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THE  
STATE ENTOMOLOGIST LAW  
AND THE PEST LAW  
OF COLORADO

(Compiled May, 1929)



Office of State Entomologist  
COLORADO AGRICULTURAL COLLEGE  
Fort Collins, Colorado

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## THE STATE ENTOMOLOGIST LAW

AN ACT RELATING TO INSECT AND ANIMAL PESTS, WEEDS AND PLANT DISEASES, PROVIDING FOR THEIR CONTROL AND ERADICATION, PRESCRIBING PENALTIES AND MAKING AN APPROPRIATION TO CARRY OUT THE PURPOSES OF THIS ACT, AND TO REPEAL SECTIONS 3093, TO 3104, BOTH INCLUSIVE, COMPILED LAWS OF COLORADO, 1921.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. This Act shall be known as the State Entomologist Act. For the purpose of this Act, the Entomologist of the Colorado Agricultural Experiment Station is hereby declared to be State Entomologist, whose duty it shall be, directly or through his deputies and county pest inspectors, to carry out the provisions of this Act. The compensation of the State Entomologist shall be Five Hundred Dollars (\$500.00) per annum in addition to his salary as Entomologist of the Colorado Agricultural Experiment Station; his deputies and county pest inspectors shall receive a per diem of not more than Six Dollars in addition to their actual and reasonable expenses for time spent in carrying out the provisions of this Act, provided that the Chief Deputy, if employed by the year, may draw a regular salary of not to exceed \$2,400.00.

**Title of act**

**State Entomologist**

**Salaries**

SECTION 2. The persons who may be employed under this Act, aside from the State Entomologist and his deputies, shall be county pest inspectors and their deputies, who shall be appointed by the county commissioners of the county where they are to serve and receive their pay.

**Employees under this act**

SECTION 3. The county commissioners of any county, when petitioned by not less than twenty tax payers of their county, may appoint a county inspector and fix his compensation and term of service in compliance with Section 1 of this Act, and make such appointment as soon as possible.

**Appointment of county inspector**

SECTION 4. It shall be the duty of the State Entomologist to examine all persons appointed by the county commissioners to act as county pest inspectors, and, if found competent and fully qualified to perform the duties of the office, he shall issue to such applicants a license as county pest inspector, and no person shall act as pest inspector unless he holds such license,

**Examination of appointee**

## STATE ENTOMOLOGIST AND PEST LAW OF COLORADO

### License

which shall certify to the competency of the applicant and shall authorize him to act as county pest inspector for a period of two years from date; **Provided**, that no person engaged in the nursery business, either as owner, agent, employe or salesman shall be eligible for this position.

### Inspection of nurseries, orchards, etc.

SECTION 5. It shall be the duty of the State Entomologist directly, or through his deputies or county pest inspectors, so far as possible, to inspect all the nurseries, orchards and shade trees of the state each year, and, when it seems necessary, to inspect any farm or garden crops or premises or other objects whatsoever, for the purpose of determining whether or not any of them are infested with injurious insects or animal pests or fungous or other plant diseases or weeds that are likely to be disseminated to the injury of any person, and to carry out such experiments and control methods as he may deem important to control or destroy pests or diseases which are likely to spread to the injury of any one.

### Determining methods of control

### Nursery certificate of inspection

SECTION 6. When a nursery, farm or other premises that has been inspected seems to be free from insect pests and plant diseases, the State Entomologist shall, upon request, issue to the owner, renter or occupant, a certificate stating these facts. But, if any nursery stock, orchard, shade trees, potatoes, or other farm or garden crops or any objects whatsoever, be found to be infested with any serious insect pest or fungous or plant disease that is likely to be disseminated to the injury of others, the owner or renter or person in charge of the infested or diseased property or premises must disinfect or destroy the same under the direction and to the satisfaction of the State Entomologist, or his deputy or county inspector in charge, unless the State Entomologist or inspector in charge deems it important to remove, disinfect or destroy the infested or diseased articles himself.

### Disinfection or destruction of infested property

SECTION 7. It shall be unlawful for any person or persons, either as owner, agent, servant, employe or common carrier to bring or cause to be brought into this state nursery stock, trees, shrubs, vines, bulbs, cuttings, grafts, scions, buds, fruit pits, or other articles which the State Entomologist may upon investigation determine to be or liable to be carriers of insects or animal pests or plant diseases, or noxious weeds injurious to agriculture or horticulture of this state, and by proclamation so designate, unless there is plainly and legibly marked thereon, or affixed thereto, or on or to the car or other vehicle carrying the same, or the bundle, package or other container of the same, in a conspicuous place, a statement or a tag or other device showing the names and addresses of the consignors or shippers and the consignees or persons to whom shipped, the general nature of the contents, together with a certificate of inspection, dated within one year, of the proper official of the state, territory,

### Markings for shipments of nursery stock and certain other objects coming into Colorado

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district or country from which it was brought or shipped, showing that such plant or plants, or plant products were found or believed to be free from especially injurious insect or animal pests and diseases, and any other information required by the State Entomologist.

SECTION 8. It shall be unlawful for any person or persons, either as owner, agent, servant, employe or common carrier, to sell, give away, carry, ship, or deliver for carriage or shipment, within this state, any nursery stock, trees, shrubs, vines, bulbs, cuttings, grafts, scions, buds, or other articles which the State Entomologist may upon investigation determine to be or liable to be carriers of pests or diseases or noxious weeds injurious to agriculture or horticulture of this state, and by proclamation so designate, unless such plants or plant products have been officially inspected by the State Entomologist or his duly authorized inspector, and a certificate issued stating that the said plants or plant products have been inspected and found free from especially injurious pests and diseases, and any other facts provided for in orders and regulations made pursuant to this Act. A copy of such certificate shall be attached to at least one plant of each package, bale or order leaving a nursery or premises. Provided, however, that if such plants or plant products were brought into this state within one year in compliance with the requirements of Section 7, and have not been planted, the certificate required by that section may be accepted in lieu of the inspection and certificate required by this section in such cases as shall be provided for in the rules and regulations made pursuant to this Act.

**Nursery stock sold within state must carry certificate of inspection**

If it shall be found at any time that a certificate of inspection, issued or accepted pursuant to the provisions of this section, is being used in connection with plants and plant products which are infested or infected with especially injurious pests or diseases, its further use may be prohibited.

**Certificate of inspection revocable**

SECTION 9. Any person or persons, either as owner, agent, servant, employe or common carrier who shall receive, bring or cause to be brought into any county of the State of Colorado having a county pest inspector, any nursery stock, trees, shrubs, vines, bulbs, cuttings, grafts, scions, buds, fruit pits, or any other plant materials, plant products or articles which the State Entomologist may upon investigation determine to be or liable to be carriers of insect or animal pests or plant diseases or noxious weeds injurious to the agriculture or horticulture of this state and by proclamation so designate, shall immediately after the arrival thereof notify the county pest inspector of the county in which such articles are received of the arrival of said articles and hold the same, without unnecessarily moving the same or placing the same where they may be harmful, for inspection by the said county pest inspector.

**Notice of arrival of nursery stock**

## STATE ENTOMOLOGIST AND PEST LAW OF COLORADO

### Isolation of infested shipments

SECTION 10. If upon inspection any article subject to inspection under this act is found to be infested or infected with any insect or animal pest or plant disease or noxious weed, then such article shall be placed in isolation or quarantine by the inspecting officer, and it shall be the duty of the owner or bailee thereof at his own expense, to disinfect such article in such a manner as to destroy all infection or infestation that is present or that is liable to be present, and any container or package or other article which may have been associated therewith, and any place where the same may have been placed or stored, and such article shall not be released from isolation or quarantine unless and until all such insect or animal pests or plant diseases or noxious weeds shall have been destroyed; **Provided, however,** that any such article infested or infected with any insect or animal pest or plant disease or noxious weed which may be or be liable to be injurious to agriculture or horticulture, or to any agricultural or horticultural pursuit, within the state or any part thereof, shall be destroyed or reshipped out of the state as hereinafter provided.

### Disinfection of infested articles

### Destruction or reshipment of infested articles

SECTION 11. When any article imported or brought into the state and subject to inspection under this act, is found infested or infected with any insect or animal pest or plant disease or noxious weed which is likely to be injurious to agriculture or horticulture, or to any agricultural or horticultural pursuit, within the state or any part thereof, such shipment shall be immediately destroyed; **Provided, however,** that if the nature of the insect or animal pest or plant disease or noxious weed be such that no damage or detriment can be caused to agriculture or horticulture, or to any agricultural or horticultural pursuit, within the state or any part thereof by the shipment of such article out of the state, then the officer who shall make such inspection shall notify the owner or bailee of such article to ship the same out of the state within forty-eight hours after such notification, and it shall be the duty of the owner or bailee thereof to so ship said article at his own expense, but such shipment shall be under the direction and control of the inspector making the inspection, and if such notice is not complied with within the time therein specified, such article shall at the expiration of such time be seized and destroyed by the inspector at the expense of the owner thereof.

### Unlawful to knowingly ship live pests

SECTION 12. It shall be unlawful for any person knowingly to import or transport within the state any live insect or animal pest or plant disease or noxious weed which may be or is liable to be injurious to agriculture or horticulture, or to any agricultural or horticultural pursuit, within the state or any part thereof; **Provided,** That the provisions of this section shall not apply to the importation into or transportation within the state of any live insect or animal pest or plant disease or noxious

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weed for scientific purposes under rules and regulations of the United States Department of Agriculture or the State Entomologist in this state.

SECTION 13. The State Entomologist is hereby authorized, whenever he deems such action advisable and necessary to carry out the purposes of this act, to cooperate with the United States Department of Agriculture in connection with any quarantine or regulation promulgated under and by authority of provisions of the United States Plant Quarantine Act of 1912 and amendments thereto.

**Cooperation with U. S. Department of Agriculture**

SECTION 14. Under the provisions of the Postal Laws and Regulations providing for the terminal inspection of parcel post shipments of plants and plant products, the State Entomologist may establish certain points within the State for the inspection of such plants and plant products as he may rule are likely to disseminate insect pests or plant diseases or other pests that may prove a menace to crops, livestock or public health.

**Inspection of parcel post shipments**

SECTION 15. The State Entomologist, or his deputy, or a county pest inspector, when he deems it necessary and it has been authorized by the board of county commissioners of the county, after notice to the owner or person in charge, shall spray, fumigate, disinfect or otherwise treat trees, shrubbery, potatoes, plants, buildings, or other like property. Upon the completion of such work a statement of the cost and expense thereof with a description of the property upon which such work was done, shall be filed with the board of county commissioners, who shall pay same without unnecessary delay.

**Treatment of infested property**

Upon payment by the County Commissioners of any such cost and expense, they shall make demand in writing upon such owner or person in charge, in person or by mail addressed to him at his last known place of residence, for reimbursement to the County for the amount of such cost and expense. Such written notice shall inform such person that he may appear before the Board of County Commissioners at any meeting thereof, as fixed by law, to be held within the following four months, and be heard as to the amount of such claim; and if the claim, as originally demanded by the Board, or as adjusted upon such hearing, be not paid at the end of such period the Board shall certify such claim to the County Treasurer who shall add the amount thereof to any taxes due, or to become due, from the debtor, and if not paid in due course, the same shall be collected by the County Treasurer as delinquent taxes. All such accounts when collected shall be paid into the general fund of the County.

**Collecting for work done**

SECTION 16. Wherever the State Entomologist, his deputy or a county pest inspector has reason to believe, or has been credibly informed, that at any place within the state there exist or have been offered for sale plants, trees, shrubs, cuttings, buds, fruit, potatoes, or any other objects infested by injurious insects

**Duty to investigate nurseries or suspected articles and premises**

## STATE ENTOMOLOGIST AND PEST LAW OF COLORADO

or plant diseases that are liable to be spread to the injury of others, it shall be his duty to make an investigation of the suspected articles and premises, and if they are found so infested, the State Entomologist, his deputy or the county pest inspector of the county shall notify the owner or possessor of the nature of the infestation, specifying the insects or diseases that have been found, and demanding that within a reasonable specified time, the infested goods, articles, potatoes or premises shall be disinfected. The owner of the infested property may choose whether he will have the infested property disinfected or destroyed, provided the case is not of such a nature that the State Entomologist or county pest inspector deems it necessary that the infested property be destroyed, and in such cases the State Entomologist shall, directly or through his deputy or a county pest inspector, seize the infested property and destroy it at the expense of the owner. If disinfection be decided upon and the possessor of the infested property refuses to disinfect the same in accordance with the instructions of the officer in charge, the State Entomologist or pest inspector shall take possession of the infested property and disinfect it at the expense of the owner, said expense to be collected as provided for in Section Fifteen (15) of this act.

**Disinfection or  
destruction of  
dangerous material**

**Penalties for  
violations**

SECTION 17. Each and every violation of any of the provisions of this act, and each and every non-compliance with any notice or direction given by the county pest inspector in charge under the provisions of this act, shall be punishable by a fine in the sum of not less than Five Dollars, nor more than Five Hundred Dollars, and each and every day that any person, firm or corporation shall fail to comply with any notice in writing received from the State Entomologist, or county pest inspector as charged under the provisions of this act, shall be deemed a separate offense.

**Right of entry**

SECTION 18. The State Entomologist, his deputy, or a county pest inspector having jurisdiction, together with such help as they may need in the prosecution of their work, are authorized, during reasonable business hours, to enter upon or into any premises, lands, building, or places of business where they may suspect that infested or diseased plants, trees, shrubs, cuttings, scions, buds or other objects exist, for the purpose of inspecting, treating, cleaning or disinfecting the same, or otherwise carrying out the provisions of this act.

**Reports of county pest  
inspectors and the  
State Entomologist**

SECTION 19. County pest inspectors shall make a full report to the State Entomologist, at least once each month on the work done during this period. The State Entomologist shall file an annual report with the Secretary of the State Board of Agriculture, which may be published from the office of the State Entomologist, and which shall contain a summary of the work done during the year and an itemized account of moneys re-



## STATE ENTOMOLOGIST AND PEST LAW OF COLORADO

ceived and expended in carrying out the provisions of this act, together with such additional information in regard to the work as may seem to him important.

SECTION 20. Whenever the State Entomologist, his deputy or county pest inspector in their investigation shall find any portion of the state to be infested with a serious insect or animal pest, poisonous or injurious plant or plant disease, and in their judgment farm products, domestic animals, or other objects from that district or section would be liable to spread the insect or animal pest, poisonous or injurious plant or plant disease, into other sections to the injury of others, they, or any of them, may declare a quarantine against such section to prevent the transfer of such farm products, domestic animals or other objects from the quarantined area; also, whenever it is ascertained that insect or animal pests, poisonous or injurious plants, or plant diseases are likely to be introduced into Colorado by the importation of farm products, farm animals, or other objects, the State Entomologist may declare a quarantine against the importation of such farm products, domestic animals, or other objects.

**Intrastate quarantines**

**Interstate quarantines**

SECTION 21. County pest inspectors shall distribute to fruit growers, farmers and gardeners such circulars and bulletins as shall be furnished them by the State Entomologist giving information as to the methods of destroying or keeping in check injurious insects or plant diseases, and they shall also collect information concerning the conditions of orchards, nurseries and crops as the State Entomologist may direct, said information to be used by him in the preparation of his Annual Report.

**Distribution of circulars and bulletins**

SECTION 22. It shall be deemed a violation of this act for any one to sell in Colorado, insecticides or fungicides such as paris green, london purple, white arsenic, arsenate of lime, arsenate of lead, arsenite of zinc, cyanide of potassium, hellebore, pyrethrum powder, or any other materials or preparations sold or offered for sale, for the control of insect pests or animal pests, plant diseases, or weeds, that are diluted or mixed with other substances, unless the kind and amount of the adulterations or mixtures are conspicuously printed in the English language upon each and every package sold.

**Insecticides**

**Adulteration**

SECTION 23. The State Entomologist may inspect, and make analyses of insecticides, or fungicides held or offered for sale within the state to determine their purity, their strength and their value for the destruction of insect pests or animal pests or plant diseases or weeds in any stage of their development. He, or his deputies or county pest inspectors shall have free access during all reasonable business hours upon or into any premises or structures to make examinations of insecticide or fungicide materials, and upon tendering payment therefor at the current price, may take any sample or samples for examination

**Samples**

## STATE ENTOMOLOGIST AND PEST LAW OF COLORADO

or analysis, the results of which may be published for the information of the public.

### **Salaries and expenses ---how paid**

SECTION 24. The salary and expenses of the State Entomologist, and the per diems and expenses of his deputies in carrying out the provisions of this act shall be paid out of the State Treasury, but the per diems of the county pest inspectors and their assistants shall be paid out of the treasuries of the counties where their work is performed in each case.

### **Appropriation**

SECTION 25. The sum of Fifteen Thousand Dollars (\$15,000.00) per annum is hereby continually appropriated to pay the salaries of the State Entomologist, the salaries and per diems of his deputies and assistants, and to pay necessary expenses in traveling, printing blanks and circulars, and otherwise carry out the provisions of this act.

### **Auditor draw warrants**

SECTION 26. The State Auditor is hereby authorized to draw his warrants upon the State Treasurer for the sum herein appropriated upon the presentation of proper vouchers and the State Treasurer shall pay the same out of any funds in the State Treasury not otherwise appropriated.

### **Repeal**

SECTION 27. Sections 3093 to 3104, both inclusive, Compiled Laws of Colorado, 1921, and all acts or parts of acts, in conflict with this act, are hereby repealed.

SECTION 28. If any section, subsection, sentence, clause or phrase of this act is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 29. In the opinion of the General Assembly, an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

SECTION 30. The General Assembly hereby finds, determines and declares that this act is necessary for the immediate preservation of public health and safety.

CIRCULAR FIFTY-FOUR

(CHAPTER 95 OF THE SESSION LAWS OF COLORADO FOR 1915 AS AMENDED BY CHAPTER 142 OF THE SESSION LAWS OF COLORADO FOR 1921, AND AS AMENDED BY CHAPTER 111 OF THE SESSION LAWS OF COLORADO FOR 1925.)

THE PEST LAW

TO PROVIDE FOR THE PROTECTION OF TREES, FRUITS, CROPS AND PASTURAGE AGAINST THE RAVAGES OF INSECTS, WEEDS AND PLANT DISEASES; TO PROVIDE FOR THE FORMATION OF PEST INSPECTION DISTRICTS TO BE UNDER THE GENERAL AUTHORITY OF THE STATE ENTOMOLOGIST; TO AUTHORIZE THE COUNTY COMMISSIONERS TO DO CERTAIN PEST CONTROL WORK IN PEST DISTRICTS IN COOPERATION WITH THE STATE ENTOMOLOGIST; TO PROVIDE FOR SUCH INVESTIGATIONS INTO THE HABITS OF PESTS TO AGRICULTURAL AND FORAGE CROPS AS ARE NEEDED TO INSURE BETTER CONTROL; AND TO MAKE AN APPROPRIATION FOR CARRYING OUT THE PROVISIONS OF THIS ACT.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. The Board of County Commissioners of any county, whenever pest inspection districts, as hereinafter defined, are set aside in their counties, shall appoint a County Pest Inspector without unnecessary delay. It shall be the duty of the County Pest Inspector to carry out the provisions of this Act in said County as hereinafter provided, under direction of the State Entomologist. A County Inspector shall not receive more than Eight Dollars (\$8.00) per day, in the discretion of the County Commissioners, in addition to his actual expenses for the time employed in carrying out the provisions of this Act, said time not to exceed five months each year, except with the consent of the County Commissioners, or when the offices of County Pest Inspector and County Horticultural Inspector are consolidated.

**When county commissioners shall appoint pest inspectors**

**Salary of inspector**

If shall be the duty of the State Entomologist to examine all persons appointed by the County Commissioners as Pest Inspectors, and, if found competent and fully qualified to perform the duties of the office, he shall issue to such applicants a certificate authorizing them to act as County Pest Inspectors. No person

**Examination of appointee**

**Certificate of competency**

## CIRCULAR FIFTY-FOUR

shall act as Inspector unless he holds such certificate which shall certify to the competency of such applicant, and shall authorize him to act as County Inspector for a period of two years from date. In case of incompetency or neglect of duty, the State Entomologist shall have the authority to revoke such certificate at any time.

**Certificate revocable**

SECTION 2. The County Pest Inspector shall hold such office for a period of two years from date of appointment, unless sooner removed, provided that in any County where a Horticultural Inspector and Pest Inspector may be consolidated by the County Commissioners and held by the same person, such person shall draw only one per diem for his services at the rate set forth herein.

**Terms of office of inspector**

The County Pest Inspector, with the consent of the County Commissioners, may appoint such assistants as may be necessary to carry out the provisions of this Act, as hereinafter defined, and determine their salaries and expenses.

**Appointment of assistant inspectors**

SECTION 3. Whenever the majority of the resident land owners within a township or a continuous territory desire to form a Pest Inspection District as hereinafter defined, they may file a petition for that purpose with the County Commissioners of the proper county. Said petition shall be addressed to the Board of County Commissioners of such county, and shall contain the boundaries of the proposed district, and a description of the land of each person signing such petition, and shall state that the said district proposed to be formed into a pest inspection district has been invaded or is in danger of being invaded by grasshoppers or other insects, weeds or plant diseases, or other pests except rodents, injurious to agricultural crops, trees, fruits or pasturage, naming the specific pests or diseases against which said petitioners desire to be protected. Such petition shall be signed by each landowner joining in the petition, by his own proper signature, and the date of the petition shall be the date of its filing in the office of the Board of County Commissioners. Any petitioner may revoke and cancel his signature to such petition at any time before filing the same, but not after such filing has been made.

**Formation of pest inspection districts wherein landowners do all work**

**Petition for formation of district**

**Contents**

**Signature**

Such petition must be filed with the County Commissioners during a regular or special session of the Board and must have the approval of the State Entomologist, and shall be verified under oath by at least one of the persons signing it, setting forth that the said petition was signed within ninety (90) days last preceding the making of said verification, and that all matters and things stated in said petition are true to the best of the knowledge and belief of the affiant, and that all signers have had an opportunity to read a statement made by the State Entomologist as to the work to be required for control or extermination of the pest or pests named.

**Filing of petition**

**Must have approval of State Entomologist**

**Petition verified**

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A pest inspection district shall be deemed to have been formed under the provisions of this Act within five (5) days after the filing of the petition with the Board of County Commissioners, to continue for three (3) years unless said Board of County Commissioners, within said five (5) days, shall by order entered of record, declare that said petition does not comply with the provisions of the Statutes, specifying the particular requirement which has not been complied with, and that no district has been legally formed.

**When district considered formed**

**Terms of existence**

Such petition may, in addition to the matters hereinbefore set out, and if the signatures of two-thirds of the resident landowners in such district be obtained thereto, but not otherwise, request the Board of County Commissioners, through its County Pest Inspector, to take charge of and supervise or do the work in connection with the control or extermination of the pest or pests named. The said Board of County Commissioners, if a pest district be created upon said petition in accordance with this Act, shall proceed during the existence of said district, through the said County Pest Inspector, to control or destroy such pests at the times and in the manner and by the aid of such means and additional help as the State Entomologist and County Pest Inspector shall recommend, and the Board of County Commissioners shall pay all expenses as they occur, which shall include the actual cost of material, labor and other necessary expenses, but not any items of salary or expense of the deputies of the State Entomologist who shall supervise and direct such work.

**Petition request county to take charge**

**Commissioners control or destroy pests**

**Expenses**

When the said work shall have been completed throughout the said district, at any one time, the County Pest Inspector shall furnish a list of the landowners whose lands are included in said district, and their addresses, if known, and the lands owned by each, or the lands the owner of which is unknown, and the amount of said expense due from each; but in computing the amount of such expenses due from landowners, the amount paid the County Pest Inspector shall not be considered; and when said expense bill and assessment has been approved by the Board of County Commissioners, said list shall be certified to the County Treasurer, who shall mail a notice of the amount thereof to every owner whose name and address is known, and he shall, thirty days after said notices are mailed, enter the amount of all such assessments, as are unpaid, at the proper places on his tax rolls; and such amounts shall become a lien upon said lands and shall be collected by the Treasurer in the same manner as taxes levied thereon. Said sums shall be increased by 5 percent if not paid upon mailing of notice, and shall bear interest at 1 percent per month from the date of entry upon the tax rolls.

**List of landowners**

**Expense bill and assessment**

**List certified to county treasurer**

**Notice to owners**

**Lien of assessment**

**Penalties for delinquency**

CIRCULAR FIFTY-FOUR

**Salary of State Entomologist**

SECTION 4. The salary of the State Entomologist shall be increased in the sum of Five Hundred Dollars (\$500) annually for his services in administering this Act, and he shall directly, and through his deputies and County Inspectors, carry out its provisions, and he may appoint such deputies as shall be found necessary for said purpose; such deputies shall receive not more than Eight Dollars (\$8.00) per day, in addition to their actual and reasonable expenses, and for the actual time spent in carrying out the provisions of this Act.

**Duties**

**Per diem of deputies**

**Inspection of lands for pests**

SECTION 5. It shall be the duty of the State Entomologist, directly or through his deputies or County Inspectors, to inspect all lands whereon he has cause to believe pests exist that are liable to spread to the serious damage of the community, whether such lands be located without or within pest inspection districts—together with the borders of said districts, at least once each year, at proper season, for the purpose of determining whether or not any of them are infested with such pests as are named in this Act or in the district petition, or any such as may be determined by the State Entomologist to be injurious to the community.

**Notice to owner to exterminate pests**

SECTION 6. Whenever the State Entomologist, his deputy, or county inspector, has reason to believe, or has been credibly informed, that within the State there exists lands infested by pests which are liable to spread to the injury of others, it shall be his duty to make investigation of the suspected premises, and if they are found so infested, shall notify the owner or person in charge of control of such premises, in writing, of the nature, extent and location of the infestation and demand that within a specified time certain specified work shall be done on the infested premises for the extermination of the pests, and if the occupant of the infested property refuses or fails to do effective work on the premises in accordance with the instruction of the officer in charge, such officer shall take possession of the infested premises and disinfect, uproot, burn, or otherwise do the work necessary for the extermination of said pests, as provided in this Act. The reasonable and necessary expenses for doing such work shall be paid by the county without unnecessary delay, upon filing with the Board of County Commissioners the certificate of the State Entomologist showing the necessity for such work, the reasonable cost and expense thereof, and giving a description of the land or property upon which the work was done. And, upon filing such certificate, such charges shall become a lien on the property treated, collectible as taxes by the County Treasurer upon the filing of such certificates with him, in the event the property treated is real estate, or in the event of personal property, it shall be effected by levy and sale after ten days advertising, as required by law upon the delivery of such certificate to any officer authorized by law to make levy and

**On owner's refusal inspector shall take charge**

**Upon certification expenses are paid by county**

**Expenses a lien on property**

**How lien enforced**

## CIRCULAR FIFTY-FOUR

sale under execution; Provided, however, that either the State Entomologist or the County Inspector may, where cause exists outside of any pest inspection district as above provided, pursue the same remedies in all respects as to such lands and owners of lands outside of any such district the same as though embraced within the pest inspection district.

**Work outside of pest inspection districts**

SECTION 7. Each and every violation of any of the provisions of this Act, or non-compliance with any notice or direction given by the inspector in charge under the provisions of this Act, shall render the offender liable in an action of debt for not less than Twenty-five Dollars (\$25.00), and not more than Three Hundred Dollars (\$300.00), and each and every day that any person, firm or corporation shall fail to comply with any notice in writing received from the inspector in charge under the provisions of this Act, shall be deemed a separate offense. If the land in question be within or without a pest inspection district and the defendant be found guilty, the Court shall also render judgment against the defendant for the cost and expense.

**Liability for violation of act or order**

SECTION 8. The State Entomologist, or his deputy, or the County Inspector, having jurisdiction, together with such help as they may need in the prosecution of their work, are authorized during reasonable business hours, to enter upon, or into any premises, lands or places within or without any pest district in this State where they may suspect that such pests occur as are named in this Act or in the district petition or such as may be determined by the State Entomologist to be injurious to the community, for the purpose of inspecting, controlling and exterminating the same or otherwise carrying out the provisions of this Act. The County Inspector shall make a full report to the State Entomologist at least once a month, of the work done during that period.

**Entomologist or inspector may enter upon lands for purpose of inspection**

**Report of inspector**

SECTION 9. Notice of work required to be done may be served upon the owner, occupant or person in charge of any land, or in case the land is unoccupied, then upon any resident agent of the owner thereof. All public highways and rights of way of railroads, ditches and reservoirs, and the owners thereof, shall be subject to the provisions of this Act. In case school lands are embraced within the Pest Inspection District, the notice shall be served upon the State Land Board, and they shall be subject to all provisions of this act. Notice or summons in any suit or proceeding may be served upon any person or corporation, in form and manner as provided by the Code of Civil Procedure.

**Service of notice of required work**

**Liability of owners of railroads, ditches, etc.**

SECTION 10. County Inspectors or their deputies, shall distribute to owners or occupants of premises in Pest Inspection Districts such information as to the methods of destroying or keeping in check grasshoppers, and other pests, and shall also collect such information concerning the condition of lands and premises in pest districts, as the State Entomologist may direct.

**Distribution of information**

CIRCULAR FIFTY-FOUR

**How salaries and expenses of officers paid**

SECTION 11. The salary and expenses of the State Entomologist and the per diem and expenses of his deputies in carrying out the provisions of this Act shall be paid by the State Treasurer, but the wages of the County Inspector and their deputies shall be paid out of the treasuries of the counties where their work is performed.

**Appropriation**

SECTION 12. The sum of Five Thousand Dollars (\$5000.00) per annum is hereby appropriated to pay the salary of the State Entomologist and the per diem of his deputies, and to pay their necessary expenses in traveling, printing blanks and circulars, in experimentation in ways of controlling pests, and in otherwise carrying out the provisions of this Act. The State Auditor is hereby authorized to draw his warrants upon the State Treasurer for the sum herein appropriated, upon the presentation of proper vouchers, and the Treasurer shall pay the same out of any funds in the State Treasury not otherwise appropriated.

**Auditor draw warrants**

**Consolidation of funds**

The funds herein appropriated and the appropriation made for carrying into effect the Horticultural Inspection Law as found in Chapter 191, Laws of 1907, are hereby consolidated and made a common fund for carrying into effect the aforesaid Act, and this Act, and to apply to the necessary expense of either or both as herein provided.

**Control investigations**

SECTION 13. The State Entomologist is hereby authorized to carry on investigation into the habits of pests to agricultural and forage crops as are needed to insure better control.

**Act repealed**

SECTION 14. All Acts and parts of Acts in conflict with this Act, including all references to operations for the control of rodents in Sections 3 and 10 of Chapter 95 of the Session Laws of Colorado for 1915 as amended by Chapter 142 of the Session Laws of Colorado for 1921, are hereby repealed.