

Any permit issued under the provisions of this sub-title may be revoked or suspended by the State Board of Agriculture or its authorized agent upon satisfactory proof that said seedsman has violated any provisions of this sub-title or any of the rules and regulations promulgated thereunder. No such permit shall be revoked or suspended until the holder thereof has been given a hearing by the State Board of Agriculture or its authorized agent.

153. (Exemptions.) (a) The provisions of Sections 150, 151, 151A, 152, 152A, and 152B do not apply—

(1) To seed or grain not intended for planting purposes.

(2) To seed in storage in, or consigned to, a seed cleaning or processing establishment for cleaning or processing. Provided, that any labeling or other representation which may be made with respect to the unclean seed shall be subject to this sub-title.

(3) To seed sold by one farmer to another if such seed has neither been advertised for sale nor been delivered through a carrier.

(4) To any carrier in respect to any seed transported or delivered for transportation in the ordinary course of its business as a carrier. Provided, that such carrier is not engaged in producing, processing, or marketing agricultural or vegetable, flower, tree or shrub seeds subject to provisions of this sub-title.

(b) No person shall be subject to the penalties of this sub-title for having sold, offered or exposed for sale, or transported in this State any agricultural, vegetable, flower or tree and shrub seeds, which were incorrectly labeled or presented as to kind, variety or origin which seeds cannot be identified by examination thereof, unless he has failed to obtain an invoice or grower's declaration giving kind, or kind ~~or~~ AND variety, and origin, if required, and to take such other precautions as may be necessary to insure the identity to be that stated.

154. (Duties and Authority of State Board of Agriculture.)

(a) The duty of enforcing this sub-title and carrying out its provisions and requirements shall be vested in the State Board of Agriculture. It shall be the duty of said Board, which may act through its authorized agents—

(1) To inspect, sample, analyze, test and examine seeds transported, sold, offered or exposed for sale within this State for planting purposes, at such time and place and to such extent as said Board may deem necessary to determine whether said agricultural, vegetable, flower, tree or shrub seeds are in compliance with the provisions of this sub-title, and to notify promptly the person who transported, sold, offered or exposed the seed for sale, of any violation.

(2) To prescribe, and after public hearing following due public notice, to adopt rules and regulations governing the methods of inspecting, sampling, analyzing, testing, and examining agricultural, vegetable, flower, tree and shrub seeds, and the tolerances to be followed in the administration of this sub-title, and such other rules and regulations as may be necessary to secure the efficient enforcement of this sub-title.