

House of Representatives, 13th October, 1911.

Hon. Mr. T. Mackenzie.

SEEDS SALE CONTROL.

ANALYSIS.

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A BILL INTITULED

AN ACT to provide for the Control of the Sale of Seeds for Agricultural and Pastoral Purposes. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Seeds Sale Control Act, 1911, and shall come into operation on the first day of September, nineteen hundred and *twelve*. Short Title and commencement.

2. In this Act, if not inconsistent with the context,— Interpretation.
“Seed” means the seed of any grass, cereal, or fodder or forage plant:

“Cleaned” means containing an aggregate of not more than *six* per centum by numbers of the weed-seeds named in the *First* and *Second* Schedules hereto or *four* per centum by numbers of the weed-seeds named in the *Second* Schedule hereto:

“Uncleaned” means containing an aggregate of more than *six* per centum by numbers of the weed-seeds named in the *First* and *Second* Schedules hereto or *four* per centum by numbers of the weed-seeds named in the *Second* Schedule hereto.

3. All seed sold shall for the purposes of this Act be deemed to be sold for sowing unless the vendor and purchaser agree at the time of sale that the seed is sold for some purpose other than sowing. Sale of seed for purposes of sowing.

4. No person shall sell for sowing any seed that contains an aggregate of more than *two* per centum by numbers of the seeds of gorse (*Ulex europaeus*) or broom (*Sarothamnus scoparius*), or an aggregate of more than *one* per centum by numbers of the weed-seeds named in the *Third* Schedule hereto. Sale of seed containing gorse or broom seeds, &c.

Particulars of
invoice certificate.

5. Every person who sells any lot of seed for sowing exceeding five pounds in weight shall deliver or post to the buyer not later than the third day after the day on which the seed, or the first portion thereof, is despatched to the buyer an invoice certificate in the form in the *Fourth* Schedule hereto, giving in respect of such lot the following particulars, namely:—

- (a.) The date of the sale;
- (b.) The seller's name and address;
- (c.) The buyer's name and address;
- (d.) The mark, if any, on the packages;
- (e.) The name of each kind of seed;
- (f.) The locality and country, and the year, in which each kind was harvested; and
- (g.) Whether each kind is cleaned or uncleaned:

Provided that where the locality or the year is unknown to the seller, the word "unknown" shall be placed in the appropriate column of the invoice certificate:

Struck out.

Provided also that if more than ten per centum by numbers of any one kind was harvested in a different locality or year from the rest of such kind, the percentage, and the locality or year, of each portion shall be stated separately.

Samples of seeds sold
may be forwarded
for testing to
Government
Biologist.

6. (1.) The buyer of any seed sold to him for sowing may, at any time within seven days after the receipt thereof, before the seed leaves the premises, take, in the presence of two witnesses the seller or his agent, a sample of such seed and forward it to the Biologist of the Department of Agriculture, Commerce, and Tourists, at Wellington, or whomsoever the Minister may appoint for the purpose of testing.

(2.) Such samples shall comply with the following provisions:—

- (a.) The minimum weight of seeds in any sample shall be two ounces in the case of grass-seeds, or any kind of white or alsike clover, or any seeds of like size; four ounces in the case of red-clover, lucerne, millet, or any seeds of like size; and eight ounces in the case of cereals, or any seeds of like size.
- (b.) Each sample shall consist of small quantities taken from the top, middle, and bottom of packages, as under:—
 - (i.) Where the number of packages is not more than six, from each package;
 - (ii.) Where the number of packages is from seven to twelve, from every second package; and
 - (iii.) Where the number of packages is more than twelve, from every fourth package.
- (c.) Each sample must be enclosed in a suitable package, sealed, and delivered (or forwarded by registered post) to the Biologist.
- (d.) Each sample must be accompanied by a statement, signed by the buyer or his agent, to the effect that the sample was taken in accordance with the provisions of this Act, and by the invoice certificate in respect of the seeds.

Offence to sell seed
not in conformity
with particulars on
invoice certificate.

7. An offence against this Act shall be deemed to have been committed by the seller, if, on examination by the Biologist, any sample of seed sold for sowing is found by him to materially differ to the detriment of the buyer, from the description given in the invoice certificate.

8. The Governor may, by Order in Council gazetted, add from time to time the names of any plants to the *First*, *Second*, or *Third* Schedule hereto.

Schedules may be extended by Governor.

9. The Biologist's report on any samples examined for the purposes of this Act may be published in any way the Minister of Agriculture shall direct, and neither the Minister nor the Government Printer nor any other person shall be liable in any way in respect to such publication.

Publication of report of Biologist.

10. Notwithstanding anything in this Act, gorse-seed may be sold for sowing for fodder or for the planting of hedges if written permission is first granted by the Minister of Agriculture in each case.

Gorse may be sown with consent of Minister.

11. Every person who commits an offence against any of the provisions of this Act is liable for the first offence to a fine not exceeding *ten* pounds, and for every subsequent offence to a fine not exceeding *fifty* pounds.

Penalties.

12. Section seven of the Noxious Weeds Act, 1908, is hereby amended by omitting the words "sells, or offers for sale" and the proviso to paragraph (b).

Section 7 of Noxious Weeds Act amended.

20 *New.*

13. Notwithstanding anything in this Act, Yorkshire-fog seed may be described as cleaned provided it does not contain more than one per centum by numbers of the weed-seeds named in the *Third* Schedule, or two and a half per centum by numbers of the seeds of gorse or broom, or six per centum by numbers of the weed-seeds named in the *First* and *Second* Schedules hereto (other than Yorkshire fog), or four per centum by numbers of the weed-seeds named in the *Second* Schedule hereto.

Provision as to Yorkshire fog.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

Eromus hordaceus (goose-grass).
Festuca bromoides (hair-grass).
Festuca myurus (barren fescue).

Holcus lanatus (Yorkshire fog).
Plantago, any species (rib-grass or plantain).
Sonchus, any species (sow-thistle).

SECOND SCHEDULE.

Agropyron repens (twitch).
Anthemis, any species (mayweed).
Anthoxanthum odoratum (sweet vernal).
Brassica campestris var. (wild turnip).
Brassica sinapistrum (charlock).
Carduus, any species (thistle).
Centaurea, any species (star thistle).
Chenopodium album (fat-hen).
Chrysanthemum leucanthemum (ox-eye daisy).
Cichorium intybus (wild chicory).
Crepis virens (hawkweed).
Conium maculatum (hemlock).
Daucus carota (wild carrot).
Echium any species (viper's bugloss).
Galium, any species (cleavers).
Geranium, any species (cranesbill).
Hordeum murinum (barley-grass).
Hypericum perforatum (St. John's wort).
Hypochoeris radicata (cats-ear).
Leontodon hispidus (hawkbit).

Lepidium ruderale (narrow-leaved cress).
Lotium temulentum (darnel).
Matricaria, any species (chammomile).
Medicago denticulata (toothed medick).
Mentha pulegium (penny-royal).
Panicum sanguinale (crab-grass).
Plantago, any species (rib-grass or plantain).
Prunella vulgaris (self-heal).
Polygonum, any species (bindweed).
Rumex acetosella (sorrel).
Rumex crispus (narrow-leaved dock).
Rumex obtusifolius (broad-leaved dock).
Senecio jacobæa (ragwort).
Setaria glauca and *Setaria viridis* (pigeon-grass).
Silene, any species (catchfly).
Spergularia arvensis (spurrey).
Stellaria media (chickweed).
Verbena, any species (vervain).
Vicia sativa (vetch).

THIRD SCHEDULE.

Cnicus arvensis (Californian thistle).
Cuscuta, any species (dodder).
Rosa rubiginosa (sweetbriar).

Rubus fruticosus (blackberry, and varieties thereof).
Xanthium spinosum (Bathurst burr).

FOURTH SCHEDULE.

INVOICE CERTIFICATE UNDER THE SEEDS SALE CONTROL ACT, 1911.

Date of Sale: _____, 19 .

Seller's name and address: _____

Buyer's name and address: _____

Particulars of Seed.

Mark.	Kind.	Locality and Country where grown.	Year when harvested.	Whether "cleaned" or "uncleaned" within the Meaning of the Act.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1911.