



STATE OF WEST VIRGINIA
DEPARTMENT OF AGRICULTURE

CHARLESTON
25305

Gus R. Douglass
Commissioner

May 17, 1965

Honorable Robert D. Bailey
Secretary of State
Capitol Building
Charleston, West Virginia 25305

Dear Mr. Bailey:

You will please find two (2) copies of Regulations promulgated by the West Virginia Department of Agriculture. These Regulations are designated Series XV of Chapter 19-2.

I hereby certify that the attached Regulations are true and accurate copies of official Regulations adopted by this Department by previous Commissioners of Agriculture.

The Regulations in their new form to become effective July 1, 1965.

Very truly yours,

Gus R. Douglass
Commissioner of Agriculture

GRD:tc

FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 5/17/65

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2
1965

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Series ~~XXV~~ XV

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2
Series ~~WEST~~ XV
1965

Subject: "West Virginia Seal of Quality"

Section 1 GENERAL

1.01 Scope. These regulations establish the procedures for the use of the "West Virginia Seal of Quality".

1.02 Authority. These regulations are issued under authority of Chapter 19, Article 2, Code of West Virginia, 1931, as amended.

1.03 Effective Date. These regulations are promulgated and become effective on August 21, 1959.

1.04 Filing Date. These regulations were filed in the Office of the Secretary of State on

1.05 Certification. These regulations are certified authentic by the Secretary of State by certification number

Section 2 -DECLARATION OF POLICY.

2.01 Pursuant to the authority vested in the Commissioner of Agriculture of the State of West Virginia, by Chapter 19, Article 2, of the Official Code of West Virginia, 1931, as amended, the Commissioner of Agriculture hereby makes the following rules and regulations which are applicable to the use of the "West Virginia Seal of Quality".

Section 3 -RULES AND REGULATIONS.

3.01 The term "West Virginia Seal of Quality" means any label, tag

or other device bearing the official emblem as established and adopted by the Department of Agriculture of West Virginia attached to, affixed or placed upon any commodity, crate, carton, package or other container of West Virginia agricultural products packed or processed within the State of West Virginia.

3.02 Only agricultural or farm products produced in the State of West Virginia may be identified by the Seal of Quality.

3.03 Use of the "West Virginia Seal of Quality" shall be elective. Any grower, processor or handler of West Virginia products desiring to use the "West Virginia Seal of Quality" may do so if he makes application to the Commissioner of Agriculture and agrees in writing to have his products inspected and if the products meet the required standards, the Commissioner will then furnish "West Virginia Seal of Quality" labels to attach to packages, containers or products or the right to imprint on the produce container or private label the insignia "West Virginia Seal of Quality".

3.04 The State Seal of Quality shall be obtained only at the office of the Commissioner of Agriculture of the State of West Virginia.

3.05 The use of the State Seal of Quality is available to any person, firm or corporation for use in marketing West Virginia products, but only when such person, firm or corporation complies with the regulations hereby established and any instructions issued herewith.

3.06 No person, firm or corporation shall use the State Seal of Quality in connection with its business unless it has made application to use said Seal with the Department of Agriculture and has agreed to abide

by all rules and regulations relating to said Seal of Quality.

3.07 When the Commissioner of Agriculture is satisfied that an applicant is qualified to use the Seal of Quality, he shall grant permission for the applicant to use said Seal of Quality in connection with its business of agricultural or farm products produced in the State of West Virginia.

3.08 If any person, firm or corporation desiring to use the "West Virginia Seal of Quality" has an employee who is capable of correctly grading any product on which the Seal is to be used, then said employer shall cause the employee to sign an affidavit in support of his intent to accurately grade the said product on behalf of the Department of Agriculture.

3.09 The Commissioner of Agriculture will establish minimum standards for all agricultural products on which the Seal of Quality is to be used and any person, firm or corporation using said Seal of Quality must meet the minimum standards for that respective product before the Seal will be used.

3.10 The Commissioner of Agriculture shall establish a schedule of fees payable by users of said Seal, which fees shall also establish the minimum prices for all labels furnished and for the right to use the imprint on private labels, packages or products.

3.11 Any person, firm or corporation making application and receiving permission to use said Seal of Quality shall agree that the Commissioner of Agriculture or one of his duly authorized employees shall have the right to enter upon the premises of said user and inspect the product or products on which the Seal is used.

3.12 The Commissioner of Agriculture shall assign an identification number to each user of the "West Virginia Seal of Quality", which number shall be affixed to each Seal so used.

3.13 Each Seal shall not be used more than one time and must be attached or affixed to new containers or packages only.

3.14 When the Commissioner of Agriculture has granted permission for the use of said Seal, he shall issue a certificate to the user of said Seal, showing that all the requirements for the use of said Seal have been fully complied with.

3.15 Violation of any of the applicable laws and regulations shall be subject to penalty by revocation of the right to use the "West Virginia Seal of Quality".