

of any such children: *Provided*, That no member of said board or the secretary shall receive any compensation for such service.

Appropriation.

SEC. 3. The sum of four thousand dollars (\$4,000.) or so much thereof as may be necessary is hereby appropriated from the general fund for the fiscal biennium beginning April 1, 1937, and ending March 31, 1939, for carrying out the provisions of this act: *Provided*, That not more than one hundred and fifty dollars (\$150.) shall be paid under said provisions for any one child for any one year, any unexpended balance remaining at the end of any fiscal biennium shall revert to the general fund of the State of Washington.

Passed the House February 18, 1937.

Passed the Senate March 8, 1937.

Approved by the Governor March 17, 1937.

CHAPTER 204.

[H. B. 534.]

HORTICULTURAL INSPECTION.

AN ACT relating to horticulture and horticultural plants and products, and the inspection, sale, shipment and grading thereof, repealing section 29 of chapter 166, Laws of 1915 as amended by section 4, chapter 195 of the Session Laws of 1919 and section 10, chapter 141 of the Session Laws of 1921, the same being section 2867, Remington's Revised Statutes (section 2735, Pierce's Code) and adding in lieu thereof a new section the same to be known as section 29, chapter 166 of the Laws of 1915, section 2867, Remington's Revised Statutes and section 2735, Pierce's Code.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 29, chapter 166, Laws of 1915, as amended by section 4, chapter 195, Session Laws of 1919, and section 10, chapter 141, Session Laws of 1921, the same being section 2867, Reming-

Repeals
§ 2867, Rem.
Rev. Stat.
(§ 2735, P. C.)

ton's Revised Statutes (section 2735, Pierce's Code) be and is hereby repealed.

SEC. 2. That there be added in lieu of said section repealed in section 1 of this act a new section, the same to be known as section 29, chapter 166 of the Laws of 1915, section 2867, Remington's Revised Statutes (section 2735, Pierce's Code).

Lieu § 2867,
Rem. Rev.
Stat. (§ 2735,
P. C.)

Section 29. It shall be the duty of every horticultural inspector if, upon the inspection of any nursery stock, he shall find the same is free from disease and pests, to sign and deliver to the owner or person in charge of such stock a certificate in triplicate form stating that such nursery stock was not infected, and it shall be unlawful for any person to substitute any nursery stock for that covered by said certificate.

Certificate of
inspection.

It shall be the duty of every horticultural inspector to inspect apples and pears before the same are shipped, and if he shall find that the same comply with the laws of the State of Washington and the rules and regulations of the department of agriculture promulgated thereunder to issue to the person in charge thereof a certificate of inspection or permit to ship said fruit, and it shall be unlawful for any person, firm, association or corporation to ship, or for any carrier to transport, apples and pears unless such certificate of inspection or permit shall have been obtained from a horticultural inspector in the manner specified above.

It shall be unlawful for any person, firm, association or corporation to sell in the State of Washington to any retailer any apples or pears without giving information to such purchaser in writing of the variety, quality and grade of such apples and pears.

Purchasers
informed as
to quality
and grade.

It shall be unlawful for any person, firm, association or corporation to sell at retail in the State of Washington any apples or pears without first marking clearly on the container the grade of such apples

Grade
marked on
container.

or pears and if no container is used the grade of such apples or pears must be established by a sign.

Permits.

It shall be unlawful for any person, firm, or association to offer for sale at retail any apples or pears not coming within the grades of extra fancy, fancy, "C" grade or, combination grades established under the laws of the State of Washington and the rules and regulations of the department of agriculture thereunder unless a permit so to do has been granted by a horticultural inspector: *Provided*, That, for the purposes of this paragraph extra fancy, fancy, "C" grade and combination grades shall not include any culls as defined by the rules and regulations of the department of agriculture. Upon application all such permits shall be granted by the director of agriculture, but such permits cannot be granted for the purpose of retailing infected apples or pears not fit for human consumption.

Inspection charge.

The director of agriculture shall fix reasonable fees to cover the cost of inspection provided for herein which fees shall be collected and disbursed as provided by section 2872, Rem. Rev. Stat., 2737-a, Pierce's Code, as amended by section 5, chapter 27, Laws of 1931: *Provided, however*, That no inspection charges shall be made where a certificate or permit has previously been issued, nor shall this section apply to sale or shipment of apples or pears to packing, preparation and processing plants or places for storage in the district where grown when such fruit is sold or purchased solely for the purpose of preparing or processing for market or when such fruit is to be stored and sold at a later date.

Passed by the House March 8, 1937.

Passed by the Senate March 8, 1937.

Approved by the Governor March 17, 1937.