

of Agriculture and others from making any changes therein or adding thereto.

January 4, 1935.

Hon. A. H. Stafford
Commissioner of Agriculture
The Capitol

You have submitted the question whether it is permissible for the Department of Agriculture, or those charged with the duty of enforcing the seed laws of this state, to adopt a proposed national seed tag, or whether a change in the law is necessary before this can be done. It appears that the proposed national seed tag requires certain information to be placed on the tag which is not required by our statute.

Section 3594, Revised Codes, as amended by Chapter 110, Laws of 1929, provides for the labeling of agricultural seeds, and sets forth the specific information to be placed on the tags. Since the legislature has not left to the Commissioner of Agriculture the matter of specifying what the labels of agricultural seeds shall contain, and has not permitted the Commissioner of Agriculture to prescribe the contents of such tag by rules and regulations but has seen fit itself to exercise the prerogative which it has of enacting specific legislation, it is my opinion that the Commissioner of Agriculture, and all others, are without authority to make any changes whatever in the seed tag labels or to add to the requirements of the statute.

Opinion No. 21.

**Agricultural Seeds—Labels—
Commissioner of Agriculture,
Power of.**

HELD: The legislature, by specifying by statute the contents of seed labels, has deprived the Commissioner