

By: Senator(s) Hamilton

To: Agriculture

SENATE BILL NO. 2902  
(As Passed the Senate)

1 AN ACT TO AMEND SECTIONS 69-3-109, 69-3-111 AND 69-3-113,  
2 MISSISSIPPI CODE OF 1972, TO REVISE THE SEED CERTIFICATION LAW IN  
3 ORDER TO INCLUDE OTHER FARM PRODUCTS THAT MAY BE DEFINED BY  
4 REGULATION; TO AMEND SECTION 69-5-107, MISSISSIPPI CODE OF 1972,  
5 TO PROVIDE THAT A DAIRY SHOW SHALL BE HELD AT TYLERTOWN IN  
6 WALTHALL COUNTY, INSTEAD OF KOSCIUSKO IN ATTALA COUNTY; AND FOR  
7 RELATED PURPOSES. BE IT ENACTED BY THE LEGISLATURE OF THE STATE  
8 OF MISSISSIPPI:

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10 SECTION 1. Section 69-3-109, Mississippi Code of 1972, is  
11 amended as follows:

12 69-3-109. Every person, firm, association or corporation who  
13 shall issue, use or circulate any certificate, advertisement, tag,  
14 seal, poster, letterhead, marking circular, written or printed  
15 representation, or description of or pertaining to seeds, plants  
16 or plant parts, and other farm products that may be defined by  
17 regulation, intended for propagation or sale or sold or offered  
18 for sale wherein the words "Mississippi Certified", or  
19 "Mississippi State Certified", "State Certified", or similar words  
20 or phrases are used or employed, or wherein are used or employed  
21 signs, symbols, maps, diagrams, pictures, words or phrases  
22 expressly or impliedly stating or representing that such seeds,  
23 plants or plant parts, and other farm products comply with or  
24 conform to the certification standards or requirements as made by

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

34 SECTION 2. Section 69-3-111, Mississippi Code of 1972, is  
35 amended as follows:

36 69-3-111. The state seed certifying agency shall not have  
37 the power to engage in the sale or processing of seeds, plants or  
38 plant parts, and other farm products, or to designate any agency  
39 or individual for these purposes except that the state seed  
40 certifying agency may promote the sale of certified seeds in  
41 general through advertising.

42 SECTION 3. Section 69-3-113, Mississippi Code of 1972, is  
43 amended as follows:

44 69-3-113. The duly approved state seed certifying agency is  
45 hereby vested with the full authority to establish, create and  
46 specify rules and regulations for the designation of seeds, plants  
47 and plant parts, and other farm products as certified or  
48 Mississippi certified to be grown, harvested, offered for sale or  
49 distributed. Such rules and regulations shall be approved by the  
50 state seed board before becoming effective. No seeds, plants or  
51 plant parts, or other farm products grown or to be grown in  
52 Mississippi shall be eligible for certification hereunder except  
53 by full compliance as to standards, requirements and forms of or  
54 for certification as may be made by the duly approved state seed  
55 certifying agency. No certification within the provisions of this

56 article shall be made or authorized except through the approved  
57 state certifying agency as herein provided.

58 SECTION 4. Section 69-5-107, Mississippi Code of 1972, is  
59 amended as follows:

60 69-5-107. Dairy shows shall be held, in addition to the  
61 livestock shows, each fall at Verona in Lee County, at Newton in  
62 Newton County, at Tylertown in Walthall County, and at Columbia in  
63 Marion County, and each summer at the Neshoba County Fair in  
64 Neshoba County, and any person in the state is entitled to  
65 participate in either of the dairy shows. The dairy shows shall  
66 be supervised and handled in the same manner as provided for  
67 livestock shows in Section 69-5-105, and each of the five (5)  
68 dairy shows herein provided for shall receive such part of the  
69 monies appropriated for the Mississippi Livestock Show as shall be  
70 specified in the act making such appropriation.

71 SECTION 5. This act shall take effect and be in force from  
72 and after July 1, 1999.