

§ 69-3-101. Designation of state seed certifying agency.

Mississippi Statutes

Title 69. AGRICULTURE, HORTICULTURE, AND ANIMALS

Chapter 3. AGRICULTURAL SEEDS

Article 3. SEED CERTIFICATION

Current through 3/27/2018

§ 69-3-101. Designation of state seed certifying agency

The Commissioner of Agriculture and Commerce, the president of Mississippi State University of Agriculture and Applied Science, and the director of the agricultural and forestry experimental station of Mississippi State University of Agriculture and Applied Science are hereby vested with the full authority to designate a seed improvement association as the official state seed certifying agency for the State of Mississippi. Said officials are hereby further authorized, if they shall be satisfied at any time that the association acting as the official state seed certifying agency is not functioning in a manner conducive to the best interest of agriculture in this state, to terminate the appointment of such association, and to designate another seed improvement association as the official state seed certifying agency.

Cite as Miss. Code § 69-3-101

Source: Codes, 1942, § 4398-01; Laws, 1952, ch. 170, § 1.

§ 69-3-103. Designation of state seed board.

Mississippi Statutes

Title 69. AGRICULTURE, HORTICULTURE, AND ANIMALS

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§ 69-3-103. Designation of state seed board

There is hereby created a state seed board composed of the president of Mississippi State University of Agriculture and Applied Science, the director of the agricultural and forestry experiment station of Mississippi State University of Agriculture and Applied Science, the commissioner of agriculture and commerce of Mississippi, two (2) members to be selected and approved by and from the membership of the state certifying agency, one (1) member to be selected and approved by and from the membership of the Mississippi Seedmen's Association, and one (1) member to be selected and approved by and from the resident concerns and individuals engaged in the production of breeders registered planting seed in the State of Mississippi.

Cite as Miss. Code § 69-3-103

Source: Codes, 1942, § 4398-02; Laws, 1952, ch. 170, § 2.

§ 69-3-105. State seed board; financial responsibility.

Mississippi Statutes

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§ 69-3-105. State seed board; financial responsibility

Neither the state seed board, Mississippi State University of Agriculture and Applied Science, nor any of its divisions so represented shall be financially responsible for debts incurred by, damages inflicted by, or contracts broken by the official state seed certifying agency.

Cite as Miss. Code § 69-3-105

Source: Codes, 1942, § 4398-03; Laws, 1952, ch. 170, § 3.

§ 69-3-107. Certification to be self-supporting.

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§ 69-3-107. Certification to be self-supporting

The work of the official state seed certifying agency shall be on a self-supporting basis.

Cite as Miss. Code § 69-3-107

Source: Codes, 1942, § 4398-04; Laws, 1952, ch. 170, § 3.

§ 69-3-109. Advertising; tags.

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§ 69-3-109. Advertising; tags

Every person, firm, association or corporation who shall issue, use or circulate any certificate, advertisement, tag, seal, poster, letterhead, marking circular, written or printed representation, or description of or pertaining to seeds, plants or plant parts or other farm products that may be defined by regulations intended for propagation or sale or sold or offered for sale wherein the words "Mississippi Certified," or Mississippi State Certified, State Certified, or similar words or phrases are used or employed, or wherein are used or employed signs, symbols, maps, diagrams, pictures, words or phrases expressly or impliedly stating or representing that such seeds, plants or plant parts or other farm products comply with or conform to the certification standards or

requirements as made by the approved state seed certifying agency of Mississippi, shall be subject to the provisions of this article, provided that this article shall not apply to the certification of plants or plant products for freedom from disease or insects which is now conducted under the authority of the Commissioner of Agriculture and Commerce. Every issuance, use, or circulation of any certificate or any other instrument as in this section above described shall be deemed to be "certification" as this term is employed in this article.

Cite as Miss. Code § 69-3-109

Source: Codes, 1942, § 4398-05; Laws, 1952, ch. 170, § 5; Laws, 2002, ch. 398, §1, eff. 7/1/2002.

§ 69-3-111. Prohibiting the state seed certifying agency from selling or processing certified seed.

Mississippi Statutes

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§ 69-3-111. Prohibiting the state seed certifying agency from selling or processing certified seed

The state seed certifying agency shall not have the power to engage in the sale or processing of seeds, plants or plant parts or other farm products or to designate any agency or individual for these purposes except that the state seed certifying agency may promote the sale of certified seeds in general through advertising.

Cite as Miss. Code § 69-3-111

Source: Codes, 1942, § 4398-06; Laws, 1952, ch. 170, § 6; Laws, 2002, ch. 398, §2, eff. 7/1/2002.

§ 69-3-113. Rules and regulations.

Mississippi Statutes

Title 69. AGRICULTURE, HORTICULTURE, AND ANIMALS

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§ 69-3-113. Rules and regulations

The duly approved state seed certifying agency is hereby vested with the full authority to establish, create and specify rules and regulations for the designation of seeds, plants and plant parts and other farm products as certified or Mississippi certified to be grown, harvested, offered for sale or distributed. Such rules and regulations shall be approved by the state seed board before becoming effective. No seeds, plants or plant parts or other farm products grown or to be grown in Mississippi shall be eligible for certification hereunder except by full compliance as to standards, requirements and forms of or for certification as may be made by the duly approved state seed certifying agency. No certification within the provisions of this article shall be made or authorized except through the approved state certifying agency as herein provided.

Cite as Miss. Code § 69-3-113

Source: Codes, 1942, § 4398-07; Laws, 1952, ch. 170, § 7; Laws, 2002, ch. 398, §3, eff. 7/1/2002.

§ 69-3-115. Appeals.

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§ 69-3-115. Appeals

Any person desiring a change in the rules and regulations or to appeal from the action of the state seed certifying agency shall have the right of a hearing either in person or by attorney before a board of appeals composed of the state commissioner of agriculture and commerce, the director

of the agricultural and forestry experiment station of Mississippi State University of Agriculture and Applied Science, and the president of Mississippi State University of Agriculture and Applied Science, at such time and place as the board chairman shall designate. The director of the agricultural and forestry experiment station of Mississippi State University of Agriculture and Applied Science shall serve as chairman of the board. The aggrieved party may appeal to the circuit court of the county wherein he may reside and bond shall be given to cover court costs within ten days after rendition of the order of the said board, upon which appeal is made.

Cite as Miss. Code § 69-3-115

Source: Codes, 1942, § 4398-08; Laws, 1952, ch. 170, § 8.

§ 69-3-117. Approval required for issuance, use, or circulation of certification.

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§ 69-3-117. Approval required for issuance, use, or circulation of certification

It shall be unlawful for any person, firm, association or corporation to issue, make, use, or circulate any certification as defined in this article without the authority or approval of the approved state seed certifying agency.

Cite as Miss. Code § 69-3-117

Source: Codes, 1942, § 4398-09; Laws, 1952, ch. 170, § 9.

§ 69-3-119. Enforcement of this article.

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§ 69-3-119. Enforcement of this article

The Commissioner of Agriculture and Commerce of Mississippi is hereby vested with the responsibility for enforcing the provisions of this article.

Cite as Miss. Code § 69-3-119

Source: Codes, 1942, § 4398-09; Laws, 1952, ch. 170, § 9.

§ 69-3-121. Penalties.

Mississippi Statutes

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§ 69-3-121. Penalties

- (1) Except as otherwise provided in subsection (2) of this section, every person, firm, association or corporation who shall violate any of the provisions of this article pertaining to certification shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not less than \$ 25.00, nor exceeding \$ 500.00, for each offense, and be denied the right to apply for further certification within such period as the court may determine, not exceeding 1 year.
- (2) Any person who, with the intent to injure, defraud or mislead, shall alter, erase, raise, obliterate, destroy, forge, substitute, disfigure in any manner, or remove from the package, container, wrappings or bale to which it is attached, any certificate, specification, or certification of any seed improvement association organized under the laws of this state, disclosing or in any manner pertaining to the grade, quality, quantity, or condition of any agricultural field seed or seeds or any cotton or cotton lint, shall be guilty of a

misdemeanor, and on conviction shall be fined not less than Twenty-five Dollars (\$ 25.00), nor more than Five Hundred Dollars (\$ 500.00), or imprisoned in the county jail for not more than twelve months, or both.

Cite as Miss. Code § 69-3-121

Source: Codes, 1942, §§ 4397-31, 4398-09; Laws, 1946, ch. 461, § 1; Laws, 1952, ch. 170, § 9.