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LOUISIANA STATE BOARD

OF

AGRICULTURE AND IMMIGRATION

CHAS. SCHULER, Commissioner

THE FRUIT AND CROP PEST LAW OF LOUISIANA

AND

Rules and Regulations of the State Board of Agriculture and Immigration

In Effect August 20, 1910.

RAMIRES & JONES
Baton Rouge, Louisiana
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LOUISIANA STATE BOARD OF AGRICULTURE AND
IMMIGRATION.

August 20, 1910.

The General Assembly of 1910, as provided in Act No. 36, abolished the State Crop Pest Commission and transferred all demonstration, inspection and quarantine work of an entomological nature to the Louisiana State Board of Agriculture and Immigration, giving the Board the power to make and enforce rules and regulations concerning fruit and crop pests.

This pamphlet is published in order that the Fruit and Crop Pest Law and the Rules and Regulations of the Board of Agriculture may be brought together in convenient form for ready reference by the farmers, fruit growers, nurserymen and transportation companies.

All farmers and fruit growers should keep posted on the regulations of this Board in order that they may protect themselves against fruit tree agents and dealers who attempt to sell diseased and worthless trees and plants within the State.

Transportation companies and their agents are especially requested to thoroughly familiarize themselves with these regulations in order that illegal shipments of nursery stock and plants may be prevented. TRANSPORTATION COMPANIES AND THEIR AGENTS MUST SEE THAT EVERY BOX, BUNDLE, BALE OR PACKAGE OF NURSERY STOCK ACCEPTED FOR SHIPMENT INTO OR WITHIN THIS STATE BE ACCOMPANIED BY A VALID AND UNEXPIRED CERTIFICATE OF NURSERY INSPECTION.

All communications concerning the work provided for in these regulations should be addressed to J. B. Garrett, Entomologist, Baton Rouge, Louisiana.

C. J. S. Nov. 29/12

THE FRUIT AND CROP PEST LAW OF LOUISIANA.

ACT NO. 36.

SENATE BILL No. 51. BY MR. McVEA.

AN ACT

To provide measures relative to fruit and crop pests and diseases to divide the work incident to said subject between the Louisiana State Board of Agriculture and Immigration and the Experiment Stations of the Louisiana State University and Agricultural and Mechanical College; to delegate to the Louisiana State Board of Agriculture and Immigration power to make rules, ordinances and regulations and providing penalties for the violation thereof; and to repeal Act No. 6 of the Extra Session of the General Assembly of 1903.

Section One. Be it enacted by the General Assembly of the State of Louisiana: That the property and office furnishings, entomological literature and apparatus and all other property of every description now belonging to the State Crop Pest Commission of Louisiana, are hereby transferred to the Experiment Stations of the Louisiana State University and Agricultural and Mechanical College for the use of the entomologists.

Section Two. Be it further enacted, etc., That all that portion of the entomological work of the State relating to demonstration, inspection and quarantine work shall be conducted by the Louisiana State Board of Agriculture and Immigration and all of the investigational, experimental and research work of an entomological nature shall be conducted by the Experiment Stations of the Louisiana State University and Agricultural and Mechanical College; that the Entomologist of said Experiment Stations shall have charge and direction of the entire entomological work of said Experiment Stations and of the Board of Agriculture and Immigration; that said Entomologist shall have his headquarters in Baton Rouge and he shall keep a set of books and vouchers, detailing expenses incurred in the said work, which books and vouchers shall be audited by the Traveling State Auditor once every year.

Section 3. Be it further enacted, etc., That the Commissioner of Agriculture shall see that all of the rules, ordinances and regulations of the State Board of Agriculture and Immigration are faithfully executed, and shall have power and authority, during the intervals between the meetings of said Board, to issue all orders and to take all necessary steps, by suit or otherwise, to carry into effect the provisions of this Act and the enforcement of the rules, ordinances and regulations of the State Board of Agriculture and Immigration.

Section 4. Be it further enacted, etc., That said Board of Agriculture and Immigration shall have full and plenary power to deal with all crop and fruit pests and such contagious and infectious crop and fruit diseases as in the opinion of the Entomologist, may be prevented, controlled or eradicated; with full power to make, promulgate and enforce such rules, ordinances and regulations, and to do and perform such acts as, in the judgment of the Entomologist, may be necessary to control, eradicate or prevent the introduction, spread or dissemination of all injurious crop and fruit pests and diseases, and all the rules, ordinances and regulations of said Board shall have the force and effect of law so far as they conform to the general laws of the State and of the United States, five days after their promulgation in the official journal of the State. Said Board shall have authority to prohibit or regulate the shipment or bringing into this State of any plants, farm products or other articles of any nature or character whatsoever from any State, Territory or foreign country, when in the opinion of the Entomologist such prohibition or regulation is necessary.

Section 5. Be it further enacted, etc., That any person, firm or corporation violating any of the rules, ordinances, or regulations of said Board of Agriculture and Immigration shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than Twenty-five (\$25.00) Dollars, nor more than Five Hundred (\$500.00) Dollars or imprisoned for not less than ten (10) days, nor more than six months, or both such fine and imprisonment at the discretion of the court having jurisdiction; that said Board of Agriculture and Immigration shall have power and authority to enforce its rules, ordinances and regulations in any court of competent jurisdiction by civil, as well as criminal proceedings, and if the

remedy elected to be pursued be by writ of injunction, no court of this State shall have the right previous to a trial upon the merits to set aside such a writ on bond; that it shall be the duty of the Attorney General and District Attorneys to represent said Board whenever called upon so to do; that said Board, in the discharge of its duties, and in the enforcement of the powers herein delegated, may send for books and papers, administer oaths, hear witnesses, etc., and to that end it is made the duty of the various sheriffs throughout the State to serve all summons and other papers upon the request of said Board.

Section 6. Be it further enacted, etc., That the Entomologist shall prepare and publish a list of dangerous crop and fruit pests, and infectious and contagious plant diseases, known or suspected to be present within the State, or which might be introduced, and may, at any subsequent time, amend said list; that said Entomologist, with the approval of the Commissioner of Agriculture, shall have printed from time to time bulletins containing such information, remedies, preventatives, etc., as he may consider necessary, including, also, the rules, ordinances and regulations of the said Board of Agriculture and Immigration, which said bulletins shall be distributed to all farmers and other interested persons in the State. When the Entomologist suspects that any pest or plant disease, listed by him as dangerous, exists in any part of the State, he shall verify such suspicion, and, if same be well-founded, said Entomologist shall take immediate charge of said infested or infected property and adopted such measures for the treatment or extermination of such pest or disease as he may deem advisable; said Entomologist, or any of his duly authorized assistants, shall have authority to inspect any building, warehouse, depot or other place where property is located, or premises, nurseries, orchards, groves or fields suspected to be infested or infected by any crop pest or disease, listed or bulletined as such by said Entomologist, and if, in his opinion it is necessary to destroy the property so infested or infected in order to prevent the further spread of said injurious crop pest or disease, he shall have authority to destroy said property and without compensation to the owner or owners of such infested or infected property. Any one who shall seek to prevent any inspection under the direction of said State Board of Agriculture and Immigration by said Entomologist, or his authorized assistants, or who shall otherwise in

terfere with the agents or employees of said Board or said Entomologist while in the performance of their duties, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than Twenty-five (\$25.00) Dollars, nor more than Five Hundred (\$500.00) Dollars for each offense, or imprisoned for not less than ten (10) days nor more than thirty (30) days, or by both such fine and imprisonment in the discretion of the court having jurisdiction.

Section 7. Be it further enacted, etc., That said Entomologist shall prepare rules and regulations in accordance with this Act, which, on the approval of the Commissioner of Agriculture and Immigration, shall become effective, and said rules and regulations may be amended by him upon the approval of the said Commissioner of Agriculture and Immigration.

Section 8. Be it further enacted, etc., That all fines resulting from prosecutions under this Act shall be paid to the State Treasurer and by him placed to the credit of said Board of Agriculture and Immigration to be used in carrying out the provisions of this Act.

Section 9. Be it further enacted, etc., That Act No. 6 of the Extra Session of the General Assembly of 1903 is hereby repealed, and all laws or parts of laws in conflict herewith.

Approved: June 29, 1910.

REGULATIONS OF THE LOUISIANA STATE BOARD OF
AGRICULTURE AND IMMIGRATION.

(Approved by the Commissioner, August 11, 1910.)

INSECT PESTS AND PLANT DISEASES DECLARED BY
THE ENTOMOLOGIST TO BE DANGEROUSLY
INJURIOUS.

SECTION I.

Be it declared, ordained and ordered, That the following insects and diseases are hereby declared to be dangerous crop and fruit pests:

- (a) The San Jose scale (*Aspidiotus perniciosus*).
- (b) The cottony cushion scale (*Icerya purchasi*).
- (c) The West Indian peach scale (*Aulacaspis pentagona*).
- (d) The woolly aphis (*Schizoneura lanigera*).
- (e) The white fly (*Aleyrodes citri*).
- (f) The chaff scale (*Parlatoria pergandii*).
- (g) The Morelos orange fruit worm (*Trypeta ludens*).
- (h) The sugar-cane borer (*Diatraea saccharalis*).
- (i) The Gypsy moth (*Porthetria dispar*).
- (j) The Brown-Tail moth (*Euproctis chrysorrhoea*).
- (k) Black knot (*Plowrightia morbosa*).
- (l) Wart disease of potato (*Chrysophlyctis endobiotica*).
- (m) Pineapple disease of sugar-cane (*Thielaviopsis ethacetica*).
- (n) Crown gall.
- (o) Hairy root disease.
- (p) Peach yellows.
- (q) Peach rosette.
- (r) Pecan rosette.

REGULATIONS GOVERNING THE SALE AND SHIP-
MENT OF FRUIT TREES AND OTHER
NURSERY STOCK.

SECTION II.

No firm, person or corporation shall sell, ship, exchange, deliver, or give away, within the State of Louisiana, any trees, vines, shrubs, buds, cuttings or plants, or parts of plants, infested with dangerously injurious insects or infected with dangerous plant diseases.

SECTION III.

(a) All nursery stock shipped into this State from any other State or country shall be prominently labeled with a certificate of inspection signed by the State Entomologist, or other duly authorized official of the State or country in which said stock was grown. *All common carriers and their agents are hereby forbidden to deliver at any point in this State any shipment of nursery stock not labeled with a valid and unexpired certificate of inspection, signed either by the Entomologist of the Experiment Stations of Louisiana or by the State Entomologist or other duly authorized official of the State or country where such stock was grown. Shipments not so labeled shall be liable to confiscation upon the order of the Entomologist of the Experiment Stations.*

(b) Transportation companies and their agents shall immediately notify the Entomologist of the Experiment Stations (Baton Rouge, La.) when, by oversight, negligence, or otherwise, any shipment of nursery stock, without a proper certificate attached, shall arrive at any station or wharf in this State, and such shipment of nursery stock shall be held by said transportation company until notified by the Entomologist of the Experiment Stations what disposition should be made of said stock.

(c) The Entomologist and his assistants shall have authority to inspect any shipment of nursery stock at any station or wharf in this State, and shall have authority to stop any nursery stock when in transit, for the purpose of inspecting the same, regardless of whether such stock shall bear a certificate of inspection

or not. The Entomologist shall have authority to seize, condemn and destroy any nursery stock infested with San Jose scale or other seriously injurious insect or disease, found within the confines of this State.

SECTION IV.

Each and every person, firm or corporation growing nursery stock for sale in this State shall apply to the Entomologist of the Experiment Stations for inspection on or before July 1st of each year. It shall be the duty of the Entomologist to inspect such nursery not later than November 1st. If upon such inspection the nursery stock on the premises be found apparently free from the San Jose scale and other seriously injurious insects and plant diseases, a certificate shall be given to that effect. If dangerous insect pests or plant diseases are found in the nursery, or near by, the owner of the stock shall take such measures to eradicate the same as the Entomologist may prescribe, and a certificate shall not be given until the Entomologist has satisfied himself that all dangerous insect pests and plant diseases have been eradicated. A copy of said certificate, bearing the seal of the State Board of Agriculture and Immigration and the *fac-simile* signature of the Entomologist of the Experiment Stations, shall be attached to each and every box, bundle and package of nursery stock shipped within the State. *Shipments of nursery stock not so labeled shall be refused for shipment by all common carriers and their agents, and such stock, if found in transit or in the possession of any common carrier by the Entomologist or his assistants, shall be liable to confiscation.*

SECTION V.

No firm, person or corporation shall sell, give away, exchange or deliver, within this State, any trees, vines, shrubs, or plants, commonly known as nursery stock, without same having attached thereto in a prominent manner, a copy of the certificate of inspection signed by the Entomologist of the Experiment Stations, or by the State Entomologist, or other duly authorized official of the State or country in which said nursery stock was grown.

SECTION VI.

All orange, lemon, lime, sweet lime, kumquat, tangerine, grape fruit trees, or other citrus plants sold or shipped into or within this State, or delivered within this State when shipped from another State or country, shall be completely defoliated. Shipments of such trees or plants not defoliated and intended for delivery within this State, when found in possession of any common carrier, person, firm, corporation, or agent, or when found exposed or offered for sale, shall be subject to confiscation by the Entomologist or his duly authorized assistants.

SECTION VII.

The sale, or offering for sale within the State of any oranges, sweet lime, or other fruits infested with the Morelos orange fruit worm, is hereby forbidden. Any fruit, infested with this pest, found exposed for sale or in the possession of any firm, corporation, common carrier, dealer, agent, or person within the confines of this State, by the Entomologist or any of his assistants, shall be immediately seized and destroyed.

SECTION VIII.

The Entomologist of the Experiment Stations shall have power to require any one in the State to fumigate his trees, shrubs, or plants with hydrocyanic acid gas or other substance when, in his judgment, such treatment is necessary or advisable for the proper protection of the agricultural or horticultural interests of the State, or of any section thereof.

*REGULATIONS PERTAINING TO THE SUGAR-CANE
BORER.*

The following regulations pertaining to the sugar-cane borer were adopted by the State Crop Pest Commission of Louisiana on October 19, 1908, and as it is still necessary that such regulations be maintained, the Commissioner of Agriculture and Immigration hereby orders that they remain in effect as provided for in Act No. 36 of the General Assembly of 1910:

Whereas, the Sugar-Cane Borer (*Diatraea saccharalis*), a dangerously injurious insect enemy of sugar-cane, is known to occur in the parishes of West Baton Rouge, East Baton Rouge, and in all parishes bordering upon the Mississippi River from Baton Rouge to Quarantine, as well as in the parishes of St. Martin, Lafayette, Acadia, Vermilion, Iberia, St. Mary, Assumption, Lafourche and Terrebonne, and in the southern portions of the parishes of Pointe Coupee and St. Landry; and,

Whereas, the Police Jury of Avoyelles parish has, through its President, requested the State Crop Pest Commission to establish a quarantine to prevent the introduction of said cane borer into the parish of Avoyelles; therefore,

Be it resolved, and hereby ordered, in accordance with the provisions of Act No. 6 of the Extra Session of 1903, that no sugar-cane shall be shipped or transported into the parish of Avoyelles from the following described territory:

All that portion of the State of Louisiana south of a line drawn as follows: Starting at the mouth of Natalbany river, on Lake Maurepas, and proceeding north on the Livingston-Tangipahoa parish line to St. Helena parish, thence west along the Livingston-St. Helena parish line to East Baton Rouge parish, thence northeast along the East Baton Rouge-St. Helena parish line to East Feliciana parish, thence west along the East Baton Rouge-East Feliciana parish line to the Mississippi River, thence up the Mississippi River to Raccourei Landing, thence to Batchelor, Pointe Coupee parish, thence in an air line to Melville, St. Landry parish, thence southwest to Washington, thence northwest to Ville Platte, St. Landry parish, thence due west to the St. Landry-Calcasieu parish line, thence south along the par-

ish line between Acadia, St. Landry and Calcasieu parishes to the Mermentau River, thence down the Mermentau River to the Gulf of Mexico.

Steamboats operating on the Mississippi River shall refuse to accept for shipment to any point in Avoyelles parish, all shipments of sugar-cane originating below Raccourci Landing on the west bank, or below Bayou Sara on the east bank.

Steamboats operating on the Atchafalaya River shall refuse to accept for shipment to any point in Avoyelles parish, all shipments of sugar-cane originating below Melville.

The L. R. & N. Co. and the Y. & M. V. Ry. Co. shall refuse all shipments of sugar-cane intended for any point in Avoyelles parish, originating at, or south of, Angola and Slaughter, respectively.

The T. & P. Ry. Co. shall refuse all shipments of sugar-cane intended for any point in Avoyelles parish, originating south of Batchelor on the Port Allen Branch and south of Melville on the main line, Louisiana Division.

The O. G. & N. E. and the S. P. Ry. companies shall refuse all shipments of sugar-cane, intended for any point in Avoyelles parish, originating south of Melville and Washington, respectively.

Violations of these regulations shall be punished as provided by Act No. 36 of the General Assembly of 1910.