

**RCW 15.49.061 Exceptions.** (1) The provisions of this chapter do not apply to cannabis seed. For the purposes of this subsection, "cannabis" has the same meaning as defined in RCW 69.50.101.

(2) The provisions of RCW 15.49.011 through 15.49.051 do not apply:

(a) To seed or grain not intended for sowing purposes;

(b) To seed in storage by, or being transported or consigned to, a conditioning establishment for conditioning if the invoice or labeling accompanying the shipment of such seed bears the statement "seeds for conditioning" and if any labeling or other representation that may be made with respect to the unconditioned seed is subject to this chapter;

(c) To any carrier with respect to any seed transported or delivered for transportation in the ordinary course of its business as a carrier if the carrier is not engaged in producing, conditioning, or marketing seeds subject to this chapter; or

(d) Seed stored or transported by the grower of the seed.

(3) No person may be subject to the penalties of this chapter for having sold or offered for sale seeds subject to this chapter that were incorrectly labeled or represented as to kind, species, variety, or type, which seeds cannot be identified by examination thereof, unless he or she has failed to obtain an invoice, genuine grower's declaration, or other labeling information and to take such other precautions as may be reasonable to ensure the identity to be that stated. A genuine grower's declaration of variety shall affirm that the grower holds records of proof concerning parent seed, such as invoice and labels. [2022 c 16 s 13; 2014 c 140 s 34; 1989 c 354 s 76.]

**Intent—Finding—2022 c 16:** See note following RCW 69.50.101.

**Effective date—1989 c 354 ss 70-81 and 84-86:** See note following RCW 15.49.005.

**Severability—1989 c 354:** See note following RCW 15.36.012.