

CHAPTER 141—H. F. No. 95.

An Act to regulate the selling, offering or exposing for sale of agricultural seeds in this state, and providing penalties for the violation thereof.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Construction of term "agricultural seeds."—The term "agricultural seeds" or "agricultural seed" as used in this act shall include the seeds of red clover, white clover, alsike clover, alfalfa, Kentucky blue grass; timothy, brome grass, orchard grass, reedtop, meadow fescue, oat grass, rye grass and other grasses and forage plants, corn, flax, rape, wheat, oats, barley, rye, buckwheat and other cereals, and when the term "agricultural seed" or "agricultural seeds" is used in this act it shall be construed to mean such seed when sold, or offered or exposed for sale, or had in possession with intent to sell, within this state for purposes of seeding.

Sec. 2. What information label must contain.—The owner or person in possession of each and every package, parcel or lot of agricultural seeds as defined in Section one (1) of this act which contains one (1) pound or more of such agricultural seeds, whether in package or in bulk, shall affix thereto in a conspicuous place on the exterior of the container of such agricultural seeds, a written or printed label in the English language in legible type or copy not smaller than eight point heavy Gothic caps, such label containing a statement specifying:

1st. The commonly accepted name of the kind or kinds of such agricultural seed if the name of the special variety or strain of such seed is used, it must be the true name of such special variety or strain.

2nd. The approximate percentage of germination of such agricultural seed together with the date of test of germination.

3rd. The approximate percentage by weight of each of the following seeds: quack grass, (*Agropyron repens*), Canada thistle, (*Carduus arvensis*), perennial sow thistle, (*Sonchus arvensis*) and dodder, species of *Cuscuta* if any such are found in such agricultural seed.

4th. The approximate percentage by weight of pure seed in such agricultural seed.

5th. If grown in this state, the words, "grown in Minnesota" and in the case of corn, the county in which grown; if imported into this state, the name of such state or country from which it was imported.

6th. The full name and address of the seedsman, importer, dealer or agent or other person or persons, firm or corporation selling, offering or exposing the said agricultural seed for sale.

Sec. 3. When not applicable.—The provisions concerning agricultural seed contained in this act shall not apply to:

1st. Any person selling agricultural seeds to be cleaned or graded before being offered for sale for the purpose of seeding and plainly marked on the outside of container "not cleaned seed."

2nd. Agricultural seed marked plainly on the outside of container, "not cleaned" and held or sold for export outside the state only.

3rd. Lawn grass mixtures, when so labeled. This shall not exempt however the vender of such mixtures from the provisions of Section 2, Subdivisions 2nd, 3rd, 4th, 6th.

Sec. 4. **Violation a misdemeanor.**—Any person, firm or corporation who sells, offers or exposes for sale or distribution in this state any agricultural seeds for seeding purposes without complying with the requirements of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars (\$10.00) and the costs of such prosecution nor more than one hundred dollars (\$100.00) and the costs of such prosecution, and upon the second or any subsequent offense shall be fined not less than one hundred dollars (\$100.00) and the costs of such prosecution, nor more than five hundred dollars (\$500.00) and the costs of such prosecution.

Sec. 5. **Construction of certain words.**—The words "person" and "sell" as used in this act shall be construed as provided in Section 1738 of the Revised Laws of Minnesota 1905.

Sec. 6. **Agricultural station to make analysis.**—The Minnesota Agricultural Experiment Station at St. Anthony Park, Minn., shall inspect, examine and make analyses of and test seeds sold, offered or exposed for sale in the state at such time and places and to such extent as it may determine. The said Minnesota Agricultural Experiment Station may appoint such agents as may be deemed necessary to carry out the provisions of this act, and said Minnesota Agricultural Experiment Station or agents shall have free access at all reasonable hours upon and into any premises or structures to make examination of any seeds, whether such seeds are upon the premises of the owner of such seeds or on other premises, or in the possession of any warehouse, elevator or railway company; and upon tendering payment therefor at the current value, may take any sample or samples of such seeds.

Sec. 7. **Payment of salaries of agents.**—The salaries of such agents as may be appointed to carry out the provisions of this act, shall be fixed and paid by the Minnesota Agricultural Experiment Station of the University of Minnesota.

Sec. 8. **Any citizen may send seeds for testing.**—Any citizen of the state of Minnesota may, in accordance with the regulations prescribed by the Minnesota Agricultural Experiment Station, and by pre-paying the transportation charges, send a

sample or samples of seed to said Minnesota Agricultural Experiment Station for examination, analysis and tests, and such examination, analysis or tests, shall be reported upon free of charge.

Sec. 9. Certificates presumptive evidence.—The certificate of the Minnesota Agricultural Experiment Station giving results of any examinations, analysis or tests of any seed sample made under the authority of said Minnesota Agricultural Experiment Station shall be presumptive evidence of the facts therein stated.

Sec. 10. Attorney general and county attorney to be informed of violations.—When said Minnesota Agricultural Experiment Station shall find by its examinations, analysis, or tests, that any person, firm or corporation has violated any of the provisions of this act, it shall transmit the fact so found to the attorney general or to the county attorney of the county in which the offense was committed.

Sec. 11. Duty to prosecute.—It shall be the duty of the attorney general and the county attorney to prosecute all persons violating any of the provisions of this act, when evidence thereof has been presented by the Minnesota Agricultural Experiment Station.

Sec. 12. Report to governor.—The said Minnesota Agricultural Experiment Station shall make an annual report to the governor of the state of Minnesota upon the work done under this act, and shall publish the same in pamphlet form.

Sec. 13. \$10,000 appropriated.—There is hereby appropriated from the state treasury out of any moneys not otherwise appropriated the sum of five thousand (\$5,000) dollars or so much thereof as may be necessary for the fiscal year ending July 31, 1914, and the same amount for the fiscal year ending July 31, 1915, the said money to be expended under the direction of the Minnesota Agricultural Experiment Station in carrying out the provisions of this act.

Sec. 14. This act shall take effect and be in force from and after July 1st, 1913.

Approved March 31, 1913.

CHAPTER 142—H. F. No. 367.

An Act to amend Section 1306, Revised Laws of 1905, relating to special school meetings.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. County superintendent may call meeting.—That Section 1306, Revised Laws 1905, be and the same is hereby amended so as to read as follows: