



Agricultural Commodities Assurance Program

(ACAP)

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Visit us on the web
www.ksda.gov

Frequently asked questions

What is the Agricultural Commodities Assurance Program?

The Agricultural Commodities Assurance Program (ACAP) is a program within the Kansas Department of Agriculture that regulates the quality of feed, pet food and seed.

Why is it important to inspect agricultural seed?

Seed inspections are important to the agricultural industry and to consumers. Farmers use the germination and purity guarantees to determine crop yield. If seed does not meet those guarantees, the crop will be less than expected and the farmer may suffer economically. Poor crop yields may ultimately raise the price of food for consumers.

How does ACAP inspect agricultural seed?

ACAP inspectors perform inspections at businesses that sell agricultural seed and collect samples of various kinds of seed. If the inspector finds seed that does not comply with the Kansas seed law, or if seed is analyzed and found out of tolerance, the business is issued a stop sale order on the seed. That seed cannot be sold until it complies with Kansas seed law, or it must be destroyed.

Who can sell agricultural seed?

Anyone can sell agricultural seed as long as they comply with the Kansas seed law. The Kansas seed law requires businesses and individuals who sell agricultural seed, whether wholesale or retail, to register with the State of Kansas and obtain a seed license.

Is grass seed considered agricultural seed?

Yes. Agricultural seed is defined as the seed of grass, legume, forage, cereal and fiber crops, or mixtures thereof, but it does not include horticultural seeds.

Is there any agricultural seed that cannot be sold?

Yes. The Plant Variety Protection Act was adopted in 1995 preventing any farmer to sell a protected variety of seed unless he/she has permission from the owner of the protected variety. It is a federal violation to sell PVPA varieties without permission from the owner of the protected variety. To find out if a variety is protected, you may visit this USDA website: www.ams.usda.gov/science/PVPO/CertificatesDB.htm. You may also contact the Kansas Crop Improvement Association at (785) 532-6118 for more information.

What is the difference between a wholesaler and a retailer?

A retailer sells agricultural seed directly to the end user or grower. A wholesaler sells agricultural seed at wholesale to any person other than the end user or grower.

How do I get an application and a copy of the Kansas seed law?

You may contact the ACAP office for a seed registration application and a free copy of the Kansas seed law. You may also obtain the application on our website at www.ksda.gov.

What does it cost to get a license?

Currently, a retail license costs \$10 per year and the wholesale license \$175 per year. Fees fund the ACAP program.

Do seed conditioners need to register with Kansas?

Yes. We require all seed conditioners to register every two years, but we currently do not require a registration fee. Please call the ACAP office for a seed conditioners application.

Please contact our office if you have questions or concerns.