**12:36:07:02.  Method of collecting samples.** Plant material samples shall be acquired in a manner that is agreed upon by the farmer and the patent holder, prior to sample collection. If an agreement cannot be reached, the manner for sample acquisition shall be prescribed by the Secretary of Agriculture and Natural Resources. Duplicate samples may be requested by either party prior to the time that the sample is acquired at the expense of the requesting party.

**Source:** 29 SDR 43, effective October 6, 2002; SL 2021, ch 1, §§ 8, 19, effective April 19, 2021.

**General Authority:** SDCL 38-1-49.

**Law Implemented:** SDCL 38-1-49.