

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.

