

bonds shall be sold, and thereafter said city council, city commission or other governing body, shall submit the question of the issue of said bonds and the sale thereof, pursuant to said resolution to the legal voters of said city, either at a special election called for that purpose pursuant to the charter of said city, or at any general election held in said city, and if a majority of the legal voters of said city voting on said proposition vote in favor of the issuance of said bonds, then the council, city commission or other governing body of said city shall have full power and authority to issue and sell the same for the purpose specified in said resolution, and not otherwise. But if a majority of the legal voters of said city voting on said question should vote not to issue and sell said bonds, then the proposition shall be deemed rejected.

Sec. 3. **Conduct of election.**—Said election shall be conducted as are other special elections in said city, unless the proposition shall be submitted at a general city election, but in either case the proposition shall be plainly submitted upon the city election ballot by the use of appropriate language, in conformity with the so-called Australian election ballot law of this state. Said vote shall be returned and canvassed as at other elections in said city.

Sec. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved September 22, 1919.

CHAPTER 57—H. F. No. 135.

An act to regulate cold storage of certain articles of food.

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

Section 1. **Definition of cold storage, etc.**—For the purpose of this act, "cold storage" shall mean the storage or keeping of articles of food at or below a temperature above zero of 45° Fahrenheit in a cold storage warehouse; "cold storage warehouse" shall mean any place artificially cooled to or below a temperature above zero of 45° Fahrenheit, in which articles of food are placed and held for thirty days or more; "articles of food" shall mean fresh meat and fresh meat products and all fish, game, poultry, eggs, butter and cheese, or any other article sold or intended for use for human consumption, except fresh fruit and fresh vegetables.

Sec. 2. **To be licensed by commissioner of agriculture.**—No person, firm or corporation shall maintain or operate a cold storage warehouse without a license so to do issued by the commissioner of agriculture. Any person, firm or corporation desiring such a license shall make written application to the commissioner of agri-

culture for that purpose, stating the location of the warehouse. The commissioner of agriculture shall cause an examination to be made of said warehouse, and if it be found by him to be in proper sanitary condition and otherwise properly equipped for its intended use, he shall issue a license authorizing the applicant to operate the same as a cold storage warehouse during one year. The license shall be issued upon payment by the applicant of a license fee of fifty (\$50) dollars to the treasurer of the state.

Sec. 3. Revocation of license.—In case any cold storage warehouse, or any part thereof, shall at any time be deemed by the commissioner of agriculture to be in an unsanitary condition, or not properly equipped for its intended use, he shall notify the licensee of such condition and upon the failure of the licensee to put such cold storage warehouse in a sanitary condition, or to properly equip the same for its intended use, within a time to be designated by the commissioner of agriculture, he shall revoke such license.

Sec. 4. Licensee to keep records of receipts and sales.—Every such licensee shall keep accurate records of the articles of food received in and of the articles of food withdrawn from his cold storage warehouse, and the commissioner of agriculture shall have free access to such records at any time. Every such licensee shall submit a monthly report to the commissioner of agriculture, setting forth its itemized particulars and the quantities and kinds of articles of food in his cold storage warehouse. Such monthly reports shall be filed on or before the fifth day of each month, and the reports so rendered shall show the conditions existing on the last day of the preceding month reported and a summary of such reports shall be prepared by the commissioner of agriculture and shall be open to the public inspection on or before the tenth day of each month.

Sec. 5. Inspection by commissioner of agriculture.—The commissioner of agriculture shall inspect and supervise all cold storage warehouses and make such inspection of articles of food therein as he may deem necessary to secure the proper enforcement of this act, and he shall have access to all cold storage warehouses at all reasonable times. The commissioner of agriculture may appoint such persons as he deems qualified to make any inspection under this act.

Sec. 6. Provision as to food for human consumption.—No article of food intended for human consumption shall be placed, received or kept in any cold storage warehouse, if diseased, tainted, or otherwise unfit for human consumption or in such condition that it will not keep wholesome for human consumption. No article of food, for use other than for human consumption, shall be placed, received or kept in any cold storage warehouse unless previously marked, in accordance with forms to be prescribed by the commissioner of agriculture, in such a way as to indicate plainly the fact

that such article of food is not to be sold or used for human consumption.

Sec. 7. Articles of food to be plainly marked.—No person, firm or corporation shall place, receive or keep in any cold storage warehouse in this state, articles of food unless the same shall be plainly marked, stamped or tagged, either upon the container in which they are packed, or upon the article of food itself, with the date when placed therein; and no person, firm or corporation shall remove or allow to be removed such articles of food from any cold storage warehouse unless the same shall be plainly marked, stamped or tagged, either on the container in which it is enclosed or upon the article of food itself, with the date of such removal, and such marks, stamps and tags shall be prima facie evidence of such receipt and removal and of the dates thereof. All articles of food in any cold storage warehouse at the time this act goes into effect shall, before being removed therefrom, be plainly marked, stamped or tagged with the date when this act goes into effect and the date of the removal therefrom.

Sec. 8. Length of time which food may be kept.—No person, firm or corporation shall keep or permit to remain in any cold storage warehouse any article of food which has been held in cold storage either within or without the state for a longer aggregate period than twelve months, except with the consent of the commissioner of agriculture as herein provided. The commissioner upon written application made and presented during the twelve months' period may extend the allowable storage period for any particular article of food provided the same upon examination is found to be in proper condition for further cold storage. If the commissioner shall grant the application for such further storage period he shall enter an order specifying the period for which such additional storage may be permitted. The commissioner shall make a written report on each case in which such extension of storage is granted, including therein the information relating to the reason for the action taken, specifying the kinds and amounts of the articles of food covered by such extension order and the length of time for which the extension is granted, and this report and the order based thereon shall be kept on file in the office of the commissioner at all times open to the public, and a reference to each such report and extension shall be included in the annual report of the commissioner. No extension shall be granted for a longer period than sixty days, but a second extension of not more than sixty days may be granted upon re-investigation and re-examination, provided the entire extension period shall in no event exceed more than one hundred and twenty (120) days.

Sec. 9. Provision as to hoarding food.—Whenever, in the opinion of the commissioner, the market conditions of food articles,

resulting from insufficient production, hoarding or other cause, is such as to require the release for immediate sale of food stuffs held in cold storage, so that there is an immediate market therefor at fair and reasonable prices, the commissioner by order may shorten the twelve months storage period herein provided for as to any particular article of food and may by his order fix and establish a shorter storage period for such article or articles of food and thereupon the articles covered by such order shall, upon the expiration of such shortened storage period be released from storage and removed from such storage warehouse. If such provision for a shortened storage period for any reason shall be invalid, no other provision of this act shall be impaired or held invalid in consequence thereof.

Sec. 10. Unlawful to return food once released from storage.—It shall be unlawful to return to any cold storage warehouse any article of food which has been once released from storage for the purpose of placing it on the market for sale. It shall be unlawful to transfer any article of food from one cold storage warehouse to another if such transfer is made for the purpose of avoiding any provisions of this act, and such transfer shall be unlawful unless all prior stampings, markings and tagging upon such article shall remain thereon.

Sec. 11. Rules and regulations.—The commissioner of agriculture may make all necessary rules and regulations to carry this act into effect. Such rules and regulations shall be filed in the commissioner's office, and shall not take effect until thirty days after such filing.

Sec. 12. Violation a gross misdemeanor.—Any person, firm or corporation violating any provision of this act shall be guilty of a gross misdemeanor and shall upon conviction be punished for the first offense by fine not to exceed five hundred dollars or by imprisonment in the jail of the proper county for a period of not more than three months, or by both such fine and imprisonment, and for the second or any subsequent offense, by a fine not to exceed one thousand dollars, or by imprisonment in the jail of the proper county for a period not to exceed one year, or by both such fine and imprisonment.

Sec. 13. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its passage.

Approved September 22, 1919.