

By: Senator(s) Hamilton

To: Agriculture

SENATE BILL NO. 2902

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; AND FOR RELATED PURPOSES. BE IT ENACTED BY THE
5 LEGISLATURE OF THE STATE OF MISSISSIPPI:

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

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

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

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

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

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

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

55 SECTION 4. This act shall take effect and be in force from
56 and after July 1, 1999.