

ance thereof upon which principal or interest is not in default at the time of such deposit, the aggregate market value of which shall not be less than the amount required in said deposit, in lieu of the surety bond herein provided for.

SEC. 2. That section 5 of said act be and the same is hereby amended to read as follows: Sec. 5. The State Board of Finance shall not approve the bonds and warrants above mentioned, or in lieu thereof the bond of a surety company of any such depository until fully satisfied that said bond or bonds are good and sufficient, and that the depository is prosperous and financially sound and has unimpaired the paid up capital and surplus claimed by it. Said board may at any time require any state depository to furnish a new or additional bond or bonds, and upon failure so to do may after fifteen (15) days' notice to said depository revoke their designation and approval thereof, and immediately upon such revocation such corporation shall cease to be a state depository.

[Am'd. § 5,
ch. 37, p. 51,
L. '07.]

Revocation
of de-
pository.

SEC. 3. An emergency exists and this act shall take effect immediately. Emergency.

Passed by the Senate March 5, 1909.

Passed by the House March 10, 1909.

Approved March 17, 1909.

CHAPTER 152.

[S. B. 255.]

RELATING TO AGRICULTURAL SEED.

AN ACT relating to the sale of and fixing the standard of purity of agricultural seeds, and providing penalties for violation thereof.

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

SECTION 1. The term agricultural seeds as used in this act shall include the seeds of red clover, white clover, alsike clover, alfalfa, Kentucky blue grass, timothy, brome grass, orchard grass, red top, meadow fescue, oat grass,

Agricultural
seed.

rye grass, and other grasses and forage plants, flax, rape and cereals, and every parcel, package or lot of seeds as herein defined, containing one pound or more, offered or exposed for sale in this state for use in this state, shall have affixed thereto in a conspicuous place on the outside thereof, distinctly printed in the English language, in legible type, not smaller than eight-point heavy Gothic caps, or plainly written, a statement certifying:

Statement of
quality.

(1) Name of seed.

(2) Full name and address of the seedsman, importer, dealer or agent.

(3) A statement of the purity of the seed contained, specifying the kind and percentage of the impurities as hereinbefore defined: *Provided*, Said seeds are below the standards fixed in this act.

(4) Locality where said seed was grown, if known.

Must be free
from certain
seeds.

SEC. 2. No person shall sell, offer or expose for sale or distribution for the purpose of seeding, any agricultural seeds as herein defined, unless such agricultural seeds are free from the seeds of the following weeds. Wild mustard or charlock (*brassica sinapistrum*), quack grass (*agropyron repens*), Canada thistle (*cnicus arvensis*), wild oats (*avena fatua*), clover and alfalfa dodder (*cuscuta epithy-mum*), field dodder (*cuscuta arvenus*), and corn cockle (*lychnis githago*).

Impurities.

SEC. 3. Seeds of the following weeds shall be considered as impurities in agricultural seeds as defined in section 1 of this act, so offered or exposed for sale for the purpose of seeding: White cockle (*lychnis vespertina*), nightflowering catchfly (*silene noctiflora*), curled dock (*rumex crispus*), smooth dock (*rumex altissimus*), sheep sorrel (*rumex acetosella*), yellow trefoil (*medotus alba* and *officinalis*), black mustard (*brassica nigra*), plantain, buckhorn (*plantago lanceolata*), bracted plantain (*plantago aristata*), bindweed (*convolvulus sepium*), smooth crab grass (*panicum glabrum*), common chickweed (*stellaria media*), August flower and Russian thistle. When such impurities or any of them are present in quantity exceeding a total

of two per cent. of the weight of said agricultural seeds, the approximate percentage of each shall be plainly indicated in statement specified in subdivision three (3) section one (1) of this act.

SEC. 4. For the purposes of this act seeds shall be deemed to be mixed or adulterated:

First. When orchard grass (*dactylus glomerata*) seed ^{Mixed seed.} contains ten per cent. or more by weight of meadow fescue (*festuca elatior pratensis*) seed, or Italian rye grass (*lolium italicum*) seed, or English rye grass (*lolium perenne*) seed.

Second. When blue grass or Kentucky blue grass (*poa pratensis*) seed contains five per cent. or more by weight of Canadian blue grass (*poa compressa*) seed, red top chaff, red top (*agrostis alba*) seed, or any other seed or foreign substance.

Third. When red clover (*trifolium pratense*), mammoth red clover (*trifolium pratense* var), or alfalfa (*medicago sativa*); contains five per cent. or more by weight of yellow trefoil (*medicago lupulina*), or sweet clover (*melilotus alba* and *M. officinalis*) seed or burr clover (*medicago denticulata*) seed.

Fourth. When rape (*brassica rapa*) contains five per cent. or more of common mustard (*brassica sinapistrum*) or black mustard (*B. nigra*).

SEC. 5. For the purpose of this act, seed shall be deemed to be misbranded:

First. When meadow fescue (*festuca elatior pratensis*), ^{Misbranded seed.} English rye grass (*lolium perenne*) or Italian rye grass (*lolium italicum*) is labeled or sold under the name of orchard grass (*dactylis glomerata*) seed.

Second. When Canadian blue grass (*poa compressa*) seed, red top (*agrostis alba*) seed, or any other seed not blue grass seed, is sold under the name of Kentucky blue grass or blue grass (*poa pratensis*) seed.

Third. When yellow trefoil (*medicago lupulina*), burr clover (*medicago denticulata*), or sweet clover (*melilotus alba*) is sold under the name of clover, June clover, red

clover (*trifolium pratense*), medium red clover, small red clover, mammoth red clover, sappling clover, peavine clover (*T. pratense* var) or alfalfa (*medicago sativa*) seed.

Fourth. When the seeds are not true to the name under which they are sold.

SEC. 6. The provisions concerning agricultural seeds contained in this act shall not apply to:

Application
of act.

First. Any person or persons growing or selling seeds for food purposes only, or having such seeds in possession for sale for such purposes.

Second. Any person selling goods direct to merchants, to be cleaned or graded before being offered for sale for the purpose of seeding. This shall not, however, exempt the seller from the restrictions of section . . . of this act.

Third. Seed that is held in storage for the purpose of being recleaned, and which has not been offered, exposed or held in possession of or for sale for the purpose of seeding.

Fourth. Seed marked "not absolutely clean," and held or sold for export outside the state only.

Fifth. The sale of seed that is grown, sold and delivered by any farmer on his own premises for seeding by the purchaser himself, unless the purchaser of said seeds obtains from the seller at the time of the sale thereof a certificate that the said seed is supplied to the purchaser subject to the provisions of this act.

Sixth. Mixtures of seeds for lawn or pasture purposes. This shall not, however, exempt the seller of such mixtures of seeds from the restrictions of sections . . and . . of this act.

Foreign
substances.

SEC. 7. Sand, dirt, chaff and foreign substances and seeds other than those specified in sections 4 and 5 of this act, or broken seed and seed not capable of germinating, shall be considered impurities when present in agricultural seeds sold, offered or exposed for sale for the purpose of seeding, and when such impurities or any of them are present in quantity exceeding the standards of purity and viability authorized by this act, the name and approximate

percentage of each shall be plainly indicated in the statement specified in subdivision 3, section 1 of this act.

SEC. 8. The following standards of purity (meaning freedom from weed seeds or other seeds) and viability are hereby fixed: Standard of
purity.

STANDARD OF PURITY AND VIABILITY OF AGRICULTURAL SEEDS

NAME OF SEED.	Per Cent. of Purity.	Per Cent. of Germinable Seeds.
Alfalfa (<i>medicago sativa</i>).....	96	80
Barley	98	90
Blue grass, Canadian (<i>poa compressa</i>)...	90	45
Blue grass, Kentucky (<i>poa pratensis</i>)....	80	45
Brome, awnless (<i>bromus inermis</i>).....	90	75
Clover, alsike (<i>trifolium hybridum</i>).....	90	75
Buckwheat	96	90
Clover, crimson (<i>trifolium incarnatum</i>)...	98	85
Clover, red (<i>trifolium pratense</i>).....	92	80
Clover, white (<i>trifolium repens</i>).....	90	75
Corn, field (<i>zea mays</i>).....	99	94
Corn, sweet	99	75
Fescue, meadow (<i>fescuca pratensis</i>).....	95	85
Flax (<i>linum usitatissimum</i>).....	96	89
Millet, common (<i>setaria italica</i>).....	90	85
Millet, hog (<i>panicum miliaceum</i>).....	90	85
Millet, pearl (<i>penisetum typhoideum</i>)....	99	65
Oats (<i>avena sativa</i>).....	98	90
Oat grass, tall (<i>arrhena therum avena-</i> <i>ceum</i>)	72	70
Orchard grass (<i>dactylis glomerata</i>).....	70	70
Rape (<i>brassica rapa</i>).....	99	90
Redtop (<i>agrostis alba</i>).....	90	70
Rye (<i>secala cereale</i>).....	98	90
Rye grass, perennial (<i>lolium perenne</i>)...	96	90
Rye grass, Italian (<i>lolium italicum</i>)....	95	80
Sorghum (<i>andropogon sorghum</i>).....	96	80
Sorghum, for fodder.....	90	60
Timothy (<i>phleum pratense</i>).....	96	85
Wheat (<i>triticum</i>)	98	90

**Duties of in-
specter.**

Samples.

SEC. 9. The State Dairy and Food Commissioner shall cause to be made an analysis of all agricultural seeds sold or offered for sale in this state, and such Commissioner or his deputy is hereby authorized to take for analysis a sample from any lot or package of agricultural seeds, not to exceed four ounces in weight; that such sample shall be taken in the presence of the party or parties in interest, or their representative, from any parcel, lot or number of parcels, not less than five per cent. of the whole lot inspected, and such sample shall be thoroughly mixed, and divided into two samples, and placed in glass or metal vessels, carefully sealed, and a label placed on each, stating the names of the seed therein, name of the party from whose stock the sample was taken, and the place and date of taking such sample, and such label shall be signed by the said Commissioner or his deputy, or said sample may be taken in the presence of two disinterested witnesses. All of said samples shall be taken in duplicate, and one of such duplicate samples shall be left on the premises of the party whose stock was sampled; and the other shall be retained by such Commissioner for analysis and comparison. The result of the analysis of such sample, together with such additional information as the said Dairy and Food Commissioner may deem advisable, shall be published from time to time in bulletins to be issued by said Dairy and Food Commissioner.

**Samples may
be sub-
mitted for
inspection.**

SEC. 10. Any person purchasing any agricultural seed for his own use, may submit fair samples of said seeds to the said Dairy and Food Commissioner, who shall, upon the receipt of a fee of fifty cents for each such sample so submitted, cause an analysis of the same to be made and furnished to the person submitting the same.

Rules.

SEC. 11. It is especially made the duty of the said Dairy and Food Commissioner to enforce the provisions of this act, and for that purpose he may make all necessary rules and regulations not inconsistent herewith. Any deputy of said Commissioner shall have the same authority and power in the performance of his duties under this act as said Commissioner.

SEC. 12. Any person who sells, offers or exposes for sale any agricultural seeds herein enumerated, that do not conform to the standard of purity as provided in this act, and shall not have the statement provided in section 1 of this act attached to the receptacle containing such seed, or who shall put any such statement on any such receptacle knowing said statement to be false, or who shall prevent or hinder the said Dairy and Food Commissioner or any deputy in the performance of his duties under this act, or who shall otherwise violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars, or imprisoned in the county jail not exceeding thirty days, or both such fine and imprisonment. Penalty.

Passed by the Senate March 5, 1909.

Passed by the House March 11, 1909.

Approved March 17, 1909.

CHAPTER 153.

[S. B. 41.]

RELATING TO DELINQUENCY OF PARENTS.

AN ACT to provide for the punishment of parents or persons responsible for, or contributing to, the neglect or delinquency of children of the age of 18 years or under, and repealing chapter 11, Laws of 1907, relating to the punishment of persons contributing to the delinquency of children.

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

SECTION 1. In all cases where any child shall be a delinquent or neglected child, as defined by the statutes of this state, the parent or parents or person having custody of such child, or any other person, responsible for, or by any act encouraging, causing or contributing to, the delinquency or neglect of such child, shall be fined in any sum not exceeding one thousand dollars (\$1,000), or imprisoned in the county jail for a period not exceeding one (1) year, or punished by both such fine and imprisonment. The court may impose conditions upon any person found guilty under this act, and so long as such person shall comply

Parents
criminally
liable.