**12:36:07:04.  Retention of samples.** Any plant material remaining after analysis is complete shall be retained by the laboratory or the Department of Agriculture and Natural Resources in an appropriate manner. When issuing test results, the laboratory shall include notice of the last time or date when the plant material will be presumed incapable of further scientifically acceptable testing according to the testing methods used or according to the experience of the laboratory personnel. If the farmer or the patent holder request retention of the sample beyond the time set forth in this notice, they will be required to make arrangements with the laboratory for retention beyond the time frame given or for release of such samples to another laboratory, and the payment to the laboratory for any fees incurred for such additional services.

 **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.