

## No. 469

## AN ACT

Amending the act of April eleven, one thousand nine hundred twenty-nine (Pamphlet Laws 488), entitled "An act providing for the certification of inspected seed potatoes, agricultural and vegetable seeds; prohibiting the use of the words "certified," "inspected," "registered," or similar terms, in connection with the sale of seed potatoes and agricultural and vegetable seeds, unless inspected and certified as provided in this act; providing for the enforcement of this act by the Department of Agriculture; prescribing penalties, and conferring jurisdiction in certain cases upon the courts of common pleas," extending its provisions to crop plants vegetatively propagated.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Department of  
Agriculture.

Section 1. The title and sections one to six, inclusive, act of April eleven, one thousand nine hundred twenty-nine (Pamphlet Laws 488), entitled "An act providing for the certification of inspected seed potatoes, agricultural and vegetable seeds; prohibiting the use of the words "certified," "inspected," "registered," or similar terms, in connection with the sale of seed potatoes and agricultural and vegetable seeds, unless inspected and certified as provided in this act; providing for the enforcement of this act by the Department of Agriculture; prescribing penalties, and conferring jurisdiction in certain cases upon the courts of common pleas," are reenacted and amended to read:

Title and sections 1 to 6, inclusive, act of April 11, 1929, P. L. 488, reenacted and amended.

## AN ACT

Providing for the certification of inspected seed potatoes, agricultural and vegetable seeds; prohibiting the use of the words "certified," "inspected," "registered," or similar terms, in connection with the sale of seed potatoes and agricultural and vegetable seeds *and crop plants vegetatively propagated*, unless inspected and certified as provided in this act; providing for the enforcement of this act by the Department of Agriculture; prescribing penalties, and conferring jurisdiction in certain cases upon the courts of common pleas.

Title.

Section 1. Be it enacted, &c., That the term "department" as used in this act, shall mean the Department of Agriculture of the Commonwealth of Pennsylvania.

Department of  
Agriculture.

The term "certified" [seed], as used in this act, shall [include] *apply to such* seed potatoes, [and such] agricultural [or] *and* vegetable seeds *and crop plants vegeta-*

"Certified" defined.

*tively propagated* as shall have been inspected during their period of growth and preparation for market by the department or its authorized agents (or by the legally constituted inspection officials of the State in which such seed potatoes [or] agricultural [or] *and* vegetable seeds *and crop plants vegetatively propagated* were grown, or by such other agencies as may be approved or recognized by the department), and found to be reasonably free from diseases and other defects, as specified in the rules and regulations issued by the Department under the provisions of this act.

"Seed potatoes" defined.

The term "seed potatoes," as used in this act, shall be construed to mean the tubers of the Irish potato, which are grown and intended to be used as seed.

"Agricultural seeds" defined.

The term "agricultural seeds" shall include all seeds which are commonly known as farm crop seeds, which are grown and intended to be used as seed in raising farm crops.

"Vegetable seeds" defined.

The term "vegetable seeds" shall include all seeds which are commonly known as vegetable seeds, and which are grown and intended to be used as seed in raising garden and truck crops.

"Crop plants vegetatively propagated" defined.

The term "*crop plants vegetatively propagated*," as used in this act, shall be construed to mean sod pieces or the stolons or rhizomes of the creeping bentgrass species (*Agrostis palustris*) and other crop species as may be designated by the Secretary of Agriculture.

Application of grower for certification.

Section 2. Any grower of potatoes, agricultural or vegetable seeds or *crop plants vegetatively propagated*, located in Pennsylvania, may make application to the department for inspection and certification of his crop for seed or *propagation* purposes, under such rules and regulations as the department may issue.

The department, or its authorized agents, shall issue such certificates of inspection, and designate or provide such official tags for marking containers of "certified seed" or "*certified planting material*," and establish such standards of grade and quality, as are necessary to safeguard the privileges and service provided for in this act.

Fees.

Section 3. The department shall have authority to fix, assess and collect, or cause to be collected, fees for the certification inspection service authorized by this act, the same to be paid in such manner as it may direct. Such fees shall be large enough to meet the reasonable expenses incurred by the department or its agents in making such inspections as may be necessary for certification. Fees so collected shall be paid by the department into the State Treasury through the Department of Revenue.

Section 4. It shall be a violation of this act to use the term "certified," or any form or modification of such term which tends to convey to the purchaser of such seed *or planting material for vegetative propagation* that the same has been certified as defined in section one of this act, on tags or containers, either orally or in writing, or in advertising material intended to promote the sale of seed potatoes or agricultural or vegetable seeds *or planting material for vegetative propagation*, or on labels or containers, except when such seed potatoes or agricultural or vegetable seeds *or planting material* shall have been inspected and certified to under the provisions of this act.

Section 5. Authority to make all necessary rules and regulations to carry out the provisions of this act is hereby conferred on the department.

Authority.

Section 6. Any person, copartnership, association or corporation, and any officer, agent, servant or employe thereof, violating any of the provisions of this act, shall [be guilty of a misdemeanor, and, on conviction, shall], *upon summary conviction for the first or second offense*, be sentenced to pay a fine of not more than [two hundred dollars (\$200.00) for each offense] *one hundred dollars (\$100), and in default of the payment thereof shall undergo imprisonment for not more than thirty days, and for the third or subsequent offense shall be sentenced to pay a fine of not more than five hundred dollars (\$500), or undergo imprisonment for ninety days, or both.* All fines collected under this act shall be paid to the department and shall be, by it, paid into the State Treasury through the Department of Revenue.

Violations.

Fines.

APPROVED—The 6th day of April, A. D. 1956.

GEORGE M. LEADER

No. 470

AN ACT

Amending the act of May fourteen, one thousand nine hundred seven (Pamphlet Laws 197), entitled "An act to provide for the establishing and maintenance of one or more sanatoria or colonies, in Pennsylvania, for the free care and treatment of indigent persons suffering from tuberculosis, and making an appropriation therefor," extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Sanatoria.

Section 1. The title and section one, act of May fourteen, one thousand nine hundred seven (Pamphlet Laws 197), entitled "An act to provide for the estab-

Title and section 1, act of May 14, 1907, P. L. 197, amended.