

By: Representative Holland

To: Agriculture

HOUSE BILL NO. 890

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 TO  
3 INCLUDE OTHER FARM PRODUCTS THAT MAY BE DEFINED BY REGULATIONS;  
4 AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 69-3-109, Mississippi Code of 1972, is  
7 amended as follows:

8 69-3-109. Every person, firm, association or corporation who  
9 shall issue, use or circulate any certificate, advertisement, tag,  
10 seal, poster, letterhead, marking circular, written or printed  
11 representation, or description of or pertaining to seeds, plants  
12 or plant parts or other farm products that may be defined by  
13 regulations intended for propagation or sale or sold or offered  
14 for sale wherein the words "Mississippi Certified," or  
15 "Mississippi State Certified," "State Certified," or similar words  
16 or phrases are used or employed, or wherein are used or employed  
17 signs, symbols, maps, diagrams, pictures, words or phrases  
18 expressly or impliedly stating or representing that such seeds,  
19 plants or plant parts or other farm products comply with or  
20 conform to the certification standards or requirements as made by  
21 the approved state seed certifying agency of Mississippi, shall be  
22 subject to the provisions of this article, provided that this  
23 article shall not apply to the certification of plants or plant  
24 products for freedom from disease or insects which is now  
25 conducted under the authority of the Commissioner of Agriculture  
26 and Commerce. Every issuance, use, or circulation of any  
27 certificate or any other instrument as in this section above



28 described shall be deemed to be "certification" as this term is  
29 employed in this article.

30 **SECTION 2.** Section 69-3-111, Mississippi Code of 1972, is  
31 amended as follows:

32 69-3-111. The state seed certifying agency shall not have  
33 the power to engage in the sale or processing of seeds, plants or  
34 plant parts or other farm products or to designate any agency or  
35 individual for these purposes except that the state seed  
36 certifying agency may promote the sale of certified seeds in  
37 general through advertising.

38 **SECTION 3.** Section 69-3-113, Mississippi Code of 1972, is  
39 amended as follows:

40 69-3-113. The duly approved state seed certifying agency is  
41 hereby vested with the full authority to establish, create and  
42 specify rules and regulations for the designation of seeds, plants  
43 and plant parts and other farm products as certified or  
44 Mississippi certified to be grown, harvested, offered for sale or  
45 distributed. Such rules and regulations shall be approved by the  
46 state seed board before becoming effective. No seeds, plants or  
47 plant parts or other farm products grown or to be grown in  
48 Mississippi shall be eligible for certification hereunder except  
49 by full compliance as to standards, requirements and forms of or  
50 for certification as may be made by the duly approved state seed  
51 certifying agency. No certification within the provisions of this  
52 article shall be made or authorized except through the approved  
53 state certifying agency as herein provided.

54 **SECTION 4.** This act shall take effect and be in force from  
55 and after July 1, 2002.

