

§1045. Exemptions and violations

Sections 1043 and 1044 shall not apply to seed or grain not intended for sowing purposes, nor to seed in storage in, or consigned to, a seed cleaning or processing establishment for cleaning or processing. Any labeling or other representation which may be made with respect to the uncleaned or unprocessed seed shall be subject to this subchapter. [PL 1977, c. 696, §87 (RPR).]

A person is not in violation of this subchapter for having sold or offered or exposed for sale in this State any agricultural vegetable or tree and shrub seed that were incorrectly labeled or represented as to kind, variety, type or origin, which seeds cannot be identified by examination thereof, unless the person has failed to obtain an invoice or grower's declaration giving kind, or kind and variety, or kind and type, and origin if required, and to take such other precautions as may be necessary to ensure the identity to be that stated. [RR 2021, c. 1, Pt. B, §121 (COR).]

Violation of this subchapter is a civil violation for which the following forfeitures may be adjudged. [PL 1977, c. 696, §87 (RPR).]

1. First violation. For the first violation, a forfeiture not to exceed \$100; and [PL 1977, c. 696, §87 (NEW).]

2. Subsequent violation. For each subsequent similar violation, a forfeiture not to exceed \$250. [PL 1977, c. 696, §87 (NEW).]

SECTION HISTORY

PL 1969, c. 42, §7 (AMD). PL 1977, c. 696, §87 (RPR). RR 2021, c. 1, Pt. B, §121 (COR).

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