CHAPTER 7

Clemson University

**SECTION 46‑7‑10.** Duties and powers in general.

The board of trustees of Clemson University shall have the following duties and powers with respect to agriculture and agricultural affairs or investigations:

(1) It shall regulate the returns of such county agricultural societies as may be chartered by the State, prescribe the form of such returns and furnish all blanks necessary for securing uniform and reliable statistics of their operations;

(2) It shall issue to the several county auditors of the State blanks, with complete instructions, for the collection of agricultural statistics and information;

(3) It shall investigate all subjects relating to the improvement of the agricultural interests of the State, the inducement of immigration thereto and the introduction of foreign capital therein, as it may deem expedient;

(4) It shall make investigations adapted to promote and improve the marketing of cattle and poultry and domestic fowl of every kind;

(5) It may promulgate and enforce rules and regulations for the guidance of the State Veterinarian, or any assistant of his, in the treatment of horses, mules, cattle, hogs or other livestock or poultry or domestic fowl of any kind affected with any dangerous or contagious disease;

(6) It may adopt rules and regulations consistent with the laws of this State and of the United States to prevent the introduction into this State of any livestock or poultry or domesticated fowl of any kind that is affected with any contagious disease, the tendency of which is to cause the death of such livestock;

(7) It may in case of contagious disease among any kind of stock or animals, including poultry and domesticated animals of every kind, either establish rules of quarantine or have the infected animals killed and burned;

(8) It may adopt and promulgate such rules and regulations as it may deem necessary or advisable to carry into effect any and all of the matters referred to in Sections 47‑13‑10, 47‑13‑20, 47‑13‑40, 47‑13‑60 and 47‑13‑360 to 47‑13‑420;

(9) It, or a committee appointed by it, shall supervise and enforce the execution of any duties devolved upon it;

(10) It shall appoint a special inspector or inspectors of fertilizers and such other persons as it may deem necessary for carrying out the duties devolved upon it by Chapter 25 of this Title and fix their compensation;

(11) It shall communicate and cooperate with the Secretary of Agriculture of the United States and shall receive from him seeds, plants, documents and information and distribute them as may seem to the best advantage;

(12) It may hold agricultural conventions composed of delegates from each county in the State, to be apportioned to each county and elected in such manner as it may provide and it may conduct farmers’ institutes at such times and places as may appear expedient; and it may use such parts of the funds under its control as may be necessary to meet the expense of conducting such conventions and institutes, but no compensation, per diem or mileage, shall be paid to the delegates to such conventions;

(13) It shall detail one of its scientific agriculturists to pay frequent visits to the coastal section of the State, to examine the soils, present methods of cultivation, fertilization, irrigation, and similar matters, and to make practical tests, on some selected section, of Sea Island cotton, rice and truck farms, with various varieties of seeds, and to follow the tests up carefully during the preparation of the land, planting of the seed and cultivation and harvesting of the crops and also to examine into the diseases of cotton, rice, truck, and other similar crops which have caused much trouble and loss in that section; and

(14) It shall furnish, at cost, to citizens of this State upon request therefor, sufficient quantities of serum for treatment of hog cholera; provided, that no person shall be furnished more serum than needed for treatment of hogs actually owned by the person applying therefor; and provided, further, that no poor person shall be charged for serum applied for when he is unable to pay for it.

HISTORY: 1962 Code Section 3‑21; 1952 Code Section 3‑21; 1942 Code Sections 5743, 5750; 1932 Code Sections 5743, 5750; Civ. C. ‘22 Section 2840; Civ. C. ‘12 Section 1900; Civ. C. ‘02 Section 1313; G. S. 587, 588, 589, 591, 594; R. S. 1132; 1879 (17) 72; 1890 (20) 706 Section 4; 1901 (23) 737; 1913 (28) 194; 1928 (35) 1192; 1939 (41) 360; 1940 (41) 1876.

CROSS REFERENCES

Certification of seeds and plants, see Section 46‑21‑615 et seq.

Clemson University, generally, see Section 59‑119‑10 et seq.

Designation of Asian Citrus psyllid as plant pest and quarantine, Clemson University, see S.C. Code of Regulations R. 27‑137.

Light brown apple moth quarantine, Clemson University, see S.C. Code of Regulations R. 27‑77.

Phytophthora ramorum quarantine, Clemson University, see S.C. Code of Regulations R. 27‑78.

Provision that the board shall administer the South Carolina Pesticide Control Act, see Section 46‑13‑10.

Requirement that county auditors who are issued the blanks referred to in paragraph (2) of this section shall promptly return them completed to the board, see Section 46‑7‑20.

Responsibilities of the board with respect to agricultural liming materials, see Section 46‑26‑10 et seq.

Responsibilities of the board with respect to fertilizers, see Section 46‑25‑20 et seq.

South Carolina State University, see Section 59‑127‑10 et seq.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Agriculture Section 31, Powers and Duties.

S.C. Jur. Colleges and Universities Section 7, Clemson University.

**SECTION 46‑7‑20.** County auditors shall return blanks issued for collection of agricultural statistics and information.

The county auditors to whom are issued the blanks referred to in paragraph (2) of Section 46‑7‑10 shall promptly return such blanks to the board filled in in accordance with such instructions.

HISTORY: 1962 Code Section 3‑23; 1952 Code Section 3‑23; 1942 Code Section 5743; 1932 Code Section 5743; Civ. C. ‘22 Section 2840; Civ. C. ‘12 Section 1900; Civ. C. ‘02 Section 1313; G. S. 587, 588, 589, 591, 594; R. S. 1132; 1879 (17) 72; 1890 (20) 706 Section 4; 1901 (23) 737; 1913 (28) 194; 1939 (41) 360; 1940 (41) 1876.

**SECTION 46‑7‑30.** Experimental stations for farm demonstration work.

(A) The board of trustees of Clemson University may establish and operate two or more experimental stations, as in its judgment the funds of the University justify, for testing soil and climatic and other conditions and farm demonstration work. One station must be established within the Pee Dee section of the State, one within the sand hill portion, and the others wherever in the judgment of the board will result to the best interest of the State. Advertisement for bids in money and donations of land for the location of the stations must be made before their location is determined.

(B) The experimental stations shall engage in agricultural operations and farm research in its broadest sense. The development, collection, analysis, and publication and other dissemination of the results of research efforts on the research farms must be integral parts of the mission of the experimental stations.

HISTORY: 1962 Code Section 3‑24; 1952 Code Section 3‑24; 1942 Code Section 5740; 1932 Code Section 5740; Civ. C. ‘22 Section 2836; Civ. C. ‘12 Section 1896; 1911 (27) 3; 1993 Act No. 114, Section 1, eff June 11, 1993.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Agriculture Section 31, Powers and Duties.

**SECTION 46‑7‑40.** Receipt and use of grants under Hatch Act.

The board of trustees of Clemson University may receive grants and use them for the benefit of the State in accordance with the terms and conditions expressed in the Hatch Act of 1955 dated August 11, 1955 and in accordance with such rules and regulations as may be prescribed by the Secretary of Agriculture under the authority delegated to him by Congress.

HISTORY: 1962 Code Section 3‑25; 1952 Code Section 3‑25; 1942 Code Section 5739; 1932 Code Section 5739; Civ. C. ‘22 Section 2835; Civ. C. ‘12 Section 1895; Civ. C. ‘02 Section 1309; R. S. 1128; 1889 (20) 300 Section 2; 1961 (52) 662.

Federal Aspects

Provisions of the Hatch Act of 1955, see 7 U.S.C.A. Sections 361a‑361i.

Library References

Agriculture 3.1.

Westlaw Topic No. 23.

C.J.S. Agriculture Sections 32, 35 to 36.

**SECTION 46‑7‑50.** Assent to act of Congress for appropriations for experiment stations.

The assent of this State was given on March 1, 1909 to the purposes and provisions of an act of Congress entitled “An Act to Provide for an Increased Annual Appropriation for Agricultural Experiment Stations and Regulating the Expenditure Thereof,” approved March 16, 1906.

HISTORY: 1962 Code Section 3‑26; 1952 Code Section 3‑26; 1942 Code Section 5806; 1932 Code Section 2051; Civ. C. ‘22 Section 13; Civ. C. ‘12 Section 13; 1909 (26) 122.

Federal Aspects

Federal provisions relative to agricultural experiment stations generally, see 7 U.S.C.A. Sections 361a et seq.

**SECTION 46‑7‑60.** Assent to act of Congress to further development of extension work.

The assent of this State was given on March 15, 1929 to the provisions and requirements of an act of the Congress of the United States entitled “An Act to Provide for the Further Development of Agricultural Extension Work Between the Agricultural Colleges in the Several States Receiving the Benefits of the act entitled ‘An Act Donating Public Lands of the Several States and Territories which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts,’ Approved July 2, 1862, and all Acts Supplementary Thereto, and the United States Department of Agriculture,” approved by the President May 22, 1928.

HISTORY: 1962 Code Section 3‑27; 1952 Code Section 3‑27; 1942 Code Section 5806‑1; 1932 Code Section 5744; 1929 (36) 694.

CROSS REFERENCES

Provision that the board of trustees of Clemson University may receive grants under the act referred to in this section, see Section 46‑7‑70.

Federal Aspects

Federal provisions relative to agricultural extension programs and work generally, see 7 U.S.C.A. Sections 341 et seq.

**SECTION 46‑7‑70.** Receipt and use of grants under act to further development of extension work.

The board of trustees of Clemson University may receive the grants of money appropriated under the act referred to in Section 46‑7‑60 and organize and conduct agricultural extension work, which shall be carried on in connection with the college of agriculture of the University in accordance with the terms and conditions expressed in such act of the Congress of the United States.

HISTORY: 1962 Code Section 3‑28; 1952 Code Section 3‑28; 1942 Code Section 5806‑1; 1932 Code Section 5744; 1929 (36) 694.

Library References

Agriculture 3.1.

Westlaw Topic No. 23.

C.J.S. Agriculture Sections 32, 35 to 36.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Agriculture Section 32, Extension Services.

Attorney General’s Opinions

Clemson University may not unilaterally discontinue the Clemson Extension Service. S.C. Op.Atty.Gen. (Dec. 15, 2010) 2010 WL 5578964.

**SECTION 46‑7‑80.** Assent to act of Congress providing for research and cooperative extension work.

The assent of the General Assembly of this State, required by “An Act to Provide for Research into Basic Laws and Principles Relating to Agriculture and to Provide for the Further Development of Cooperative Agricultural Extension Work and the more Complete Endowment and Support of Land‑Grant Colleges,” approved June 29, 1935 (Public No. 182 ‑ 74th Congress), was given to the provisions and requirements of the act on April 18, 1936.

HISTORY: 1962 Code Section 3‑29; 1952 Code Section 3‑29; 1942 Code Section 5806‑2; 1936 (39) 1448.

CROSS REFERENCES

Provision that the board of trustees of Clemson University may receive and use grants under the act referred to in this section, see Section 46‑7‑90.

Federal Aspects

Phe provisions of Public Law No. 182 ‑ 74th Congress, see 7 U.S.C.A. Section 427.

**SECTION 46‑7‑90.** Receipt and use of grants under act providing for research and cooperative extension work.

The board of trustees of Clemson University may receive such grants and use them for the benefit of the State in accordance with the terms and conditions expressed in the act of Congress referred to in Section 46‑7‑80; provided, that the grants for the more complete endowment and support of land‑grant colleges shall be equally divided between Clemson University and South Carolina State College as now provided by law.

HISTORY: 1962 Code Section 3‑30; 1952 Code Section 3‑30; 1942 Code Section 5806‑2; 1936 (39) 1448; 1954 (48) 1722.

Library References

Agriculture 3.1.

Westlaw Topic No. 23.

C.J.S. Agriculture Sections 32, 35 to 36.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Colleges and Universities Section 7, Clemson University.

Attorney General’s Opinions

Clemson University may not unilaterally discontinue the Clemson Extension Service. S.C. Op.Atty.Gen. (Dec. 15, 2010) 2010 WL 5578964.

**SECTION 46‑7‑100.** Reporting animal diseases caused by chemical or other terrorism.

Every veterinarian, livestock owner, veterinary diagnostic laboratory director, or other person having the care of animals must report animals having or suspected of having any disease that may be caused by chemical terrorism, bioterrorism, radiological terrorism, epidemic or pandemic disease, or novel and highly fatal infectious agents and might pose a substantial risk of a significant number of human or animal fatalities or incidents of permanent or long‑term disability. The report must be made by telephone, in writing, or by compatible electronic format within twenty‑four hours to the State Veterinarian and must include as much of the following information as is available: the geographical location of the animal or the exposure, the name and address of any known owner, and the name and address of the reporting individual. The State Veterinarian must report to the Department of Health and Environmental Control any incidents which affect public health, or which create a public health emergency, as defined in Section 44‑4‑130. For purposes of this section, the terms chemical terrorism, bioterrorism, and radiological terrorism have the same meanings as provided in Section 44‑4‑130.

HISTORY: 2002 Act No. 339, Section 27, eff July 2, 2002.

Library References

Animals 28.1.

Westlaw Topic No. 28.

C.J.S. Animals Sections 122 to 123.

**SECTION 46‑7‑110.** Animal waste management training and certification programs.

(A) Clemson University, in conjunction with the Department of Health and Environmental Control, shall create a training and certification program for owners or operators of an animal facility as defined in Regulation 61‑43 which must include, but is not limited to, understanding relevant regulations, issues, standards, principles, and practices regarding siting and management of an animal facility and land application of animal waste; controlling vectors, testing for toxic metals, organic materials, and other elements; and implementing emergency procedures and spill prevention protocols.

(B) An operator of an animal facility and waste utilization area must be trained and certified according to South Carolina Department of Health and Environmental Control Regulations on the operation of animal waste management under the program created in subsection (A).

(C) Notwithstanding the provisions of subsection (B) or any other provision of law, cattle stockyard owners and operators are exempt from the training and certification requirements of this section.

HISTORY: 2002 Act No. 340, Section 10, eff June 30, 2002; 2010 Act No. 262, Section 1, eff upon approval (became law without the Governor’s signature on June 10, 2010).