

62 Stat. 806.

2314 of title 18, United States Code, be, and it is hereby, amended by inserting therein immediately after the first paragraph thereof, a new paragraph to read as follows:

"Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transports or causes to be transported, or induces any person to travel in, or to be transported in interstate commerce in the execution or concealment of a scheme or artifice to defraud that person of money or property having a value of \$5,000 or more; or".

Approved July 9, 1956.

Public Law 662

CHAPTER 520

AN ACT

To amend the Federal Seed Act.

July 9, 1956
[S. 1688]

53 Stat. 1286.

Penalties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 406 of the Federal Seed Act (7 U. S. C. 1596) is amended to read as follows:

"(a) Any person who knowingly, or as a result either of gross negligence or of a failure to make a reasonable effort to inform himself of the pertinent facts, violates any provision of this Act or the rules and regulations made and promulgated thereunder shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall pay a fine of not more than \$1,000, for the first offense, and upon conviction for each subsequent offense not more than \$2,000."

"(b) Any person who violates any provision of this Act or the rules and regulations made and promulgated thereunder shall forfeit to the United States a sum, not less than \$25 or more than \$500, for each such violation, which forfeiture shall be recoverable in a civil suit brought in the name of the United States."

53 Stat. 1282.

Disclaimers and nonwarranties.

SEC. 2. Section 204 of the Federal Seed Act (7 U. S. C. 1574) is amended to read as follows:

"SEC. 204. The use of a disclaimer or nonwarranty clause in any invoice, advertising, labeling, or written, printed, or graphic matter, pertaining to any seed shall not constitute a defense, or be used as a defense in any way, in any prosecution or other proceeding brought under the provisions of this Act, or the rules and regulations made and promulgated thereunder."

53 Stat. 1288.

Separability of proceedings.

SEC. 3. Section 412 of the Federal Seed Act (7 U. S. C. 1602) is amended to read as follows:

"SEC. 412. The institution of any one of the proceedings provided for in sections 405, 406, 409, 410, and 411 shall not bar institution of any of the others, except that action shall not be instituted under both subsections 406 (a) and (b) for the same cause of action. Nothing in this Act shall be construed as requiring the Secretary of Agriculture to recommend prosecution, or institution of civil penalty proceedings, libel proceedings, cease-and-desist proceedings, or proceedings for the enforcement of a cease-and-desist order, for minor violations of this Act or the rules and regulations made and promulgated thereunder whenever he believes that the public interest will be adequately served by suitable written notice or warning."

SEC. 4. The amendments made by this Act shall be applicable only with respect to violations occurring after the enactment of this Act.

Approved July 9, 1956.