg, etc.).
0 - 7	_____	7. All spouting in good repair and have no holes or leaks.
0 - 8	_____	8. Equipment for cleaning the machine and floor is adequate.
0 - 8	_____	9. Machine cleaned of spilled grain, weed seeds, refuse and dust prior to moving from one location to another.
0 - 5	_____	10. Service vehicle kept clean and free of grain, weed seeds, and refuse.
0 - 8	_____	11. All cleaning machinery, including screens, are in good repair. Defects are: _____.
0 - 4	_____	12. A rough analysis is done prior to truck unloading and this record is on file.
0 - 4	_____	13. Treater(s) in good repair, kept clean, and properly spouted to allow free flow and containment of treated seed.
0 - 3	_____	14. Treaters(s) cleaned between lots.

0 - 5 _____ 15. Loading out of screenings controlled to reduce loss of weed seed.

0 - 5 _____ 16. Licence displayed in conspicuous place.

With no N/A - maximum possible score = 86

Total score obtained = _____(a)

Total maximum possible score = _____(b) (exclude N/A points)

Percent rating = $\frac{(a)}{(b)} \times 100 = \text{___} \% \text{ Section 1}$

Section 2. - Product Turned Out

The Plant can obtain up to 50% of its final rating based on the end product meeting Canada Seed Grade standards for weed seed content.

Twenty samples collected over the year constitutes a bare minimum on which to judge the product. Samples must be collected on at least 10 different occasions and without prior notice of when they are to be collected.

1. No. of samples _____ x 2 = total possible.

2. Points scored (basis of purity)

2 points for each No. 1 Seed 2 x _____ = _____ (a)

1 point for each No. 2 Seed 1 x _____ = _____ (b)

Minus (-) 2 points for each rejected 2 x _____ = _____ (c)

Points obtained from samples graded (a + b - c) = _____

Percent = $\frac{\text{Points obtained ()}}{\text{Points possible ()}} \times 100 = \text{___} \% \text{ Section 2}$

FINAL RATING - $\frac{\text{Section 1 ()}\% + \text{Section 2 ()}\%}{2} = \%$

Seed Cleaning Plant _____

I hereby certify that I have personally inspected the above plant and that the plant meets all of the requirements and standards for the final rating given.

Inspector_____
Date

I hereby certify that the Inspector has discussed the rating with me and advised me of the final rating that the plant will receive.

Plant Manager_____
Date

A Plant must obtain a Final Rating of 60% or greater to receive a licence. Less than 60% - the licence is cancelled.

COMMENTS:

Form 3
Licence to Operate a
Grain and Seed Cleaning Plant

Authority is hereby given to (Name) of (Address) to operate a grain or seed cleaning plant for the purpose of cleaning grain or seed under the Weed Control Act (Alberta).

RATING

%

Restrictions _____

Expires _____ (Date of Expiry)

Issued by (specify Director or, if issued by Inspector, set out name of Inspector and name of Inspector's municipality)

(Signature of Director or Inspector)