

constituting a component part of such baking powder, or mixture or compound intended for use as a baking powder, using the name by which each ingredient is commonly known, in trade. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and shall, for each offense, be punished by a fine not less than twenty-five (25) or more than one hundred (100) dollars and costs, or by imprisonment in the county jail not to exceed thirty (30) days."

SEC. 2. This act shall take effect and be in force from and after August 1st, 1901.

Approved April 13, 1901.

CHAPTER 337.

H. F. No. 496.

An act to so provide against the manufacture, adulteration or sale of fruit jams and fruit preserves, as to prevent fraud and preserve the public health.

Dairy and food commission.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. No person, firm or corporation shall, within this state, by himself, his servants or agent, or as a servant or agent of any other person or corporation, manufacture for sale, or offer for sale, or sell any fruit jams or fruit preserves, which shall be composed of any ingredient or ingredients, other than fruit and granulated sugar. *Provided*, that no provisions of this act shall apply to any fruit jams or fruit preserves that may contain any ingredient or ingredients other than fruit and granulated sugar, said ingredient or ingredients being not injurious to public health, which shall be duly labeled with a label securely affixed in a conspicuous place upon the side of every can, jar, glass, tub, firkin or other package of any name whatever, wherein the same is contained, offered or exposed for sale or sold; said label being printed in the English language, in a bold face, legible type, not smaller than double pica, the name and residence of the person, firm or corporation manufacturing the same being placed on said label.

Adulteration by injurious ingredients prohibited.

Provided, further, that on a separate label of white or light-colored background, in bold face type, not less than one-half inch in length, the words in capitals, "Mixed and adulterated." Said label shall be securely affixed to the side of each can, jar, glass, firkin, tub or other package of any name whatever, wherein said the said fruit jams or fruit preserves are kept or offered for sale.

Label required.

SEC. 2. The having in possession by any person, firm or corporation any articles or substance herein described as adulterated or mixed, and which is not labeled as hereinbefore required and directed, shall be considered as prima facie evidence that the same is kept by such person, firm or corporation in direct violation of this act.

Selling for
export ex-
empted.

SEC. 3. All persons, firms or corporations, jobbers or wholesale dealers manufacturing, selling or offering for sale or keeping on hand fruit jams or fruit preserves for export trade outside of state, shall be and hereby are exempted from the provisions of this act as to fruit jams or fruit preserves which are so manufactured or kept for export trade.

SEC. 4. In all prosecutions arising under this act, the certificate of the chemist making the analyses, when duly sworn to by such analyst, shall be prima facie evidence of the fact or facts therein certified.

Penalty.

SEC. 5. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall for each offense, upon conviction thereof, be subject to a fine of not less than ten (10) dollars nor more than fifty (50) dollars and costs, or by imprisonment not to exceed three (3) months.

SEC. 6. The state dairy and food commissioner and his assistants, experts and chemists by him appointed shall be charged with the proper enforcement of all the provisions of this act. When complaint is made by the said dairy and food commissioner, his assistants, employes and chemists, or by any other person authorized by the said dairy and food commissioner, security for costs shall not be required of the complainant in any case at any stage of the prosecution on trial.

Access to
premises
for officials.

SEC. 7. The said commissioner and the assistants, experts, chemists and agents he shall duly authorize for the purpose, shall have access and ingress to all places of business, factories, stores and buildings used for the manufacture or sale of fruit jams and fruit preserves. They also shall have power and authority to open any package, can, jar, tub, or other receptacle containing any fruit jams or fruit preserves that may be manufactured, sold or exposed for sale in violation of the provisions of this act.

SEC. 8. This act shall take effect and be in force from and after October 1st, 1901.

Approved April 13, 1901.