

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 13, 1925.

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CHAPTER 187—S. F. No. 984.

*An act to safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalis, and other substances.*

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

Section 1. **Definitions.**—That in this act, unless the context or subject-matter otherwise requires,

A. The term "dangerous caustic or corrosive substance" means each and all of the acids, alkalis, and substances named below: (a) Hydrochloric acid and any preparation containing free or chemically unneutralized hydrochloric acid ( $\text{HCl}$ ) in a concentration of ten per centum or more; (b) Sulphuric acid and any preparation containing free or chemically unneutralized sulphuric acid ( $\text{H}_2\text{SO}_4$ ) in a concentration of ten per centum or more; (c) Nitric acid or any preparation containing free or chemically unneutralized nitric acid ( $\text{HNO}_3$ ) in a concentration of five per centum or more; (d) Carboic acid ( $\text{C}_6\text{H}_5\text{OH}$ ), otherwise known as phenol, and any preparation containing carboic acid in a concentration of five per centum or more; (e) Oxalic acid and any preparation containing free or chemically unneutralized oxalic acid ( $\text{H}_2\text{C}_2\text{O}_4$ ) in a concentration of ten per centum or more; (f) Any salt of oxalic acid and any preparation containing any such salt in a concentration of ten per centum or more; (g) Acetic acid or any preparation containing free or chemically unneutralized acetic acid ( $\text{HC}_2\text{H}_3\text{O}_2$ ) in a concentration of twenty per centum or more; (h) Hypochlorous acid, either free or combined, and any preparation containing the same in a concentration so as to yield ten per centum or more by weight of available chlorine, excluding calx chlorinata, bleaching powder, and chloride of lime; (i) Potassium hydroxide and any preparation containing free or chemically unneutralized potassium hydroxide ( $\text{KOH}$ ), including caustic potash and Vienna paste, in a concentration of ten per centum or more; (j) Sodium hydroxide and any preparation containing free or chemically unneutralized sodium hydroxide ( $\text{NaOH}$ ), including caustic soda and lye, in a concentration of ten per centum or more; (k) Silver nitrate, sometimes known as lunar caustic, and any preparation containing silver nitrate ( $\text{AgNO}_3$ ) in a concentration of five per centum or more, and (l) Ammonia water and any preparation yielding free or chemically uncombined ammonia ( $\text{NH}_3$ ), including ammonium hydroxide and "hartshorn," in a concentration of five per centum or more.

B. The term "misbranded parcel, package, or container" means a retail parcel, package, or container of any dangerous caustic or corrosive substance for household use, not bearing a conspicuous, easily legible label or sticker, containing (a) the name of the article; (b) the name and place of business of the manufacturer, packer, seller, or distributor; (c) the word "POISON," running parallel with the main body of reading matter on said label or sticker, on a clear, plain background of a distinctly contrasting color, in uncondensed gothic capital letters, the letters to be not less than 24 point size, unless there is on said label or sticker no other type so large, in which event the type shall be not smaller than the largest type on the label or sticker, and (d) directions for treatment in case of accidental personal injury by the dangerous caustic or corrosive substance.

**Sec. 2. Sale of misbranded packages prohibited.**—No person sell, barter, or exchange, or receive, hold, pack, display, or offer for sale, barter, or exchange any dangerous caustic or corrosive substance in a misbranded parcel, package, or container, said parcel, package, or container being designed for household use.

**Sec. 3. Misbranded packages may be seized.**—Any dangerous caustic or corrosive substance in a misbranded parcel, package, or container suitable for household use, that is being sold, bartered or exchanged, or held, displayed, or offered for sale, barter, or exchange, shall be liable to be seized and to be proceeded against in any court within the jurisdiction of which the same is found in manner and form as provided in the Minnesota Dairy and Food Law for seizure of and proceedings in case of food, and may be disposed of as therein provided.

**Sec. 4. Violation a misdemeanor.**—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof be punished by a fine of not less than \$25.00, or by imprisonment for not less than 30 days.

**Sec. 5. Dairy and Food Commissioner to enforce act.**—The dairy and food commissioner shall enforce the provisions of this act, and he is hereby authorized and empowered to approve and register such brands and labels intended for use under the provisions of this act as may be submitted to him for that purpose and as may in his judgment conform to the requirements of this statute: Provided, however, that in any prosecution under this act the fact that any brand or label involved in said prosecution has not been submitted to said commissioner for approval, or if submitted, has not been approved by him, shall be immaterial.

**Sec. 6. Prosecuting officers to institute proceedings.**—Every prosecuting officer to whom there is presented, or who in any way procures, satisfactory evidence of any violation of the provisions of this act shall cause appropriate proceedings to be commenced and

prosecuted in the proper courts, without delay, for the enforcement of the penalties as in such cases herein provided.

**Sec. 7. Title of act.**—This act may be cited as the “Minnesota Caustic Alkali or Acid Act.”

**Sec. 8. Effective June 30, 1925.**—This act shall take effect from and after June 30, 1925.

**Sec. 9. Inconsistent acts repealed.**—That from and after the date when this act takes effect, all acts and parts of acts contrary to and inconsistent with the provisions of this act be and the same hereby are repealed, but nothing herein contained shall be construed as modifying or interfering with the institution or continuance of any prosecution based upon any violation of law committed before the passage of this act, nor with the enforcement of the penalties provided for any such violation by any act hereby repealed.

Approved April 13, 1925.

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#### CHAPTER 188—S. F. No. 1281

*An act to make all charges and expenses for any inspection, examination or other governmental service of any nature authorized or required by law, a first and prior lien upon all property in this state subject to taxation as property of the person from whom such charges are authorized or required by law to be collected.*

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

**Section 1. Expenses and costs of examination to be prior liens.**—That all charges and expenses for any inspection, examination, or other governmental service of any nature now or hereafter authorized or required by law shall constitute and be a first and prior lien from the date of such inspection, examination or service upon all property in this state subject to taxation as the property of the person from whom such charges and expenses are by law authorized or required to be collected. No record of such lien shall be deemed necessary, but the same shall be duly presented or proven in any bankruptcy, insolvency, receivership or other similar proceeding, or be barred thereby.

**Sec. 2. Definitions.**—As used in this act the following words and terms have the following meanings, to-wit:

(a) The word “person” means and includes any natural person in any individual or representative capacity, and any firm, co-partnership, corporation or other association of any nature or kind; and includes the plural as well as the singular.

(b) The term “first and prior lien” means a lien equivalent to, and of the same force and effect as a lien for taxes; but any such lien or claim shall be deemed barred unless proceedings to enforce