

## Colorado Seed Potato Act would require certified seed potatoes to be planted

Written by Marianne Goodland, Legislative reporter

---

Colorado could be getting out of an exclusive club—states that don't have certified seed laws for commercial potato growers and seed producers—if the General Assembly passes SB 10-72, the Colorado Seed Potato Act.

The bill is sponsored by Sen. Gail Schwartz, D-Snowmass Village, whose district includes the San Luis Valley. The potato industry generates more than \$220 million in Colorado annually, according to potato growers who testified on SB 72 Thursday before the Senate Agriculture and Natural Resources Committee.

The committee gave its unanimous approval to SB 72 and because it carries a small cost to the state, sent it on to the Senate Appropriations Committee for further action.

The Colorado Seed Potato Act would require all potato growers who plant potatoes in more than one acre to plant seed potatoes that have been certified by a certifying agency. Under the bill, Colorado State University would become the certifying authority.

Bob Mattive, chairman of the Colorado Certified Potato Growers Association, testified there are only two states in the country that don't have a certified seed law—Colorado and Wisconsin.

The problem is potato viruses, principally Potato Virus Y (PVY). Commercial and certified seed production growers are very close to each other, and in the last few years almost 20 percent of the certified seed has been rejected because of the spread of PVY. And it's an increasing problem, since PVY is spread by aphids and can easily move from one field to another and from one farm to another, Mattive said.

A certified seed act would aid in reducing PVY by requiring growers to plant certified seed at least every other year or test seed they want to plant, according to Jim Ehrlich, executive director of the Colorado Potato Administrative Committee Area II. Less disease will result in higher quality crops and less pesticide use, he told the agriculture committee. It also will allow Colorado growers to keep pace with the rest of the country in exporting seed and commercial potatoes.

That's a huge plus for Colorado because of its close proximity to the growing market for U.S. potatoes in Mexico. Monty Smith of Blanford Farms in Blanca said the Mexico export market is

## Colorado Seed Potato Act would require certified seed potatoes to be planted

Written by Marianne Goodland, Legislative reporter

---

vital to the Colorado potato industry.

“They want all the potatoes they can get,” he told the committee. “Colorado is geographically in the driver’s seat,” but there’s currently nothing in effect to give Mexico the peace of mind it needs that Colorado potatoes are grown from certified seed. The new law would take away one barrier to getting Colorado potatoes into Mexico.

The new law also would allow growers a one-year “plant back” provision, which would allow growers to plant back, on their own farms, their own potatoes which were grown from certified seed in the prior year.

No one testified in opposition to SB 72 at Thursday’s hearing, although several growers said there have been some concerns about the bill. Smith told this reporter that the cost of using certified seed has been an issue, as has the notion of increased regulation from the state. “Some farmers don’t want to be told what to do,” he said. But in order for Colorado potatoes to make more inroads into the Mexican market, the state must enact a certified seed law. There are other barriers for exporting potatoes to Mexico, he said, but putting SB 72 into effect will remove an important one.

Most of Colorado’s potato farms can be found in the San Luis Valley, although there are also potato farms in northeastern Colorado. One of the state’s largest farms, the 8,500-acre Lenz Farms near Wray, has about 700 acres devoted to potato crops and uses certified seeds, according to Jim Lenz.

### **In other news at the capitol**

The package of tax exemption bills that went through the House last week is now in the Senate, but agriculture producers may have won a small victory from the House and Senate on uses of

## Colorado Seed Potato Act would require certified seed potatoes to be planted

Written by Marianne Goodland, Legislative reporter

---

fuel for agricultural purposes.

HB 1190 would lift a state sales and use tax exemption on certain uses of electricity, coal, coke, fuel oil, steam, nuclear fuel or gas for industrial uses, including irrigation.

The House last Friday amended HB 1190 to exempt off-road and agricultural uses for fuel, but Sen. Greg Brophy, R-Wray, pointed out this week the amendment only excluded sales and use tax for agricultural use of diesel fuel and not on electricity used for irrigation purposes.

The bill got final House approval, 35-30, on Wednesday. All Republicans, including Rep. Cory Gardner, R-Wray and Rep. Jerry Sonnenberg, R-Sterling, voted against it and all of the tax exemption bills.

HB 1190 was approved 4-3 by the Senate Finance Committee Thursday. The full Senate passed it after second reading debate on Monday and amended it further to completely exempt agriculture from the bill. HB 1190 is up for a final vote in the Senate on Tuesday.

The Senate Finance Committee late last week also approved HB 1195, which would lift state sales and use tax exemptions for agricultural products such as pesticides and bull semen. That bill had passed the House on Feb. 1 on a 34-31 vote, and drew a “no” vote from Rep. Randy Fischer, D-Fort Collins, who chairs the House Agriculture, Livestock and Natural Resources Committee. The Senate debated HB 1195 on Monday and passed it without major changes; it goes for a final vote of the Senate on Tuesday.