

CHAPTER 30

SEED POTATOES. CERTIFICATION SYSTEM

S. F. 143

AN ACT for the protection of the seed potato supply of the state of Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. It is hereby established that the certification system is
2 essential to a good seed potato supply for the state and that from long
3 use by state authorities in states producing the great bulk of northern
4 seed used in Iowa, blue tags attached to bags containing such certi-
5 fied seed have become identified in the minds of the public as evidence
6 of official certification of such seed, and of the superior quality thereof.

1 SEC. 2. The sale of, the contracting for delivery, the exposure for
2 sale of seed potatoes or potatoes sold to be used for seed bearing a tag
3 either blue in color or prominently printed blue, or the word "certi-
4 fied" or similar printed or written claim or about which any such
5 verbal claim has been made, unless in truth such seed has been certi-
6 fied by duly constituted state authority, are hereby forbidden within
7 the state of Iowa, except that:

8 a. First crop grown from certified seed may bear a statement as
9 follows: "These seed potatoes are not certified but are the first crop
10 grown from certified seed;" provided, however, that the words "not
11 certified", and "certified" shall be in type of equal size and weight of
12 face, equally displayed and close together, and that such statement
13 if put upon a tag, shall be on a tag not blue in color nor prominently
14 printed in blue. The statements permitted under this section are a
15 violation of this act if false in fact.

1 SEC. 3. Any seed potatoes offered in violation of the terms of this
2 act shall be confiscated and sold for the benefit of the school funds of
3 this state. Any individual or the manager or agent of any firm or
4 corporation violating the terms of this act shall be fined not less than
5 ten (10) dollars nor more than one hundred (100) dollars. The sale
6 of seed potatoes in violation of this act shall be judged grounds for
7 civil damage of fifty (50) cents per hundred pounds due the buyer
8 from the seller, his salesman, agent or manager, the said fifty (50)
9 cents per hundred damage to be over and above any reduction in crop
10 shown to have been sustained by the use of seed misrepresented to
11 the buyer.

1 SEC. 4. It shall be the duty of the secretary of agriculture and his
2 agents to enforce this act and of the county attorneys and of the
3 attorney general of the state to cooperate with him in the enforce-
4 ment of this act. The secretary of agriculture is empowered and
5 directed to prescribe the color, form and wording of tags and labels
6 used on seed potatoes.

1 SEC. 5. This act being deemed of immediate importance shall be
2 in force and effect from and after its passage and publication in the
3 Northwood Anchor, a newspaper published at Northwood, Iowa, and
4 the Lake Mills Graphic, a newspaper published at Lake Mills, Iowa.

Senate File 143. Approved May 3, 1935.

I hereby certify that the foregoing act was published in the Northwood Anchor,
May 9, 1935, and the Lake Mills Graphic, May 8, 1935.

MRS. ALEX MILLER, *Secretary of State*