

**CHAPTER 236**

Original House Bill No. 176

**PURE SEED**

AN ACT to amend and re-enact Section 34-701, Wyoming Compiled Statutes, 1945, as amended and re-enacted by Section 1, Chapter 23, Session Laws of Wyoming, 1951, as amended and re-enacted by Section 1, Chapter 136, Session Laws of Wyoming, 1953, requiring garden and vegetable seeds to be labeled in accordance with labeling requirements of the Federal Seed Act; to amend and re-enact Paragraph c, Section 34-704, Wyoming Compiled Statutes, 1945, as amended and re-enacted by Section 1, Chapter 117, Session Laws of Wyoming, 1947, as amended and re-enacted by Section 1, Chapter 103, Session Laws of Wyoming, 1949, as amended and re-enacted by Section 3, Chapter 23, Session Laws of Wyoming, 1951, requiring a license fee be paid by places of business selling seeds in packets or packages; and providing for effective date of Act.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Label Required—Contents—Exception**

**Section 1.** That Section 34-701, Wyoming Compiled Statutes, 1945, as amended and re-enacted by Section 1, Chapter 23, Session Laws of Wyoming, 1951, as amended and re-enacted by Section 1, Chapter 136, Session Laws of Wyoming, 1953, be amended and re-enacted to read as follows:

**34-701.** Each and every package or lot of seed, whether in package or in bulk, which is sold, offered or exposed for sale by any person, firm or corporation in the State of Wyoming, shall be plainly, legibly and indelibly labeled in English upon the exterior of the container with a written or printed label. Such label shall show:

First, the commonly accepted name of the kind and variety, or kind and type of seed;

Second, the full name and address of the person or persons, firm or corporation selling, offering, exposing or transporting the seeds for sale;

Third, the percentage of pure seed, the percentage of crop seed (not to be added to pure seed), the percentage of inert matter, the percentage of common weed seeds by weight, the percentage of germination, the percentage of hard seed and the month and year of the germination test, which test shall have been made within twelve (12) months prior to the sale of said seed;

Fourth, the origin of the seed;

Fifth, lot number or other lot identification;

Sixth, name and number of each kind of secondary noxious weed seeds as hereinafter set forth in Section 34-703 per pound and in cases of lots of bulk seed, a label, as required by this section, must be conspicuously displayed on the container of said lots of bulk seed. At the purchaser's request, a printed or written statement, tag or label bearing the required labeling information shall be furnished on bulk seed and in the purchaser's presence this information shall be taken from the container label;

Seventh, the words "poisonous treated" shall appear in bold print on the label of seeds treated with chemicals which are toxic or poisonous to either humans or livestock.

Provided however, this section shall not apply to garden or vegetable seeds which shall be labeled to comply with labeling requirements of the United States Department of Agriculture as currently set forth by virtue of the authority of the Federal Seed Act.

#### **Fees**

**Section 2.** That Paragraph c, Section 34-704, Wyoming Compiled Statutes, 1945, as amended and re-enacted by Section 1, Chapter 117, Session Laws of Wyoming, 1947, as amended and re-enacted by Section 1, Chapter 103, Session Laws of Wyoming, 1949, as amended and re-enacted by Section 3, Chapter 23, Session Laws of Wyoming, 1951, be amended and re-enacted to read as follows:

**34-704. c.** The payment of ten dollars (\$10.00) for each such place of business which is selling in packets or packages of more than ten (10) pounds.

Approved March 5, 1955.