

**§1045. Exemptions and violations**

Sections 1043 and 1044 shall not apply to seed or grain not intended for sowing purposes, nor to seed in storage in, or consigned to, a seed cleaning or processing establishment for cleaning or processing. Any labeling or other representation which may be made with respect to the uncleaned or unprocessed seed shall be subject to this subchapter. [PL 1977, c. 696, §87 (RPR).]

A person is not in violation of this subchapter for having sold or offered or exposed for sale in this State any agricultural vegetable or tree and shrub seed that were incorrectly labeled or represented as to kind, variety, type or origin, which seeds cannot be identified by examination thereof, unless the person has failed to obtain an invoice or grower's declaration giving kind, or kind and variety, or kind and type, and origin if required, and to take such other precautions as may be necessary to ensure the identity to be that stated. [RR 2021, c. 1, Pt. B, §121 (COR).]

Violation of this subchapter is a civil violation for which the following forfeitures may be adjudged. [PL 1977, c. 696, §87 (RPR).]

**1. First violation.** For the first violation, a forfeiture not to exceed \$100; and [PL 1977, c. 696, §87 (NEW).]

**2. Subsequent violation.** For each subsequent similar violation, a forfeiture not to exceed \$250. [PL 1977, c. 696, §87 (NEW).]

**SECTION HISTORY**

PL 1969, c. 42, §7 (AMD). PL 1977, c. 696, §87 (RPR). RR 2021, c. 1, Pt. B, §121 (COR).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.