



406.444.3144 • Fax: 406.444.5409 • agr@mt.gov • www.agr.mt.gov

303 N Roberts, PO Box 200201
Helena, Montana 59620-0201



Noxious Weed Seed Free Forage (NWSFF) Certified Producer's Booklet

Certification defined by the NWSFF Act:

The state-approved and documented process of determining within a standard range of variances or tolerances that forage production fields are free of the seeds of noxious weeds, which allows a person to sell the forage as noxious weed seed free and to attach approved certification identification.

Updated – April 2019

Montana Department of Agriculture, 302 North Roberts, PO Box 200201
Helena, MT 59620, 406-444-7819, www.agr.mt.gov

Page 2 – Forage Program Introduction

Welcome! Thank you for participating in the Noxious Weed Seed Free Forage program as a certified producer. Your continued participation is how Montana's Forage Program remains strong.

The Montana Department of Agriculture administers the Noxious Weed Seed Free Forage (NWSFF) Act. The 1995 Legislature passed the Forage Act because they realized the natural resources of the state need to be protected from noxious weeds and their seeds. As a result of the Forage Act, certified forage is required when horses, mules or pack animals are used on public lands in Montana. Government agencies and public utilities are also required to use weed seed free mulches, bedding materials, and erosion control barriers in their work.

The following terms are defined in the Forage Act:

Producer – means a person engaged in growing forage, a tenant personally engaged in growing forage, or both the owner and the tenant jointly and includes a person, cooperative organization, trust, sharecropper, and any other business entity, devices, and arrangements that grow forage that is proposed to be certified as noxious weed seed free.

Forage – means any crop, including alfalfa, grass, small grains, straw, and similar crops and commodities, that is grown, harvested, and sold for livestock forage, bedding material, or mulch or related uses and the byproducts of those crops or commodities that have been processed into pellets, cubes, or related products.

Certified forage provides producers with a benefit to market a noxious weed seed free product to buyers needing the certified forage for public lands, their own property, or reclamation work.

Page 7 – Violations

Type of Violation:

- 1) To sell or advertise forage that has not been certified as noxious weed seed free forage.
- 2) To improperly pay any application or certification fee or refuse to pay any inspection fees or Department approved identification markers.
- 3) For an inspector to falsify a certificate of inspection.
- 4) To transport certified forage in a restricted area without a transportation certificate or identification markers.
- 5) To falsify or alter a transportation certificate.
- 6) To transport, sell, or use forage as noxious weed seed free from another state or province, unless the forage meets state certification standards or is allowed by an agreement between the Department of Agriculture and other government agency.
- 7) For a public utility or a local, county, state, or federal agencies to use forage products that have not been certified.
- 8) For public utilities, local, county, state or federal agencies to use seed for reclamation purposes that is not free of noxious weed seeds.

Penalty matrix:

1st offense is a \$250 fine,
2nd offense is a \$500 fine, and
3rd offense is a \$1,000 fine.



Page 6 – NWSFF Approved Markers

Approved markers are used to identify certified forage and are required by the Department of Agriculture. Approved markers can only be purchased from a NWSFF inspector or the Department of Agriculture.

Tags: \$50.00/bag
(100 tags/bag at \$0.50/tag)



Twine: \$50.00/box or \$40.00/roll of twine for big square balers (2 rolls required)



If you are using tags:

✓ A tag is required on each bale of certified hay or straw sold along with a completed transportation certificate.

If you are using twine:

Only one strand of the colored twine (orange and blue) is required per bale and a completed transportation certificate when the certified forage is sold. Available twine types: 140/20,000, 170/9600, 210/9600, and 400/4000.

NOTE: Baling equipment must be cleaned of any noxious weed seeds prior to baling the certified forage. If this is not possible, the first three small square bales or the first large round or square bale produced is considered non-certified and cannot be included in the field's certified forage.

Page 3 – How to Get a Field Inspected

Field inspections must be completed within 7 days before cutting your hay or within 14 days of harvesting a grain field for straw. Go to the Department of Agriculture's website <http://agr.mt.gov/Noxious-Weed-Seed-Free-Forage> and click on "2019 Inspector Map" under the Producer Certification section to find an NWSFF inspector near you on the interactive map.

Contact your area field inspector **5 to 7 days before** you plan to cut your field. This allows enough time for the inspector to plan your inspection into their schedule.

Do not expect the inspector to conduct the inspection the same day you call him or her. Montana's NWSFF field inspectors are local county extension agents and weed district coordinators and they have busy schedules.

The NWSFF inspector will inspect the perimeter of the field, walk a pattern through the field, check the stack yard for noxious weeds, document the location of any weeds on the inspection form, assign a producer ID number, and complete the field inspection form. The producer will get the white copy of the field inspection form with a unique field inspection number, located in the upper left corner of the form. A field must be inspected before you cut or harvest and for each cutting of hay. The field must be inspected every year to participate in the NWSFF program.

Field Inspection Fees (non-refundable):

\$4.50/acre inspected – certified acres may result in fewer acres due to an inspector finding areas of noxious weeds.
\$45.00 – flat fee for fields of 10 acres or less.

NOTE: Fields that appear weedy or show poor crop practices, even though noxious weeds are not present, will not be certified under the NWSFF program. Producers still pay the fee for the field inspection, whether certified or not.

Page 4 – Selling hay or straw out-of-state? You need your field regionally certified.

Do you sell your hay or straw out-of-state? If yes, then your field needs to be regionally certified. Montana participates in the regional Weed Free Forage Program with the North American Standards, which is coordinated by the North American Invasive Species Management Association (NAISMA). This provides the opportunity to sell certified forage products across state and national boundaries where noxious weed restrictions are in effect.

The other states that participate in the regional Weed Free Forage Program are: Alabama, Alaska, Arizona, Idaho, Indiana, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oregon, South Dakota, Washington, Wisconsin, and Wyoming.

A field certified to Montana standards must not contain seeds or propagating parts from the 35 state listed noxious weeds. For a field to be regionally certified, the field will be inspected for the following additional regional weeds. The regional weeds in **bold** are found in Montana.

Absinth wormwood	Field scabious	Puncturevine
Austrian fieldcress	Horsenettle	Quackgrass
Black henbane	Johnsongrass	Scentless chamomile
Buffalobur	Jointed goatgrass	Scotch thistle
Common burdock	Meadow knapweed	Sericea lespedeza
Common crupina	Medusahead	Squarrose knapweed
Common mullein	Musk thistle	Wild oats
Common teasel	Perennial sowthistle	Wild proso millet
Cutleaf teasel	Plumeless thistle	
Dame's rocket	Poison hemlock	

The North American Standards box on the field inspection form and transportation certificate should be marked by the field inspector if your field meets the regional standards.

Page 5 – Transportation Certificates. Help verify current year participating producers.

The NWSFF program uses transportation certificates to communicate **authenticity of certification** between the producer and the consumer buying the certified forage.

- It is the responsibility of each producer to make sure that all certified NWSFF sold under the program is properly marked and identified with transportation certificates before it leaves the premises.

All loads of certified hay or straw sold must have a completed transportation certificate.

Transportation certificates contain information about the:

- ◆ Certified Producer (name, ID number, and signature)
- ◆ Buyer (name and address)
- ◆ NWSFF Inspector (name, ID number, and the year of field inspection, and the unique field inspection number)
- ◆ Certified Product:
 - 1) Forage Type (alfalfa, grass, straw, etc.)
 - 2) Package Type (small/large square, round bales)
 - 3) Marker Type (tags or twine)
 - 4) Tonnage or Number of Bales Transported
 - 5) Date of the sale of certified forage
- ◆ Vehicle Operator or Driver's Signature (the operator/driver must sign upon receipt of certified forage)

The transportation certificate is a triplicate form. The buyer gets the original, the producer's copy is yellow, and NWSFF inspector's copy is pink.

Transportation certificates are especially important if your customer is going onto public land with your certified hay.