

CHAPTER 204

[H. B. 311.]

CULL BARTLETT PEARS.

AN ACT relating to cull Bartlett pears; and providing penalties.

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

SECTION 1. No person shall sell as fresh fruit any cull Bartlett pears as defined in regulations adopted and promulgated by the director of agriculture from time to time unless they are packed in one-bushel wooden baskets, ring faced with the pears in the ring face representative of the size and quality of the pears in the basket and the baskets lidded, and the words "Cull Pears" must appear on the top and side of the basket in which they are shipped and upon labels placed upon the basket in clear and legible letters at least two and one-half inches high. Every bill of lading, invoice, memorandum and other documents referring to said Bartlett pears shall designate them as cull Bartlett pears.

Sale as
fresh fruit.

SEC. 2. No person shall ship or otherwise transport out of the area of production cull Bartlett pears as fresh fruit unless they are found upon inspection by a horticultural inspector to be free of insect damage, pests and disease, and are packed and labeled as herein provided.

Transportation out of
area of
production
as fresh
fruit.

SEC. 3. There is hereby levied upon each and every basket of cull Bartlett pears shipped or transported within the state of Washington out of the area of production as fresh fruit an assessment of five cents per basket, which assessment shall be paid to the Washington state fruit commission prior to the commencement of shipment or transportation. Such five cents per basket shall be used by the Washington state fruit commission for the purpose of conducting promotion and research as to Bartlett pears.

Assessment.

Exceptions
from act.

SEC. 4. This act does not apply to the sale, transportation or shipment of cull Bartlett pears as fresh fruit in quantities of two hundred pounds or less, nor to the shipment of cull Bartlett pears to a by-products or processing plant for the purpose of manufacturing or processing of by-products, nor to the shipment of cull Bartlett pears to be used as stock feed.

Construction.

SEC. 5. This act shall be liberally construed. If any section, sentence, clause or part of this act is for any reason held to be unconstitutional or invalid, as applied to any person or as applied under certain circumstances, such decision shall not affect the remaining portions of this act nor the application of this act to other persons or under other circumstances.

Severability
clause.

Penalty.

SEC. 6. Any violation of this act shall be a misdemeanor.

Passed the House February 27, 1953.

Passed the Senate March 10, 1953.

Approved by the Governor March 19, 1953.