

1905.  
NEW ZEALAND.

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AGRICULTURAL, PASTORAL, AND STOCK COMMITTEE:

REPORT ON THE SEEDS EXAMINATION BILL, TOGETHER WITH MINUTES OF EVIDENCE.

(MR. LAWRY, CHAIRMAN.)

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*Report brought up 29th day of August, 1905, and ordered to be printed.*

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ORDERS OF REFERENCE.

*Extracts from the Journals of the House of Representatives.*

WEDNESDAY, THE 28TH DAY OF JUNE, 1905.

*Ordered*, "That Standing Order No. 218 be suspended, and that a Committee, consisting of fourteen members, be appointed to consider all matters pertaining to agricultural and pastoral industries and stock, with power to confer and sit together with any similar Committee which may be appointed by the Legislative Council, and to agree to a joint or separate report; the Committee to have power to call for persons, papers, and records; three to be a quorum: the Committee to consist of Mr. Bollard, Mr. Buddo, Mr. Hogg, Mr. Kidd, Mr. Kirkbride, Mr. Lawry, Mr. Lethbridge, Mr. T. Mackenzie, Mr. McLachlan, Mr. Rhodes, Mr. Rutherford, Hon. Sir W. J. Steward, Mr. Symes, and the mover."—(Hon. Mr. DUNCAN.)

TUESDAY, THE 1ST DAY OF AUGUST, 1905.

*Ordered*, "That the Seeds Examination Bill be referred to the Agricultural, Pastoral, and Stock Committee."—(Hon. Mr. DUNCAN.)

## REPORT.

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THE Agricultural, Pastoral, and Stock Committee, to whom was referred the Seeds Examination Bill, have the honour to report that they have carefully considered the said Bill, and they recommend that the same be allowed to proceed with the amendments shown in the copy attached hereto.

FRANK LAWRY, *Chairman.*

29th August, 1905.

[As REPORTED FROM THE AGRICULTURAL, PASTORAL, AND STOCK COMMITTEE.]

House of Representatives, 29th August, 1905.

Hon. Mr. Duncan.

# SEEDS EXAMINATION.

## ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Interpretation.</li> <li>3. Inspectors.</li> <li>4. Samples of seeds may be obtained for examination and report.</li> </ol> | <ol style="list-style-type: none"> <li>5. Samples of seeds may be sent for examination.</li> <li>6. Report of any examination may be published.</li> <li>7. Fees for examining seeds.</li> </ol> |
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## A BILL INTITULED

AN ACT to provide for the Examination of Agricultural and Horticultural Seeds. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Seeds Examination Act, 1905." Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.  
 "Inspector" means an Inspector appointed or deemed to be appointed under this Act:  
 "Minister" means the Minister for Agriculture:  
 "Seeds" includes seeds of every kind used in agriculture or horticulture.

3. (1.) The Governor may from time to time appoint fit persons to be Inspectors under this Act. Inspectors.

(2.) Any Inspector appointed under "The Stock Act, 1893," "The Noxious Weeds Act, 1900," or "The Orchard and Garden Pests Act, 1903," shall be deemed to be an Inspector under this Act.

4. (1.) Any Inspector may from time to time obtain either by application by post or by personal visit application samples of any seeds for the purpose of examination. Samples of seeds may be obtained for consideration and report.

(2.) The samples so obtained shall be securely packed and sealed and forwarded without unnecessary delay to the Government Biologist, Wellington, for examination and report.

*Struck out.*

(3.) The report of such examination shall specify the percentage of foreign matter (meaning thereby any substance not being seeds), and the name and percentage of seeds present in the sample, and the percentage of germination of such seeds (calculated on pure seed), together with such further particulars as he thinks desirable.

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*New subclause.*

(3.) The report of such examination shall specify—

(a.) The name and address of the person supplying the sample ;

(b.) How seeds obtained ;

(c.) The marks and description on the package ;

(d.) The percentage of impurity, meaning thereby any substance not being seed and all seeds other than those mentioned on the package containing the sample ;

(e.) The percentage of germination (calculated on pure seed) ;

(f.) Method, date, and duration of test ;

(g.) Where known, the price asked ;

(h.) Such other particulars as the Government Biologist thinks desirable.

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Samples of seeds may be sent for examination.

5. Any person may forward to the Secretary for Agriculture Government Biologist any sample of seeds for examination, and on payment of the prescribed fee shall be entitled to have the sample examined and reported on in the manner aforesaid.

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Report of any examination may be published.

6. The Secretary for Agriculture may from time to time publish, in such manner as he thinks fit, the report of any examination made under section four of this Act, and in such publication shall state the name and address of the occupier of the premises from whom the sample was obtained, the circumstances under which it was obtained, and (where known) the price asked for the seeds examined; and neither he nor the Government Printer, nor any other person, shall be liable in any way in respect of such publication.

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Fees for examining seeds.

7. The Minister may from time to time, by notice in the Gazette, prescribe the fees to be taken for the examination of seeds under section five hereof.

## MINUTES OF EVIDENCE.

THURSDAY, 10TH AUGUST, 1905.

Mr. ALBERT KAYE examined. (No. 1.)

1. *The Chairman.*] Will you be good enough to tell the Committee your name?—Albert Kaye.
2. And your occupation?—Grain and seed merchant, Christchurch.
3. And you desire to give evidence before the Committee upon the Seeds Examination Bill?—Yes, sir.

4. Will you make a statement to the Committee, Mr. Kaye?—I attend here as representing the Canterbury Chamber of Commerce and the seed-merchants of Canterbury generally, and I wish at the outset to say that we do not—myself and Mr. Waters—attend in any spirit of opposition to the Bill, because we are rather glad to see a Bill of this kind introduced, as it is to our interests that no adulterated seeds or seeds of an inferior character should be sown. All *bona fide* merchants are only too pleased when matters of this kind are taken up with the idea of benefiting the public in a straightforward manner. But the Bill as it stands contains some clauses which we consider might in their operation and in their interpretation by Inspectors and others possibly do injury to those who are at the present time doing their business in a proper manner and in the interests of the country, and we therefore wish to offer a few suggestions with reference to alterations and insertions we would like made in the different clauses. First, with regard to section 2, which reads as follows: “In this Act, if not inconsistent with the context, ‘Inspector’ means an Inspector appointed or deemed to be appointed under this Act: ‘Minister’ means the Minister for Agriculture: ‘Seeds’ includes seeds of every kind used in agriculture or horticulture.” We would suggest that these words be added after “Seeds include seeds of every kind used in agriculture or horticulture”—we would suggest that these words be added: “offered for sale to and between growers in the Colony of New Zealand.” We take it that the object of this Bill—and we have had our ideas confirmed since we have been in Wellington; this morning we have been assured that this is the object of the Bill—to prevent adulterated and inferior seeds being scattered broadcast over the colony. We take it, therefore, that it does not affect seeds which are intended for export to the Old Country, or to the Continent, or to Australia, or to the United States. Take, for instance, the “fog” which has to be taken out of the cocksfoot grass-seed. Well, this “fog” which is taken out is practically a noxious weed, yet it is very highly valued at Home and on the Continent. We cannot get enough of it to send home to England. We get more orders than we can supply of this Yorkshire fog, and we sold it last year at £21 a ton in London.

5. *Mr. McLachlan.*] Is that in the husk?—No; it is dressed seed. This, we understand, is sold by our London agents for sale on the Continent, and as a rule we get orders for 10 or 20 tons and we cannot supply them.

6. *Hon. Sir W. J. Steward.*] Then, shortly, you do not wish the Bill to apply to seeds for export?—No. Then, as to clause 4: “Any Inspector may from time to time obtain either by application by post or by personal visit samples of any seeds for the purpose of examination.” We were rather afraid that this personal visit might mean that the Inspectors could simply come into the store and take seeds which are placed there, say, for storage purposes, or for being cleaned, and they might just drop on to a sack full of fog and other material before it was cleaned. But we are assured by the Minister that that is not the idea at all. We are told this clause applies only to seeds offered for sale. However, we would like to have the word “application” inserted in place of “visit.” We shall be only too pleased if the Inspector makes a personal visit to the store, but it is necessary we should have a certain amount of protection, and we should like this word inserted. Next with regard to subclause (3) of clause 4, “The report of such examination shall specify the percentage of foreign matter (meaning thereby any substance not being seeds) and the name and percentage of seeds present in the sample, and the percentage of germination of such seeds (calculated on pure seed), together with such further particulars as he thinks desirable.” We would suggest that the words at the end “together with such further particulars as he thinks desirable” should be struck out. The next clause I wish to refer to is clause 6: “The Secretary for Agriculture may from time to time publish in such manner as he thinks fit the report of any examination made under this Act, and in such publication shall state the name and address of the occupier of the premises from whom the sample was obtained, the circumstances under which it was obtained, and (where known) the price asked for the seeds examined; and neither he nor the Government Printer nor any other person shall be liable in any way in respect of such publication.” This clause as it reads at present is rather arbitrary, and it is likely to affect us in a very serious manner. It is likely to affect those seed-merchants in a very serious manner who may have seed simply for storage. For instance, farmers send seeds to our stores to be stacked and stored, and it remains there without our knowing what the contents are.

7. *Hon. Sir W. J. Steward.*] Would not all that be covered by the definition of seeds?—Yes; but we think it would be wise to have in something like this: “The Secretary for Agriculture, should he have cause to consider the sample submitted shows adulteration or inferior seeds, may from time to time publish in such manner as he thinks fit the report of any examination made under this Act, and in such publication shall,” &c. We want the word “may” inserted instead of “shall”; also, after the words “state the name and address of the,” we should like the word “vender” inserted in place

of the words "occupier of the premises." We should like the "vendor" inserted because he is the man really responsible, in place of the "occupier of the premises." Then, we should like the words "from whom the sample was obtained" struck out.

JOHN BIGGAR WATERS examined. (No. 2.)

8. *The Chairman.*] Your name?—John Biggar Waters.

9. And occupation?—Seed-merchant and seed-cleaner, Dunedin.

10. Will you be kind enough to state your views with regard to this Bill?—Well, to begin with, Mr. Chairman, I should like, with Mr. Kaye, to thank you for your courtesy in allowing us to come here and give evidence in respect to this Bill. I may say that I am here to represent the Invercargill and Dunedin seed-merchants and seed-cleaners. I should also like to assure you that I am not here in any hostile spirit. The first motion carried by the Dunedin trade was to the effect that in their opinion the Seeds Examination Act was desirable, but there are certainly a few points in regard to this Bill which appear to us a little crude, and we should like to see some slight alterations. Mr. Kaye has already dealt with the principal point with regard to clause 2, and I may say that in Dunedin and Invercargill we are thoroughly in accord with Mr. Kaye on that point. We think the interpretation of the word "seeds" should read "'Seeds' includes seeds of every kind used in agriculture or horticulture offered for sale to or between growers in the colony of New Zealand." The reason we wish the examination confined to these seeds is that all seed-merchants and seed-cleaners have at all times of the year considerable quantities of seed in their warehouses which are really not offered for sale, which have not been cleaned, or possibly, having been cleaned, are there for export either to Australia or to the Old Country; and it is the experience of all seed-merchants that both London and Australian markets take seeds from us here which are regarded in the opinion of the farmers of our colony as no better than weeds. Mr. Kaye is perfectly correct in his statement. We simply cannot get enough Yorkshire fog to supply London ourselves, and I should like to add to that fact that we have frequent applications now from districts in Victoria and in Tasmania for cheap mixtures of seeds such as the suckling clover, and similar seeds for the purpose of sowing; so that you will see that it would be a great loss to the colony if merchants were debarred from having such seeds on their premises for export. I should also like to state that during the last year demands have come to us, which we have reason to suppose originated in America, for some seed which we were going to throw out as refuse because we could do nothing with it in the South. So it is necessary to have some provision of the kind suggested—viz., that the examination should be limited to seeds which we are offering for sale to the farmers in New Zealand. Of course, you will understand that seed comes in from the growers in an impure state, and a great many contracts for such seed occur between merchants. One merchant buys a sample of undressed seed from another—and a sample of undressed seed may change hands five or six times. It is not going into consumption; it simply lies in one warehouse; and before it goes into consumption it has to be dressed. In fact, merchants throughout the colony are only too anxious to see a high grade of seed used. Most of us have gone to considerable expense in fitting up cleaning plants, and it is to our interest that these plants should be kept as fully employed as possible. I think that in the Dunedin district alone there are eight cleaning plants, with a capital of £5,000 or £6,000 invested, simply for the purpose of dressing seeds. Naturally we wish to see these plants employed. The expression has been brought up "between growers." I may say with regard to that we find the practice has been in the country districts for farmers to supply their neighbours with undressed seed. They exchange or sell undressed seed to each other, and our experience of the "agricultural conscience" is that it is not at all awake to what is impure seed or pure seed, and we find that a farmer has no hesitation in using undressed seed from his neighbours for the sake of, perhaps, saving a matter of a shilling an acre on the cost of the seeding. My experience—and I have had an experience of over fifteen years—is that a farmer will, for the sake of getting a rise of a shilling an acre, buy undressed rye-grass at 3s. a bushel and sow it, where he will not use dressed rye-grass at 4s. an acre. The difference would be only a shilling per acre, and to save this shilling he would use impure seed. This is borne out by all seed-merchants. Of course, it is to our interests that that sort of thing should be stopped if possible. It is not fair that the farmer should be allowed to use undressed seed in that way. With regard to clause 4, changing the word "visit" to "application" is a change which is thoroughly approved of by the people I represent. We were under the impression when we read this clause that it simply means that the Inspectors under this Act would be at liberty to enter any premises in the same way as the Health Inspectors, and without even consulting the owner of the premises at all. We understood that the Inspector could enter the premises in an arbitrary manner. Possibly seeds might be lying there for export or for cleaning, and our reputation might be damaged thereby. Then, in regard to subsection (3) of clause 4, the last sentence—"together with such further particulars as he thinks desirable." We think that that clause is rather indefinite. We are not quite sure that that does not give a loophole for publishing, as the Invercargill merchants say, gratuitously damaging general remarks about a sample of seed. Well, we have every confidence in the discretion of Mr. Kirk, but we might not always be so fortunate as to have Mr. Kirk, and we think that that paragraph gives an opportunity to any gentleman examining the seeds to publish some damaging or disparaging statement. The examiner should confine himself to facts.

11. *Mr. McLachlan.*] They are not going to publish that examination in the newspapers?—Yes; I believe that is the intention of the Bill. Well, those words we think should either be more specific or they should be omitted. With regard to clause 6, Mr. Kaye has already dealt fully with that clause, and I will only say that I thoroughly agree with what he has stated. The trade as a whole are anxious that the one or two black sheep who might possibly be guilty of adulteration should have something to deter them, because we suffer from the competition of these unscrupulous firms, and we think it would be strongly advisable that the Government Examiner should have an opportunity of publishing the

opinion of an expert if he thinks fit and if he has ample cause to believe that the samples are purposely adulterated. I know of my own knowledge, and every one in the trade knows, that samples have been purposely adulterated in one or two instances. Then, in respect to the matter of changing the words "occupier of the premises" to the word "vendor": that is a change which I think will recommend itself to all. We are quite unanimous on that point in the South. The occupier of the premises is sometimes simply an agent or a broker, who has very little to do with the seed stored under his care. So that we think that would be a desirable alteration—to insert the word "vendor" in place of the words "occupier of the premises." Of course, in connection with this, I might point out this fact: that in the Dunedin district the effect of stating the name of the "vendor" would be to give the name of the farmer where the seeds belong to the farmer, because all agents in the Dunedin district sell as "agents for the vendor," and it is one of our conditions when we effect the sale on behalf of the farmer. So that it is the farmer whose name would appear. The merchant in such cases is simply a commission agent.

12. *Hon. Sir W. J. Steward.*] He is the agent of the vendor?—Yes. The effect of that would be that you would get at the true owner of the seed.

13. *Mr. Kirk.*] Would you put the name of the actual owner on the samples?—Yes. In accordance with the conditions of the Dunedin Brokers' Association you must state the name of your client. The Dunedin suggestion was that the word "owner" should be put in.

14. *Mr. Kirk.*] I think the man who is actually supplying the sample is the one whose name should be given, unless the real owner's name is on the package?—That would be a hardship. Take the case of a commission agent who gets a sample of impure seed from the farmer, with instructions not to clean it, but to sell it again to farmers. I admit it is rare that we get these instructions, but I have known them to occur. In such a case it would be the agent who would supply the sample to the Inspector, and it is his name which would be published—not the farmer's.

15. *Mr. McLachlan.*] That would be if he was the commission agent?—Yes. I have in my store at the present moment fifty-odd sacks of grass-seed, and the instructions are not to clean, but to sell it as it is to farmers. There are several impurities in it, but I do not think it would come under the Noxious Weeds list. Yet in such a case my name would be published, and not the farmer's, whereas I contend the farmer is at least as blamable as I am. However, that is a detail after all. I think if the word "vendor" was inserted as was suggested, it would be enough for practical purposes. I do not think there are any further matters I would like to bring before you, excepting this: The Invercargill merchants passed a resolution in which they stated their opinion as follows: "Inasmuch as the artificial tests of germination may be conducted on several different methods with varying results, the Agricultural Department should be asked to lay down a rule or rules for the carrying-out of such tests—say, stating the number of days the test will last, the temperature to be maintained, the material to be employed—viz., flannel, soil, or what—and even then it must be borne in mind that there are varieties of seeds which will give very poor results under any artificial tests, and yet which will grow very well under natural conditions." That is an Invercargill suggestion, and I am bringing that forward on behalf of the Invercargill merchants. The other matters mentioned in the Invercargill list I have here have already been dealt with. They specifically state that they think provision should be made for preventing farmers selling seeds to each other.

16. *Mr. Lethbridge.*] I should like to ask Mr. Waters if he would object to a farmer buying seed from another farmer if he knows he has seen it growing: would it not be a better guarantee to that farmer to buy it from his neighbouring farmer than to go to any merchant?—Yes, certainly; as far as the germination of the seed is concerned. That is one reason why farmers very often buy their seed from their neighbour—because they have seen his pasture, and they know what his pasture is like. But the objection is that in buying such seed they generally buy a great many weeds along with it, and they perpetuate the growth of weeds. The Government now allow farmers to rail their seed from the nearest cleaning-establishment free.

17. *Mr. McLachlan.*] One way?—Yes, one way.

18. *Mr. Lethbridge.*] Would not the farmer know weeds were growing in the paddock as well as seeds?—Yes; but, as I have said already, the "agricultural conscience" is not very keen on these points.

19. *Mr. Kirkbride.*] Do I understand you, Mr. Waters, to say that the merchants want their stocks classified under two heads—that is, seed for export and seed for consumption in the colony?—Yes; they want their seeds classified into seeds which they are offering to growers—to farmers and others—and seeds which they hold for export.

20. You do not wish to incur any odium through the provisions of this Act because you keep inferior seeds, such as Yorkshire fog, &c., for export to Tasmania as you say, or to London, and so on?—That is so.

21. Then, with regard to the second proviso of clause 4, it says, "The samples so obtained shall be securely packed and sealed and forwarded without unnecessary delay to the Government Biologist for examination and report." Do you not think, Mr. Waters, that it would be better if it was provided that these samples should be obtained and packed and sealed in the presence of the vendor?—Yes; I think it would be.

22. *Mr. Rhodes.*] It should be simply the words of the Fertilisers Act: "The sample shall be taken in the following manner, and in the presence of the vendor, or, if he is not present, in the presence of some witness"?—Yes.

23. I do not think you have suggested anything further with regard to subsection (3) of clause 4, excepting that the words "together with such further particulars as he thinks desirable" should be struck out?—That is so. But there is one suggestion which I intended to make and which I have

omitted. I think the vendor should have the opportunity when he supplies the sample of stating whether the seeds so supplied are either for permanent pasture, temporary pasture, or for surface sowing. We find in the South Island that we often have applications—and I think I am right in stating that these applications are very often from tenants of Crown lands—for seeds of a low grade for surface sowing. Naturally if there is the demand it creates the supply. I think that the vendor for his own protection should be allowed to state what purpose the seed is to be offered for.

24. *Hon. Sir W. J. Steward.*] Where would you put that?—I would put that in the schedule of the Bill. It should be put on the sample packets by the vendor.

25. *Mr. Rutherford.*] You mentioned, Mr. Waters, the “agricultural conscience”: being a farmer myself, I should like to ask you if you think this Bill was introduced to protect the agriculturalist or the city merchant?—I take it that it was introduced to protect the agriculturalist—the country gentleman.

26. The agriculturalist?—Yes.

27. Then, do you think there was a necessity for a Bill of this kind to protect the agriculturalist from inferior seeds?—Well, I do not think there was any great necessity for it, because the competition of the seed trade has led to a very high class of seed being offered. As a rule in New Zealand the standard is a very high one. I have only heard of one or two instances in which the seed has been skilfully adulterated.

28. By the seed-merchants?—Yes.

29. That is the point I wish to make plain. Should not the Bill be amended in the direction of protecting the farmer? If a farmer, you may buy seed from sample, and when you get the seed on your farm you may find it is not the same seed at all, and if you have taken delivery of that seed at a railway-station you have no recourse. You can cart the lot home, but if you remove it from the station it is at your own risk, and this is very inconvenient for the farmer—take my case, thirty-four miles to a railway-station and thirty-six miles to a shipping station. I think, if anything, the Bill should be amended in the direction of protecting the innocent farmer—the man with the elastic conscience—from the seed people?—Well, that brings up a very large subject; but I should say if any farmer finds himself treated in that way he should change his seed-merchant at once. I should like to say that I did not intend to disparage the “agricultural conscience” in any way. All I meant to infer was that in the detection of weeds and in sampling the farmer has not had the training of the seed-merchant.

30. *Hon. Sir W. J. Steward.*] You mentioned, Mr. Waters, that you wished the word “vendor” inserted in section 6?—I would prefer “owner” personally.

31. But the previous witness stated “vendor,” and you said you would accept that?—Yes.

32. Then you point out a difficulty in regard to the seed-merchant who is selling as an agent. Supposing we were to add to the interpretation clause a definition of the word “vendor,” would these words carry out what you wish: “‘Vendor’ shall mean the person from whom the seed is actually sold or offered for sale, unless such person sells as agent for another, in which case the principal shall be deemed the vendor?” Would that be what you want?—Yes, I think so.

*Mr. Ritchie.* In section 6 Mr. Kaye suggested that it should be altered to read “The Secretary for Agriculture, should he have cause to consider the sample submitted shows adulteration or inferior seeds, may from time to time publish in such manner as he thinks fit,” &c. The insertion of these words will limit the publication of examinations to only those seeds showing adulteration, while the vendor of pure seeds would not get the benefit of the publication; and I think that would be a mistake, because we shall issue from time to time a leaflet, and if you limit us by these words we could not publish the names of those who are selling pure seeds.

*Mr. Kaye.* I see what you mean. But our object is, of course, that those who adulterate their seeds should be shown up. We do not want a mistake made by publishing the names of those who have not done anything wrong.

*Mr. Ritchie.* Supposing we got a hundred samples from Christchurch. Mr. Kirk goes through these. He presents his report, and on this we issue a leaflet, showing so-many from your firm and so-many from other people. If we were limited to only those showing adulteration or inferior germination, or with foreign matter in them, your seeds which were absolutely pure would not be mentioned in the report at all. They would be left out.

*Mr. Kaye.* I think you only want to publish the names of those people who are in the wrong.

*Mr. Ritchie.* I think we ought to publish the names of those people who are in the right, too. It is a matter that should be carefully considered.

*Mr. Kirk.* I will not detain the Committee except to make some few remarks with regard to the proposed alteration to subsection (3) of section 4. It has been proposed to strike out the words “together with such further particulars as he thinks desirable.” I would like to say that if these words are taken out it prevents any chance of making any remark at all as to the seed being, say, of bad colour, badly broken, irregular in size, &c., or anything of that kind. For instance, the mixing of last season’s seed with new season’s seed could not be mentioned unless these words were left in. And there have been certain samples of seeds given to me which have undoubtedly been artificially coloured, whether done in the colony or not I will not say.

33. *The Chairman* (to Mr. Kaye).] Do you generally approve of the suggestions made by Mr. Kirk, Mr. Kaye?—That is to say that the words “together with such further particulars as he thinks desirable” should be left in. That is a pretty wide scope. We can rely upon Mr. Kirk’s discretion, but we may not always have Mr. Kirk—

*Mr. Kirk.* I think you can trust the Department.



WEDNESDAY, 22ND AUGUST, 1905.

THOMAS WILLIAM KIRK examined. (No. 3).

1. *Hon. Sir W. J. Steward, Acting-Chairman.*] What is your office?—Government Biologist, Wellington.

2. You wish to speak on the Bill?—I do not know that I can add very much to what has already been obtained from other witnesses. I can only say that this is a Bill which I have asked for for many years. There are gentlemen here who have attended some of the agricultural conferences, and have also read the reports of the Agricultural Department in which I have referred to the large amount of rubbish in the way of seeds that is being sold by some firms in the colony, and which I have tried to obtain some means of checking. That has been my idea in publishing little leaflets dealing with the good and bad seed on the market. The samples I obtained from farmers and runholders who procured them for me. But I was told that, in the present state of the law, if I published any particulars relating to those samples which could possibly be construed into an injury to a man's business, I should be liable to an action. Well, I am only a Government officer, and am not in a position to face an action for damages. Many years ago I urged that an Act should be passed in this connection; and the subject has been referred to in our reports and at agricultural conferences, and every conference which has been held has agreed that a Bill should be submitted to Parliament giving power to the Agricultural Department to obtain samples of seed for the purpose of submitting them to full tests, and to publish all the details in connection with them. It was the results of these examinations that made me wish to have the power to publish through our Department a report giving the name and address of persons from whom a sample was obtained, the price he asked for it, and the percentage of impurity, with a statement of the constitution of that impurity and then the germination percentage calculated upon the pure seed. This Bill now before the Committee provides for that. The Bill, as printed, is not exactly as drafted originally, but the amendments proposed here will bring it into the form we require, and I do not think the seed-people will take any exception to it. The fact that those engaged in the seed trade have offered so few objections shows that no serious fault can be found with the Bill. I know a number of good seed-houses that are quite in accord with it, and the manager of Messrs. Murray, Roberts, and Co. was enthusiastic in approval, and wanted to come and give evidence on one or two slight amendments merely in connection with the form of wording. In fact, he attended at the last meeting, but when he arrived the Committee had proceeded to other business. I think when such firms as Murray, Roberts, and Co. and Messrs. Levin and Co. approve of the Bill, and when you consider the evidence of gentlemen from the South, there cannot be much wrong with the Bill. I think the latter gentlemen went away with the full conviction that some of the objections they had raised did not really have any force, because they had rather misread the meaning of some of the words in the Bill. Where it is stated that an Inspector may obtain samples by a personal visit, they distinctly assured me that they thought that meant that officers would have power to go into a seed-warehouse and take samples of seed, and publish the results of their examination. That I do not think would be a wise thing to allow, and I have strongly opposed it, because I will undertake to let any one loose in a big seed-store and defy him, even if there are samples of the worst seed there, to find them. That is if the storeman wishes to keep the seed hidden. The case is different with fertilisers, where you have to deal with only a few samples. You have many hundreds of seeds, and it would be practically impossible to take samples of them all unless you have a big staff. Under the Bill we ask a person to supply samples, but he does not know that he is supplying them to be tested. In my report for 1898-99 I said, "I desire to urge that, if possible, a short Act be passed empowering persons authorised by the Governor to obtain samples of seeds and manures, test them, and publish the results, as is done in England and other countries: such reports to set forth name of vendor, amount of impurity, germination, price, and all particulars. This would not only prove a protection from possible fraud, but also an encouragement to those dealers who desire to sell nothing but a really good sample." I have here the results of some of the tests which have been made during the year, and some of them are enough to make one's hair stand on end. At the agricultural conference held at the Museum a few weeks ago, I showed a number of samples which had been obtained by a runholder who is an old friend of mine, and every year he asks for samples from a number of firms, and gets them. He uses nothing but the best seed, and he finds that it pays him to do so. After writing to the different firms he has obtained some very good samples, but some very bad ones too, and I have some of the samples of various grades. The Committee should have heard some of the expressions used when members of the conference saw those samples, which were simply disgraceful. There is a large amount of rubbishy seed sold in this colony, and I think this Bill will tend to stop the practice. The publication of the person's name and address, together with full particulars of the sample, will be more than sufficient penalty for supplying such seed. If not, then the matter will rest with the farmers, because if they know a man is selling bad seed and they continue to deal with him they must take the consequences. We shall publish the names of those selling both the good and the bad seed. The idea is to obtain samples from the various firms throughout the colony, and they will be obtained by persons who will forward them direct to me unopened. Then the reports will be submitted to Mr. Ritchie, and we shall publish them in leaflet form. I do not think I need detain the Committee any further. The Bill, with the amendments suggested, is, I think, all we want at present.

3. *Mr. T. Mackenzie.*] Are not the Government themselves about the greatest sinners in the matter of distributing impure seed?—I have heard it so stated, but our Department does not do it.

4. Regarding the good seed, I take it that the purity of the seed sold is gauged by its germinating power?—Yes, for the purposes of this Bill, after the elimination of all impurity.

5. Do you think the germination of seed is an indication of its quality?—It is an indication of the results you will get from it. It might be of good appearance and yet not grow.

6. Supposing it does grow, is that an indication of its quality? Supposing you take a swede turnip, where you may get a good bulb or a poor bulb?—Mere germination would not show that.

7. Is there anything in this Bill to protect the farmer in the quality of his seed even if it germinates, and after you have had an expert to check adulteration? I want to get at the value of the Bill to the farmer?—You want to know if after the germination you will get a good bulb. This examination will not show that.

8. To make the Bill what it ought to be, ought not that to be included?—You would have to wait until later in the season before you could tell that.

9. Would you not provide in a Bill of this sort that the seed should have a good history, and should be grown from a proper cultivation?—That is desirable, but we could not do that in a Bill of this kind.

10. Do you know anything about the growing of seed so as to obtain good results?—Yes.

11. How would you treat your seed-plants if you were going to grow turnips?—You would examine them and take anything out that was not good and strong.

12. During what part of the year would you sow for seed?—That would depend upon the district, and whether my land was wet or dry. I should first of all take care that my land was extremely clean.

13. Would you sow in the spring or the autumn?—I should sow in both.

14. Turnip-seed?—Yes, if I wished to cross-test.

15. When would you rogue it?—As soon as I could ascertain from the appearance of my plants.

16. And when would you expect the plants?—That I could not tell you. I have not done it on a large scale—only in experimental crops.

17. Really this is only a test for ridding the seed of impurities and ascertaining its germinating-power?—Yes.

18. And the germinating-power might be absolutely worthless?—It might be in certain cases, but it is not likely. It would certainly be valuable with grass-seed.

19. Within your knowledge huge quantities of seed come out to this colony perfectly free from adulteration, and with a statement of 98 per cent. of germinating-power, and yet that seed would show no indication of growing?—I would not say huge quantities, but I know such seed does come.

20. Do you not think that, if you are going to protect the farmer, you want to make a good Bill and not a sham?—To do that I think you would want more extensive machinery than you have in this Bill, and a heavy expenditure for a fully equipped seed-testing station.

21. In Holland and in many of the Continental countries there are huge quantities of rape grown that come into competition with the Essex rape in England. The Essex rape is grown miles and miles from the other and has no impurities, and yet that seed is brought out here without any test, and is largely useless after it is grown?—Yes. We should have to go much further and have a proper testing-station.

22. Is that not what you should aim at?—Yes, but we have not the money for it. We should have to get a proper testing-station.

23. The remedy for it is that the seed should be accompanied by a certificate from the grower duly attested at Home?—Certainly that would help.

24. Further, all these seeds should be subject to a test over twelve months in your own trial beds of the Agricultural Department?—That would go very much further than this Bill provides. I agree with you, but to carry out the work would be much more elaborate and costly.

25. *Mr. Rhodes.*] I see that “seeds” includes seeds of every kind used in agriculture or horticulture. Do you propose to test horticultural seeds?—That only means the ordinary vegetables. It was difficult to draw the exact line where you should stop in a Bill. It means seeds for the market-gardener—peas and beans, and so on.

26. *Mr. Kirkbride.*] You said you would defy any man going into a seed-merchant's store to detect the worst sample in the store? Do I understand you to mean as far as germinating-power is concerned?—I mean that there is such a tremendous stock of seeds that if a man had to go in and pick his sample himself, as with the fertilisers, and go away, I would guarantee that he would not be able to find it without help from the vendor.

27. That would be only a test of the germinating-power of the seed?—Of the purity, as far as the mixture of other seeds was concerned, and the germination.

28. You could not go in the direction that Mr. Mackenzie spoke of?—No, we do not propose that. We should have to get a proper testing-place and the equipment and staff. There is no doubt that it will come to that, and the sooner the better, but at present we have not the facilities or money for it. This Bill seems to me to be a step in the right direction, and I think it will do a great deal of good. I was sorry to hear Mr. Mackenzie say he thought the Bill would be worthless.

29. This Bill will be a threat over the heads of the different seed-merchants. They will probably be afraid of retaining bad samples of seed in their stores. You saw what the seedsmen, Messrs. Kaye and Waters, said the other day with regard to grass-seed for export?—Yes.

30. They thought it would be unfair if there was not some discrimination used. They told us they did a large export trade in mixed seeds and so on?—Yes.

31. Is it the intention of the Department to make some discrimination?—There is no necessity for it. I explained to them that they are supplying the samples, and they would not supply samples meant for export only.

32. *Mr. Bollard.*] Assume that a man living in Auckland selects a sample from a grower in Christchurch, and when he gets the bulk it is not according to sample: Can you suggest any way to punish the seed-merchant, because it is a serious matter for the farmer to have to send his seed back?—I think the merchant could be proceeded against in the ordinary way if he agreed to supply seed according to sample and did not do so.

33. There is the delay if a man sows such seed, and it would cause great inconvenience and loss?—The farmer could claim damages at law, I think.

34. Not if he sows the seed?—Yes; if he can prove that he was defrauded—that the stuff was not up to sample. I have seen cases tried in Court exactly parallel with that.

35. With regard to seed supplied by the Government, you say your Department is not responsible for that?—No.

36. What Department is?—That I cannot tell you.

37. What Department supplied the seed?—I think I know, but I have no official knowledge of it.

38. I know, as a matter of fact, that some of the worst seeds in the colony have been supplied by the Government?—I have seen seed said to be supplied by the Government, and certainly it was not what it should be.

39. The matter mentioned by Mr. Mackenzie is a very important one in connection with the quality of the seed: that is, that you cannot always detect quality by germination only?—Yes.

40. Can you suggest any way by which seed-merchants can be punished severely for supplying seed of inferior quality, such as cabbage-seed, turnip-seed, and rape, that you cannot detect until after it is grown, although it may germinate very well?—You can get a remedy in the same way as when a man sells seed which is not up to sample. There is no doubt that at some time a proper Seed Control Bill will have to be provided, but we are not ready for it—we have not the money for it.

41. A man puts a thousand acres in turnip, which is not an unusual thing in different parts of the colony: 90 per cent. will germinate, and yet it may be a very inferior seed, and not bulb in a proper way. Can you suggest any legislation which will punish a man for supplying seed of that inferior quality?—I think you would have to pass a special Seeds Act giving extraordinary powers to do that.

42. If we had some legislation to stop that it would prevent inferior seeds coming from the Continent into competition with seeds properly grown. Can you make any suggestion that would improve the position in that way?—I do not think you could put it in this Bill. You could have, as Mr. Mackenzie suggests, a certificate from each vendor to say that the seed is true to description.

43. That would not do, because it might be turnip-seed of a very inferior quality?—You could make a specification of what you want and demand a certificate.

44. Do you not think the Agricultural Department ought to take that matter into consideration?—I think so, when you get a Seed Control Bill passed and the money is available.

45. *Mr. Buddo.*] Has it occurred to you that there is a necessity for an experimental station to try seeds to see whether they are true to description?—Yes, many times, but I have not much hope of getting that yet. We are wanting a number of small experimental stations, and I am afraid we should not be able to get a proper seed-station yet. It would entail considerable expenditure.

46. Are you aware of the trouble farmers have in the hybridization of seeds?—Yes.

47. Can you suggest any means by which the farmer could have some remedy in respect to legislation?—I do not think so.

48. Are you aware that practically every seed firm attaches a notice to the parcel of seed sent to a purchaser disclaiming any liability for the seeds not being true to sample?—I am aware that a number of them do.

49. Of course you are aware that that has no operation in law?—Yes, I am so advised.

50. Then, do you not think it is time the Government took up the question of compelling agents to submit to experiments with regard to seed?—I am with you all along the line, and I think we should get a Seed-testing Bill, but we could not get it yet, so we have this Bill.

51. Was it your purpose to prevent noxious weeds from coming with the seeds?—Not only noxious weeds, but impurities and adulteration.

52. Your opinion is that the time is ripe and the public are waiting for a compulsory Examination of Seeds Bill, in order to prevent impure and hybridized seeds from being distributed throughout the colony?—I have no doubt it will be welcomed.

53. *Mr. Hogg.*] I think you said it was the impure seeds that are the source of great danger?—Yes.

54. You do not attach the same importance to seeds that will not germinate?—This Bill provides for seeds that do not germinate.

55. It is comparatively little—it is the introduction of noxious weeds that is being guarded against?—Yes, that also.

56. Do you think the publicity you rely upon will be sufficient to protect the agriculturists from serious loss from the distribution of inferior seeds?—Yes, I think it will. I do not think any firm will care to see its name published time after time in connection with the sale of samples of seed containing Canadian thistle and other rubbish in large proportions, or seed of very low germination.

57. Do you not think it would be well to provide a penalty where flagrant carelessness was displayed?—I do not think you could work it into this Bill. The publication of the names of people so offending will have a very good effect.

58. You do not think it would be well to follow it up with a penalty of a drastic character?—No. I think if we could get a Bill such as Mr. Mackenzie suggested—and I hope to get it some day—it could be provided for in that. This Bill will do a great deal of good in the matter.

59. I presume it is some of the imported seeds that have been exhibiting themselves and doing great injury in the colony?—Most of our seeds were imported at first. Nearly all our weeds were originally imported.

60. Do you think there is any necessity for compelling our seedsmen to submit the imported seeds to an examination and certification before being allowed to put them on the market?—I do not think you could suspend the sale of seeds during the time you were holding the examination, and the germination might make it too late in the season to sow the seed. I think it is of sufficient importance to get, before many years, a comprehensive Act passed to prevent the sale of seeds such as was mentioned by Mr. Mackenzie a little time ago.

61. *Mr. Rhodes.*] Mr. Waters referred to "Suckling clover." Can you tell us what that is?—It is generally known simply as "Suckling clover." It has a tiny yellow flower—one of the trefoil (*Trifolium minus*). I can send some samples of it up. You can see it figured in all the English books.

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