

*Section 2199. Contributions to Museums of Fine Art or Natural History.—The Board of Commissioners may appropriate from county funds moneys for the purpose of contributing toward the cost of operating, maintaining or carrying out or furthering the purposes of institutes or museums of fine art or natural history, or both, located within the county on public property, established by private grant or bequest, open to the public and not used for private or corporate profit.*

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 29th day of April, A. D. 1959.

DAVID L. LAWRENCE

No. 36

AN ACT

Amending the act of June 5, 1947 (P. L. 426), entitled "An act regulating the selling, offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes; requiring certain information to be affixed to the container in which such seeds are sold; conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof; authorizing stop-sale orders by the Secretary in certain cases; providing for inspections, reports and surveys by the department; imposing powers and duties upon certain courts, and prescribing penalties," including the words "nursery crops" in the definition of "agricultural seeds," adding and removing certain packaging and labeling requirements, and granting additional powers to the department.

The Pennsylvania Seed Act of 1947.

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

Subsection (2), section 2 and section 3, act of June 5, 1947, P. L. 426, amended.

Section 1. Subsection (2) of section 2 and section 3, act of June 5, 1947 (P. L. 426), known as "The Pennsylvania Seed Act of 1947," are amended to read:

Definitions.

Section 2. For the purpose of this act the following terms shall have the meanings ascribed to them in this section, unless the context clearly requires otherwise:

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(2) The term "agricultural seeds" shall include the seeds of grass, forage, cereal and fibre crops, *nursery crops*, and any other kinds of seeds commonly recognized within this State as agricultural or field seeds and mixtures of such seeds.

\* \* \* \* \*

Agricultural seeds; tag or label, written or printed, in English, to contain certain information.

Section 3. It shall be unlawful to sell, offer for sale, or expose for sale, or transport any agricultural seeds for seeding purposes in bulk, package or containers, [of ten pounds or more], unless there shall be delivered to the purchaser, or unless the package or container in which

the same shall be exposed or offered for sale or transported, shall have attached thereto in a conspicuous place on the exterior thereof, a tag or label, on which shall be plainly and legibly written or printed in the English language, the following information relating to such seeds:

(1) Commonly accepted name of (i) kind, or (ii) kind and variety, or (iii) identifying symbol or number of hybrids of each agricultural seed component in excess of five per cent (5%) of the whole, and the percentage by weight of each in the order of its predominance. Where more than one component is required to be named, the word "mixture" or the word "mixed," shall be shown conspicuously on the label;

(2) Lot number;

(3) Country and state of origin of certified seed, and agency responsible for its certification;

(4) Country and state of origin, if known, of alfalfa, birdsfoot trefoil, red clover and field corn. If the origin is unknown, that fact shall be stated.

*(4.1) In the case of nursery crop seeds, the specific locality (state or county in the United States, or nearest equivalent political unit in the case of foreign countries) in which the seeds were produced, and the year of production of such seeds;*

(5) Percentage by weight of all weed seeds;

(6) The name and number of each kind of noxious weed seeds or bulblets per ounce in the following group: Agrostis spp., Rhodes grass, Bermuda grass, timothy, orchard grass, fescues, alsike and white clover. Reed canary grass, Dallis grass, ryegrass, foxtail millet, alfalfa, red clover, sweet clovers, lespedezas, smooth brome, tall oat grass, crimson clover, Brassica spp., flax, Agropyron spp., and other agricultural seeds of similar size and weight or mixtures within this group; and

(7) The name and number of noxious weed seeds, or number of bulblets per pound in a group, composed of proso, wheat, Sudan grass, oats, rye, barley, buckwheat, sorghums, vetches and other agricultural seeds of a size and weight similar to, or greater than those within this group or any mixtures within this group;

(8) Percentage of weight of agricultural seeds (which may be designated as "crop seeds"), other than those required to be named on the label;

(9) Percentage by weight of inert matter;

(10) For each named agricultural seed (i) the percentage of germination exclusive of hard seed, (ii) the percentage of hard seed, if present, and (iii) the calendar

month and year the test was completed to determine such percentages. The additional statement "total germination and hard seeds" may be stated after the foregoing, if desired;

(11) Packages containing seeds treated with a [poisonous material shall be plainly marked in contrasting color with the information that the seeds contained therein have been "treated with poison."] *pesticide, or any poisonous material, shall be marked with the following: "Treated seed. Do not use for food, feed or oil purposes.", in type one-fourth larger than the smallest type on the label or such other wording as may be prescribed by the secretary. In the case of poisonous pesticides or any poisonous material, the label shall bear a "poison" symbol as prescribed by the secretary.*

(12) Name and address of the person who labeled said seed, or who sells, offers or exposes said seed for sale within this State.

Bushel lots.

The provisions of this section shall not be construed to prohibit the sale in bushel lots or less by a retailer to the ultimate user when such sales are made from original packages bearing the information required by this section.

Section 4, act of June 5, 1947, P. L. 426, amended by adding a new clause (5).

Section 2. Section 4 of the act is amended by adding, at the end thereof, a new clause to read :

Section 4. It shall be unlawful to sell, offer for sale, or expose for sale any vegetable seeds within this State for sowing purposes in bulk, package or containers, unless there shall be delivered to the purchaser, or unless the package or container in which the same shall be exposed or offered for sale shall have attached thereto a tag or label on which shall be plainly written or printed in the English language the following information relating to such seeds:

Vegetable seeds; tag or label, written or printed, in English, to contain certain information.

\* \* \* \* \*

(5) *The year for which the seed was packed for sale such as "Packed for . . . . .", or the percentage of germination and the month and year in which the germination test was made.*

Clause (4), subsection (c), section 8, act of June 5, 1947, P. L. 426, amended.

Section 3. Clause (4), subsection (c) of section 8 of the act is amended to read :

Section 8. \* \* \*

(c) The department is hereby empowered and authorized;

\* \* \* \* \*

(4) To publish in bulletins or reports any and all information obtained from tests or analyses made under the provisions of this act, which the Secretary may deem proper for publication in the interest of the public, including the names and addresses of any persons who

have sold, offered for sale, or exposed for sale any agricultural *or vegetable* seeds so tested or analyzed: Provided, however, That he shall not publish the name or address of any citizen who shall have submitted samples of seeds for test or analysis, but who has not sold, offered for sale, or exposed for sale any such seeds.

Section 4. This act shall take effect January 1, 1960. Act effective  
January 1, 1960.

APPROVED—The 29th day of April, A. D. 1959.

DAVID L. LAWRENCE

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No. 37

AN ACT

Amending the act of May 21, 1931 (P. L. 149), entitled, as amended, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," further providing for the distribution of certain moneys in the county liquid fuels tax fund to political subdivisions in the county.

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

The Liquid Fuels  
Tax Act.

Section 1. Subsection (b) of section 10, act of May 31, 1931 (P. L. 149), known as "The Liquid Fuels Tax Act," amended May 29, 1951 (P. L. 485), is amended to read:

Subsection (b),  
section 10, act  
of May 31, 1931,  
P. L. 149,  
amended May 29,  
1951, P. L. 485,  
further amended.

Section 10. Disposition and Use of Tax.— \* \* \*

(b) The county commissioners may allocate and apportion moneys from the county liquid fuels tax fund to the political subdivisions within the county in the ratio as provided in this subsection: Provided, however, That when the unencumbered balance in the county liquid fuels tax fund is greater than the receipts for the twelve months immediately preceding the date of either of said reports the county commissioners shall notify the said political subdivisions to make application within ninety (90) days for participation in the redistribution of the said unencumbered balance, *which redistribution shall be effected within one hundred twenty (120) days of the date of either of said reports*, and distribute the said