

CHAPTER 176.

[S. B. 91.]

HORTICULTURE.

AN ACT relating to horticulture and horticultural products, prescribing rules to cover the marketing thereof, and amending Section 2854, Remington's Compiled Statutes.

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

SECTION 1. That Section 2854, Remington's Compiled Statutes, be amended to read as follows:

Amends § 2722, Pierce's Code.

Section 2854. It shall be the duty of every person growing or packing and selling, offering for sale or shipping in closed boxes or packages, any fruit or vegetable grown in this state, or offered or exposed for sale in the state of Washington, to plainly mark the same on the outside of the box or package with the name of the variety contained therein or with the words "variety unknown," the name of the place or locality where grown and the name of the grower, or in case of sale or shipment through an association or organization of growers, the name of such association or organization and the lot number of the grower, and, in case of apples, pears or peaches, the net weight or the number contained in the package, and the grade of apples or pears, and it shall be unlawful for any person to make or place upon such package the name of any other place or locality than the place where such fruit was grown, except the place to which shipped, or to falsely mark any such package as to variety, name of grower, association or organization or place where grown, or to obliterate or change the original markes [marks] on any such package or to re-mark the same with the name of any other grower or of any other place than that by or in which the contents were grown, or in case such package is marked with

Fruits and vegetables: packing and shipping.

How containers shall be marked.

Misbranding unlawful.

Re-marking. the name of an association or organization of growers to re-mark the same with the name of any other association or organization, and it shall be unlawful for any person having in his possession for sale or offering for sale or selling any fruit grown in this state and shipped in closed package, to repack the same in the boxes or packages of any other grower or shipper or from any other place or to sell or offer for sale in closed packages, or to pack in or offer for sale in marked box or package any fruit other than that originally contained or shipped therein.

Possession
unlawful:
When.

In addition to the marks required to be placed upon any closed box or package of fruit or vegetable grown in this state, as hereinabove provided, the grower thereof or association or organization of growers packing the same shall mark upon the outside of such package the grade of the fruit contained therein, either as "First Grade," "grade No. 1," or "Extra Fancy;" "Second Grade," "Grade No. 2," or "Fancy;" "Third Grade," "Grade No. 3," or "C-Grade;" "Fourth Grade," or "Orchard Run," or "Combination Blank Grades," specifying the grades such as "Fancy and C-Grade," etc., and "Washington Standard Pack," according to the obligatory grading rules and regulations, issued, published and adopted by the director of agriculture, or a special or private grade or brand duly registered and approved by the director of agriculture, and it shall be unlawful for any other person to re-mark any such closed package to a higher or superior grade than that originally marked by the grower thereof or association or organization packing the same, or for any person other than the grower or association or organization packing such fruit grown in this state to place upon any such closed package not marked with the grade of the contents thereof any mark or brand indicating the grade of such contents; *Provided*, That nothing in

Grade to be
marked on
package.

False
marking.

this section shall be construed to apply to canned or dried fruit.

Canned or dried fruit not included.

Passed the Senate January 7, 1926.

Passed the House January 6, 1926.

Approved by the Governor January 15, 1926.

CHAPTER 177.

[S. B. 142.]

DIRECTOR OF PUBLIC WORKS.

AN ACT relating to the powers and duties of the director of public works and conferring power and authority to act in conjunction with regulatory bodies of other states and of the United States.

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

SECTION 1. The director of public works shall have full power and authority to make joint investigations, hold joint hearings, and issue joint and concurrent orders in conjunction or concurrence with any official, official board or commission of any state or of the United States, whether in the holding of such investigations or hearings or in the making of such orders the commission shall function under agreements or compacts between states or under the concurrent power of states to regulate interstate commerce or as an agency of the Federal Government or otherwise.

Director of public works.

Power and authority to act with other state and U. S. regulatory bodies.

Passed the Senate December 11, 1925.

Passed the House January 6, 1926.

Approved by the Governor January 15, 1926.