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USDA's United States Grain Standards Act: *Idaho*



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Idaho Code Ann. §§ 22-701 through 22-707 (excluding §22-703a)

§22-701. FARM MARKETING SUBJECT TO STATE REGULATION — FARM PRODUCTS DEFINED.

The business of marketing farm products in this state is hereby declared to be affected with a public interest and to be subject to regulation and control by the state. The term "farm products" within the meaning of this section shall be deemed to mean all products, except livestock, grown in garden, on farm, ranch, or orchard, including poultry and poultry products, butter, cream, cheese and all other dairy products.

§ 22-702. STANDARDS FOR FARM PRODUCTS AND RECEPTACLES.

After investigation and public hearing the department of agriculture may, from time to time, as far as practicable, establish and promulgate standards for open and closed receptacles for farm products and standards for the grade and other classification of farm products, by which their quantity, quality or value may be determined, and prescribe and promulgate rules and regulations governing the marks, brands and labels which may be required upon receptacles for farm products for the purpose of showing the name and address of the producer or packer, the quantity, nature and quality of the product, or any of them, and for the purpose of preventing deception in reference thereto; provided, that any standard for any farm product or receptacle therefor or any requirement for making receptacles for farm products now or hereafter established under authority of the congress of the United States, shall forthwith, as far as applicable and practicable, be established or prescribed and promulgated by the department as the official standard or requirement in this state.

§22-703. SALE OF GRADED AND UNGRADED PRODUCTS.

Whenever any standard for the grade or other classification of any farm product becomes effective under this chapter, no person thereafter shall pack for sale, offer to sell or sell within this state any such farm product to which such standard is applicable unless it conforms to the standard, subject to such reasonable variations therefrom as may be allowed in the rules and regulations made under this chapter: provided, that any farm product may be packed for sale, offered for sale or sold without conformity to the standard or grade or other classification applicable thereto when such product will be consumed or used for manufacturing purposes wholly within this state, if it is not specifically described as state graded or packed under state standard, in accordance with such regulations as the department of agriculture may prescribe.



§ 22-704. INSPECTORS — APPOINTMENT — SUSPENSION OR REMOVAL.

Upon application of any owner or person, firm, corporation or association in charge of farm products, the department of agriculture is authorized to appoint, license or designate persons to inspect and classify such farm products and to certify as to the grade or other classification thereof, in accordance with the standards made effective under this chapter, and shall fix, assess and collect or cause to be collected the fees for such services. Whenever, after opportunity for a hearing is afforded to any person appointed, licensed or designated under this section, it is determined by the department that such person has failed to classify farm products correctly, in accordance with the standards established therefor under this chapter, or has violated any provision of this chapter or of the rules and regulations made hereunder, the department may suspend or revoke the appointment, license or designation of such person. Pending investigation, the department may suspend or revoke any such appointment, license or designation temporarily without hearing.

§ 22-705. APPEAL FROM CLASSIFICATION.

The owner or person in possession of any farm product classified in accordance with section 22-704 may appeal from such classification to the department, under such rules and regulations as the department may prescribe, which shall issue a certificate of the grade or other classification thereof.

§ 22-706. CERTIFICATE AS PRIMA FACIE EVIDENCE OF CLASSIFICATION.

A certificate of the grade or other classification of any farm product issued under this chapter shall be accepted in any court of this state as prima facie evidence of the true grade or other classification of such farm product at the time of its classification.

§ 22-707. PENALTY FOR VIOLATION.

Any person, firm, corporation or other organization who violates any provision of this chapter or of the rules and regulations made under this chapter for carrying out the provisions of this section, fails or refuses to comply with any requirement of this chapter or who wilfully interferes with the department, its agents or employees in the execution or on account of the execution of its or their duties under this chapter, shall be guilty of a misdemeanor.

