

TEXAS DEPARTMENT OF AGRICULTURE BULLETIN

Published Bi-Monthly by the Texas Department of Agriculture, Austin, Tex.

September, 1928

No. 92

TEXAS REGISTRATION AND CERTIFICATION ACT OF COTTON SEED

Cotton Seed Law, Rules, Regulations, and Instructions
Relative to Its Enforcement

STATE BOARD OF PLANT BREEDER EXAMINERS Members

Dr. E. P. Humbert, Professor Genetics, Chairman
College Station

R. E. McDonald, Chief Entomologist, State Dept. Agri.
Austin

W. D. Farris, President, Farm Bureau Federation
Ennis

J. M. Del Curto, Plant Pathologist, Secretary, Austin
Administrative Officers

Geo. B. Terrell, Commissioner of Agriculture,

R. V. Miller, Chief, Division Cotton Seed Registration
and Certification.



GEO. B. TERRELL,
Commissioner of Agriculture

Entered as second class matter May 8, 1909 at the Post Office at Austin,
Texas, under the Act of June 6, 1906.

For a copy of this Bulletin apply to the Commissioner of Agri-
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TEXAS REGISTRATION
AND
CERTIFICATION OF COTTON SEED

The purpose of this law is to create and make available a "source of pure bred cotton seed true to name."

The law functions through a State Board of Plant Breeder Examiners and the State Department of Agriculture and is financed entirely on an inspection fee basis. The Board, consisting of three men, appointed by the Commissioner of Agriculture, and the President of A. & M. College, is charged with the duties of prescribing specifications, rules, and regulations for the inspection and production of pure bred seed. It is also their duty to receive and pass on all applications for affiliation under the law together with prescribing the qualifications of inspectors under the law.

The Commissioner of Agriculture is charged with the duties of prescribing rules and regulations relative to enforcement of the act, the appointment of inspectors, and the actual enforcement of the law and regulations promulgated by the Board.

All cotton seed firms applying for inspection to the State Board of Plant Examiners and passed upon favorably by them, are given the rating of Registered Cotton Seed Breeder or Certified Cotton Seed Grower. Upon compliance with the State Board of Plant Breeder Examiners requirements a certificate is issued stating that the applicant is a Registered Cotton Seed Breeder or Certified Cotton Seed Grower, as the case may be, and licensed to produce Registered or Certified Seed subject to official inspection. A list of those firms receiving these certificates is placed in the hands of the Commissioner of Agriculture for official inspection.

The firms meeting the requirements of inspection, as to facilities and varietal purity and uniformity counts on their cotton acreage are issued certificate tags to be attached to each container of their seed. Cuts of such tags are shown on accompanying pages.

This cotton seed law was enacted by the 2nd Called Session, Thirty-eighth legislature and was put into operation during the 1924 Season.

The following table will serve to give evidence as to its progress:

Year	No. of Firms	Acreage			Production in Bushels		
		Reg.	Cert.	Recert	Reg.	Cert.	Recert.
1924	18	4,288	36,050		27,872	234,325	
1925	22	8,914	49,680		61,531	289,967	
1926	22	12,314	60,644	760	84,907	371,764	7,447
1927	26	10,522	70,383	2,540	82,906	517,774	20,094

ANNUAL REGISTRATION

It is important that all who are interested in certified seed understand that registered certificates are valid for one year only. All applicants for affiliation under the law are required to appear before the State Board of Plant Breeder Examiners annually. This permits an investigation of the operation of breeders during the previous year and thereby includes any criticism or irregularity of any breeder as a part of the new application. Lists of breeders may be altered for these reasons or failure of the applicant to apply for inspection, and therefore the latest list should be consulted for an accurate enumeration of breeders whose fields have passed final inspection.

All forms of application blanks, a list of Registered Breeders and Certified Growers for each year and other detailed information concerning this law may be had by writing the Chief, Division of Cotton Seed Registration and Certification.

HOW TO RECOGNIZE STATE CERTIFIED SEED

Red and blue seed labels or tags are at the present time used by a great many seed dealers and the word "certified" has been used to apply to certain guarantees made by the seller or vendor of the seed. Persons desiring Texas State Certified Cotton Seed should see to it that the tag on the sacks are exactly as pictured herein, bearing the State Seal. The State assumes no responsibility as to the purity of the cotton seed other than those bearing tags as shown herein.

SOME CONFUSION ABOUT THE WORD "PEDIGREE"

The word "pedigree" as applied to cotton seed has reference to the history and origin of the seed. Therefore all Certified Cotton Seed are pedigreed. The performance record of the planting stock of certified seed is determined by actual field inspection by State Inspectors.

THE TEXAS COTTON SEED LAW.

In as much as the word "pedigreed" has reference to the history of the seed it may readily be seen that the history and pedigree may be good or bad. The State has approved the pedigree of all Certified Seed. This explanation is made to counteract the wrong impression that has been formed in the minds of some, that State Certified and Pedigreed Seed are two distinct classes of seed when in fact all State Certified Seed are pedigreed but all pedigreed seed are not State Certified.

OFFICIAL REGISTRATION TAG

(Front Side)

OFFICIAL TAG

1928

State Certified



PRODUCED BY
TRADE NAME
TYPE OR STRAIN
CONTAINER

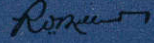
No.

Cotton Seed

Inspected and Registered in accordance with regulations promulgated by the STATE BOARD OF PLANT BREEDER EXAMINERS.



Commissioner.



Chief, Division Cotton Seed
Registration and
Certification.

State Department of Agriculture, Austin, Texas

(Reverse Side)

1928 STATE REGISTERED COTTON SEED

This is to Certify that the 1928 Cotton Breeding Blocks and Fields of the Firm named hereon have been inspected by a duly authorized State Inspector and found to conform to the standards of varietal purity and uniformity established by the State Board of Plant Breeder Examiners.

The sack of seed bearing this tag is from such approved fields and the cotton has been ginned and the seed sacked in accordance with State Regulations.

Penalty.—Every person who falsely advertises or proclaims himself a Registered Cotton Seed Breeder or Certified Cotton Seed Grower and every person who sells or offers for sale cotton seed and falsely represents it to be Registered Cotton Seed or Certified Cotton Seed shall be guilty of a misdemeanor and shall, upon conviction, be fined in any sum not less than \$100 and not more than \$1000.

IMPORTANT.—The Texas Registration and Certification Act deals strictly with the varietal purity of cotton seed, and does not give evidence as to germination. The germination of all agricultural field seed offered for sale is covered by separate law known as the Texas Seed Act and the tag required by this law should be examined for such information.

OFFICIAL TAG

OFFICIAL CERTIFICATION TAG
(Front Side)

1928

State Certified



No.

Cotton Seed

PRODUCED BY
TRADE NAME
TYPE OR STRAIN
CONTAINER

Inspected and Certified in accordance with regulations promulgated by the STATE BOARD OF PLANT BREEDER EXAMINERS.

Geosternell

Commissioner.

Rome

Chief, Division Cotton Seed
Registration and
Certification.

State Department of Agriculture, Austin, Texas

(Reverse Side)

1928 STATE CERTIFIED COTTON SEED

This is to certify that the 1928 cotton fields of the firm named hereon have been inspected by a duly authorized State Inspector and found to conform to the standards of varietal purity and uniformity established by the State Board of Plant Breeder Examiners.

The sack of seed bearing this tag is from such approved fields and the cotton has been ginned and the seed sacked in accordance with State regulations.

Penalty.

Every person who falsely advertises or proclaims himself a Registered Cotton Seed Breeder or Certified Cotton Grower and every person who sells or offers for sale cotton Seed and represents it to be Registered Cotton Seed or Certified Cotton Seed, shall be guilty of a misdemeanor and shall, upon conviction, be fined in any sum not less than \$100 and not more than \$1000.

Important:—The Texas Registration and Certification Act deals strictly with the varietal purity of cotton seed, and does not give evidence as to germination. The germination of all agricultural field seed offered for sale is covered by separate law known as the Texas Seed Act and the tag required by this law should be examined for such information.

OFFICIAL RE-CERTIFICATION TAG

OFFICIAL TAG

(Front Side)

1928
State
Recertified



No.
Cotton Seed

PRODUCED BY

TRADE NAME
TYPE OR STRAIN
CONTAINER

Inspected and Recertified in accordance with regulations promulgated by the STATE BOARD OF PLANT BREEDER EXAMINERS.

Hester

Commissioner.

Rosen

Chief, Division Cotton Seed
Registration and
Certification.

State Department of Agriculture, Austin, Texas

1928 STATE RE-CERTIFIED COTTON SEED

This is to Certify that the sack of seed bearing this tag is the first year increase of State Certified Cotton Seed and the 1928 fields have been inspected by a duly authorized inspector and found to conform to the standards of varietal purity and uniformity established by the State Board of Plant Breeder Examiners.

The sack of seed bearing this tag is from such approved fields and the cotton has been ginned and the seed sacked in accordance with State Regulations.

PENALTY.—Every person who falsely advertises or proclaims himself a Registered Cotton Seed Breeder or Certified Cotton Seed Grower and every person who sells or offers for sale cotton seed and falsely represents it to be Registered Cotton Seed or Certified Cotton Seed shall be guilty of a misdemeanor and shall, upon conviction, be fined in any sum not less than \$100 and not more than \$1000.

IMPORTANT:—The Texas Registration and Certification Act deals strictly with the varietal purity of cotton seed, and does not give evidence as to germination. The germination of all agricultural field seed offered for sale is covered by separate law known as the Texas Seed Act and the tag required by this law should be examined for such information.

RULES AND REGULATIONS RELATIVE TO THE EN-
FORCEMENT OF THE COTTON SEED REGIS-
TRATION AND CERTIFICATION ACT.

Pursuant to Title 4, Chapter 2, Revised Civil Statutes, 1925, and to the regulations promulgated by the State Board of Plant Breeder Examiners under date of February 12, 1925, the following rules are herewith adopted by the State Commissioner of Agriculture for the proper and orderly enforcement of the law.

1. Application for inspection of cotton acreage for "Registration" or "Certification" as provided for in the law, will be considered from only such breeders or growers as have duly qualified before the Board of Plant Breeder Examiners for the ensuing year.

2. Application for inspection must be presented on official forms to the State Commissioner of Agriculture at Austin, Texas, on or before June 1st of each year.

3. Applications must be accompanied with check or money order covering at least one-half of fee for acreage applied upon, together with personal note covering remainder, made payable on or before October 1st of the same year.

4. All checks, money orders or notes must be made payable to the Commissioner of Agriculture.

5. By authority of Section 8 of the law, the fees for official inspection of cotton acreage are set as follows:

(a) For all acreage to be inspected for registration, the fee shall be twenty (20c) cents per acre.

(b) For all acreage to be inspected for certification the fee shall be ten (10c) cents per acre.

(c) For all acreage to be inspected for Re-Certification the fee shall be seven (.07c) cents per acre.

6. All applicants, authorized by the State Board of Plant Breeder Examiners to operate under the special ginning privilege as provided for in the official rules of the Board, must file with the Commissioner of Agriculture, for his approval, a statement giving as accurately as possible their program for ginning in order that it will be possible to provide for the inspection and supervision necessary.

7. Reports of inspection of fields, gins and storage facilities will be filed with the Commissioner of Agriculture by official inspectors, and licenses authorizing breeders and growers to offer for sale registered or certified seed, or both, as the case may be, will be issued by the Commissioner of Agriculture in accordance with rules and regulations adopted by the State Board of Plant Breeder Examiners.

8. Labels as provided for in Section 8 of the law, and as fur-

ther described in Section 20 of the Rules and Regulations promulgated by the State Board of Plant Breeder Examiners, will be issued at cost, by the Commissioner of Agriculture to "Registered Breeders" and "Certified Growers," covering their respective actual production on their registered or certified acreage. Payment for the tags must be made by the "Breeder" or "Grower" upon delivery.

9. License of registration or certification and all "Registered," "Certified" or "Re-certified" tags in possession of any breeder or grower registered under the Act will be subject to revocation and recall for the following causes:

- (a) For failure of the cotton of any licensee to measure up to standards and requirements set in the Rules and Regulations promulgated by the State Board of Plant Breeder Examiners.
- (b) For violation of any of the Rules and Regulations promulgated by the State Board of Plant Breeder Examiners.
- (c) For unfair dealing and false advertising, or any other cause authorized by law.

10. All hearings pertaining to violations of the law, as provided for in Section 10 of the Certification Act, will be held in the office of the State Department of Agriculture, unless otherwise specified.

Given under my hand and seal of office in the City of Austin, State of Texas, this the 5th day of June, A. D. 1928.

(Seal)

(Signed) GEO. B. TERRELL,
Commissioner of Agriculture.

RULES AND REGULATIONS GOVERNING THE PRODUCTION OF REGISTERED AND CERTIFIED COTTON SEED

Pursuant to Title 4, Chapter 2, Revised Civil Statutes, 1925, we, the State Board of Plant Breeder Examiners in convention assembled, do hereby promulgate the following rules and regulations:

Regular Meetings of the State Board

1. The State Board of Plant Breeder Examiners shall meet in the City of Austin on the second Tuesday in December each year, the first Tuesday in June each year and at College Station on the Second Tuesday in February of each year.

Examination for Inspectors

2. All persons who seek to be employed as inspectors under the provisions of this Act shall appear in person before the Board of Plant Breeder Examiners there to take such examination as may be prescribed.

Qualifications of "Registered Cotton Seed Breeder" and for License to Produce "Registered Cotton Seed."

3. An applicant for license as "Registered Cotton Seed Breeder" and to produce "Registered Cotton Seed," as provided for in this Act shall be a person, firm or corporation of good character and reputation for honesty, competency and fair dealing.

4. One or more persons in the employ of each firm who applied to produce "Registered Cotton Seed" shall appear before the Board of Plant Breeder Examiners at one of its regular or called meetings and there take a written examination on the principles of plant breeding and shall, as a prerequisite for further advancement, make a per cent of not less than 75.

5. Provided, that in lieu of such written examination, any applicant so desiring may place under the observation of the Board the cotton breeding work being done by him. If, after observing the work of such applicant for a period of three years, it appears that the methods used and the results attained are practical, scientific and worthy, then Regulation No. 4 shall be considered to have been complied with. After once having satisfactorily passed an examination before the Board or having been accepted as a cotton breeder as provided for herein, and having produced a strain of cotton examined by inspectors of the Board and found to possess all of the high standards for registration in the year immediately preceding the year for which license to produce seed is sought, he shall be construed to have complied with Regulation No. 4.

6. It must be shown to the Board that the person or firm seeking license to produce "Registered Cotton Seed" owns or controls land necessary in the breeding and production of seed of high purity and excellence. If such applicant does not own his land, it will be necessary to furnish said Board with copies of all contracts showing actual possession of such land.

7. The applicant shall show that he has complete control of a gin upon which no other cotton shall be ginned for the season except that produced by it or him. If the said applicant does not own the gin, then copy of contract with the owner of the gin must be supplied the Board. The word "gin" shall be construed to mean one of more stands running in parallel, commonly known as a battery. It shall be allowable for registered cotton to be ginned on the same battery ginning certified cotton produced by the same registered breeder, but before doing so the gin rolls and conveyors must be thoroughly cleaned.

8. If any applicant for license to produce "REGISTERED" or "CERTIFIED COTTON SEED" who can fulfill all other regulations herein has insufficient acreage to enable him or it to get control of a separate gin or for other good reasons cannot get control of a separate gin, these facts may be made known to the said Board. If it shall appear practical, the said Board may grant special permission for such cotton to be ginned on a custom gin, provided that before doing so, the gin rolls must be cleaned in the presence of a State Inspector.

9. The applicant shall be in possession of seed of a useful strain of cotton, the pedigree of which is known to the Board of Plant Breeder Examiners. The said Board reserves full power and authority to determine the merits of any cotton sought to be registered.

10. The strain of cotton must be one that will transmit to its progeny its characters without any great variation therefrom. It being an established fact that blocks may fail so to do, it is required that the Board have a knowledge of the former performance of any block sought to be registered, with an accurate pedigree of same. As proof of former performance, the Board will accept only the best evidence, which is an examination made by its own inspectors.

"Specifications for Registered Cotton Seed."

11. Cotton seed to be eligible for registration, as provided for under the law, must meet the following requirements:

(a) The variety or strain of seed shall conform to the requirements specified for the "applicant seed" in paragraph 9 and 10 of these rules.

(b) The seed shall have been produced under the direct supervision of a REGISTERED COTTON BREEDER.

(c) The seed shall have been produced from plats of fields showing a varietal purity of 95 per cent or more, as determined by an OFFICIAL INSPECTOR, provided for by law.

(d) The seed shall be ginned and stored in accordance with the regulations 7, 8, 20 and 21, herewith promulgated.

Qualifications of "Certified Cotton Seed Grower" and for "License to Produce Certified Cotton Seed."

13. An applicant for license as "Certified Cotton Seed Grower" to produce certified cotton seed, as provided for in this Act, shall be a person, firm or corporation of good character and reputation for honesty, competency and fair dealing.

14. It must be shown to the Board that the person, firm or corporation seeking license to produce "Certified Cotton Seed" owns or controls land necessary in the production of seed of high purity and excellence. If such applicant does not own his land, it will then be necessary to furnish the said Board with copies of all contracts showing actual possession of such land.

15. Except as provided in Regulation No. 8, an applicant to produce "Certified Seed" shall show that he or it has complete control of a gin upon which no other cotton shall be ginned for the season except that produced by it or him. If the said applicant does not own the gin, then copies of the contract with the owner of the gin must be supplied the Board.

16. All applicants to produce "Certified Cotton Seed" shall have in his or its possession sufficient quantity of Registered Cotton Seed to plant the acreage applied upon; provided that, if said applicant has grown Certified Seed the previous year, which was the first year progeny of Registered Seed, and which Certified Cotton Seed upon field examination has shown 92 per cent varietal purity or more, then he may be licensed to produce Certified "Cotton Seed" from this stock which shall be known as "Re-certified Seed."

Specifications for "Certified Cotton Seed."

17. Cotton seed to be eligible for certification, as provided under the law, must meet the following requirements:

(a) The seed shall have been produced from plats or fields showing a varietal purity of 90 per cent or more, as determined by official inspection provided for by law.

(b) The seed shall be ginned and stored according to the regulations 15, 20 and 21, herewith promulgated.

"Specifications for "Re-certified Cotton Seed"

18. Cotton seed to be eligible for Re-certification provided for under the law must meet the following qualifications:

(a) The seed must be the Second Year progeny of Registered Seed and produced by the applicant in accordance with the provisions set forth for the production of Second Year Certified Seed, as provided for in paragraph No. 16 of these rules.

(b) The seed shall have been produced from plats or fields showing a varietal purity of 85 per cent or more, as determined by official inspection provided for by law.

(c) The seed shall be ginned and stored according to regulations 15, 20 and 21, herewith promulgated.

General Regulations.

19. The method of breeding cotton known as "single stalk selection" is hereby recognized by the Board of Plant Breeder Examiners as being the most desirable. No other method will be accepted except under the following conditions: The applicant having another method and practicing same shall furnish to the Board complete and full description of the method and then shall place the same under the observation of inspectors of the Board for a period of three years or from the date of the organization of this Board. At the end of that time if the report of their inspectors of the Board shall show that such block or blocks of cotton has all the high standards of purity and excellence required for registration, then the same shall be registered, as provided for herein.

20. All applicants who apply for Registration or Certification of their cotton shall be required to file with the Commissioner of Agriculture a report of every bale of their cotton ginned, upon blanks to be supplied by the Commissioner of Agriculture. Such reports must be filed with the Department of Agriculture at the end of each week of the ginning season.

21. All cotton seed or seed cotton subject to Registration or Certification shall be stored so as not to be mixed with another seed. It shall be deemed disqualified if stored or stacked in bulk in a warehouse with other seed or in such a location that would permit ready mixing.

22. All Registered and Certified seed offered for sale shall be properly cleaned so as to eliminate any and all excessive trash.

23. It shall not be allowable for any person, firm or corporation licensed as Registered Cotton Seed Breeder or Certified Cotton Seed Grower to sell or offer for sale any cotton seed for any purpose unless the same be Registered or Certified.

24. It shall not be allowable for any Grower producing Registered or Certified Cotton Seed for a Registered Cotton Seed Breeder or Certified Cotton Seed Grower under contract, to plant any other variety of cotton on such acreage as grown or

handled by said Grower. Violation of this regulation will constitute sufficient reason for the rejection of such acreage .

25. When an applicant shall have complied with the foregoing regulations providing for the production of Registered Cotton Seed, and has satisfied the State Board of Plant Breeder Examiners that he or it is qualified in all particulars to produce such seed, and when he or it has paid the application fee of \$10, as provided for in the law, and the prescribed fees of 20 cents per acre for Registered Cotton, 10 cents per acre for Certified Cotton and 7 cents per acre for Re-certified Cotton, then the State Board of Plant Breeder Examiners shall issue to him or it a license evidencing the fact that he or it is qualified under the provisions of the law and the regulations thereunder to produce Registered or Certified Cotton Seed, as the case may be.

26. In event the applicant is indebted to the Department of Agriculture for any inspection fees for the preceding year or years, his or its application shall be deferred until settlement in full has been made of such outstanding indebtedness.

27. All Registered and Certified tags issued by the Commissioner of Agriculture for labeling of Registered and Certified Seed shall be as follows:

Tags for Registered Seed shall be printed on a background of blue.

Tags for Certified Seed shall be printed on a background of red.

Tags for Re-certified Seed shall be printed on a background of white.

Done in the City of Austin, Texas, on this the 5th day of June, the same being the first Tuesday in June, A. D. 1928.

E. P. HUMBERT,
Chairman of the Board.

J. M. DEL CURTO,
Secretary.

Revised Civil Statutes

State of Texas

1925

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Art. 56 *State Register*.—The Commissioner of Agriculture is directed to establish a State Register of Cotton Seed Breeders and Cotton Seed Growers who produce and offer for sale cotton seed for planting purposes and who voluntarily apply for registration under the provisions of this chapter and conform to the rules and regulations established for the administration and enforcement thereof by said Commissioner. (Acts 2nd C. S. 1923, p. 127.)

Art. 57. *Appointment*.—The Commissioner of Agriculture of this State and the president of the A. & M. College of this State, shall appoint a State Board of Plant Breeder Examiners composed of three men who shall be experienced in the science of plant breeding. The State Board of Plant Breeder Examiners shall meet in the City of Austin on the second Tuesday in December of each year and shall hold such other meetings as may be necessary. All applicants for license as Cotton Breeder and all applicants for license as Certified Cotton Seed Grower shall appear in person before said Board and shall furnish such information as the Board may require. The Board shall prescribe the qualifications of inspectors that may be employed under this law. (Id.)

Art. 58. *Fees*.—All applicants for license as Registered Cotton Seed Breeder and Certified Cotton Seed Grower shall pay to the said Board a fee of ten dollars as a prerequisite to such application for such license. Such fees as may be collected shall be used by said Board in defraying expenses incident to conducting such examinations. (Id.)

Art. 59. *May Register as Breeder*.—Any cotton breeder in the State, or any person, firm or corporation engaged in breed-

ing cotton, who produces and offers for sale cotton seed for planting purposes, and who has in his or its employ experienced and competent cotton breeder or breeders shall be eligible to registration as a Registered Cotton Seed Breeder, when he or it has satisfied the State Board of Plant Breeder Examiners herein provided for:

1. That he or it is a person, firm or corporation of good character and reputation for honesty, competency and fair dealing;

2. That he is skilled in the science of cotton breeding or has in his or its employment one or more persons who are skilled in the science of cotton breeding;

3. That he, or persons in his or its employment has originated or made distinctive improvements in the character of a useful strain of cotton;

4. That he or it owns or controls land and other facilities necessary in the breeding and production of seed of high purity and excellence; and has complied with the rules and regulations established by said State Board of Plant Breeder Examiners in pursuance of law. (Id.)

Art. 60. *Certificate as Breeder.*—When the application of breeder of cotton seed made under the provisions of this law has been approved by said Board, said applicant shall be registered as a “Registered Cotton Seed Breeder” and shall be issued a certificate to that effect and shall be entitled to use the title “Registered Cotton Seed Breeder” and to advertise and sell cotton seed produced in conformity with the provisions of this law and the rules and regulations established in pursuance thereof as “Registered Cotton Seed;” which certificate shall expire one year from the date of issue unless otherwise revoked as herein provided. (Id.)

Art. 61. *May Register as Grower.*—Any person, firm or corporation engaged in producing cotton seed to be offered for planting purposes shall be eligible for registration as “Certified Cotton Seed Grower,” when he or it has satisfied the State Board of Plant Breeder Examiners:

1. That he or it is a person, firm or corporation of good character and reputation for honesty, competency and fair dealing.

2. That he or it will plant only seed obtained from a registered cotton breeder, and will offer for sale only the first or second year progeny of such registered cotton seed.

3. That he or it owns or controls land and other facilities necessary in the production of seed of high purity and excellence; and has complied with the rules and regulations established by said Board in pursuance of this law. (Id.)

Art. 62. *Certificate as Grower.*—When the application of a cotton seed grower made under the provisions of this law has been approved by said Board, said applicant shall be registered as a “Certified Cotton Seed Grower” and shall be issued a certificate to that effect and shall be entitled to use the title “Certified Cotton Seed Grower,” and to advertise and sell cotton seed produced in conformity with the provisions of this law and the rules and regulations established in pursuance thereof as “Certified Cotton Seed.” Said certificate shall expire one year from date of issuance unless otherwise revoked as herein provided for. (Id.)

Art. 63. *Form of Application.*—The Board shall prepare suitable form of application for registration for cotton seed breeders and cotton seed growers, and shall establish rules and regulations, tests and standards to carry into effect the purposes of this law, which are to provide supplies of high grade cotton seed for planting purposes, and to enable the farmers to secure pure bred cotton seed for planting true to name. Said forms shall be in conformity with the provisions of this law and all tags furnished the registered seed breeders and certified seed growers, shall contain the words, “Registered Cotton Seed Breeder,” or the words “Certified Cotton Seed Grower,” and such other conditions as may be prescribed by the State Board of Plant Breeders. The Commissioner of Agriculture shall employ a sufficient number of competent inspectors to inspect fields of cotton, and the facilities for ginning, storing and handling cotton seed owned or controlled by persons registered under this law and used in the production of cotton seed to be offered for sale for planting purposes. Said inspectors shall make reports upon forms provided by said commissioner. (Id.)

Art. 64. *Tags and Labels.*—If the reports of said inspectors show that the cotton grown by a licensee hereunder and the facilities for ginning, storing, and handling same conform to the rules and regulations and standards established by the board, there shall be issued to him or it a certificate evidencing his or its right to offer for sale the cotton seed so produced as “Registered Cotton Seed” or “Certified Cotton Seed.” Then the said Commissioner of Agriculture shall also issue to said cotton seed breeders and cotton seed growers tags or labels to attach to packages or containers containing said cotton seed certifying that same has been produced under the terms of this law, and an amount sufficient to cover all cost of printing tags and inspection shall be collected by said Commissioner.

Art. 65. *Inspection Fee.*—Before any cotton seed breeder or cotton seed grower is registered under this law he or it shall agree in writing to pay to the said Commissioner of Agriculture an inspection fee to be fixed by said Commissioner to pay the

expense of inspecting his fields, gin and other facilities used in producing cotton seed, and for printing tags. Said fee shall not exceed 25 cents per acre for each acre of cotton, and \$1.00 for each gin and warehouse. (Id.)

Art. 66. *Fund.*—All money so collected shall belong to a special fund of this State and shall be paid over by the Commissioner of Agriculture to the State Treasurer, during the first week of each month, and shall be credited to the "Special Pure Bred Cotton Seed Inspection Fund," and such funds shall be expended in the enforcement of this law, by the Commissioner of Agriculture, and in the purchase and supply of means to enable the commissioner and his agents to enforce the provisions of this law. All such expenditures shall be verified by the affidavit of the Chief of the Division of Plant Pathology and Seeds to the Commissioner of Agriculture, and on the approval of such expenditures by the Commissioner, the Comptroller shall draw his warrant on the Treasurer for the amount of such expenditures in favor of the person claiming the same, to be paid out of the "Special Pure Bred Cotton Seed Inspection Fund." (Id.)

Art. 67. *Cancelling Registration.*—If the report of an inspector shall show that the character, quality and varietal purity of any field of cotton grown by any licensee hereunder does not conform to the rules, regulations, tests, and standards promulgated under authority of this law, or that the gin, warehouse, or other facilities do not conform to such rules, regulations, tests, or standards, or if charges be made that any of the licensees hereunder have been guilty of any dishonest, unfair or improper conduct or practice in the conduct of his or its business of breeding or growing and selling cotton seed, the said Commissioner of Agriculture shall give written notice thereof to said breeder or grower and fix a time for hearing evidence relating to said report or charges of which the accused party shall have at least ten days' notice. If in the judgment of said Commissioner of Agriculture such adverse report or charges are sustained he shall cancel the registration and certificate of accused party and retake all tags or labels and license or certificate issued to him or it. If any registered cotton seed breeder or certified cotton seed grower is not satisfied with such verdict of the Commissioner of Agriculture, such person or persons shall have the right to appeal the case to the State Board of Plant Breeder Examiners, and shall be entitled to a hearing. (Id.)

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Art. 1708. *Cotton Seed.*—Every person who falsely advertises or proclaims himself a “Registered Cotton Seed Breeder” or “Certified Cotton Seed Grower,” and every person who sells or offers for sale cotton seed and falsely represents it to be “Registered Cotton Seed” or “Certified Cotton Seed,” shall be fined not less than one hundred nor more than one thousand dollars. (Acts 2nd C. S. 1923, p. 130.)

