

## CHAPTER 75—H. F. No. 427

*An act relating to the manufacture and sale of frozen product made in imitation or semblance of ice cream.*

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

**Section 1. Definitions.**—The word “person” as used in this act shall mean persons, firms, corporations, co-partnerships, associations or agents of any of them.

**Sec. 2. Unlawful to manufacture certain products.**—It shall be unlawful for any person to manufacture for sale, sell or offer or expose for sale in this state any frozen product made in imitation or in semblance of ice cream and having the general appearance of ice cream, or calculated or intended to be dispensed, sold or used in the same manner as ice cream, in the preparation of which frozen product a substantial amount of one or more milk products has been used, unless it conforms to the butterfat standards for ice cream as fixed by law in this state; provided, however, that if such frozen product contains fruit or nuts, or both, then it shall conform to the butterfat standard fixed by law in this state for fruit and nut ice cream.

**Sec. 3. Scope of statute.**—Products shall be considered as coming within the meaning of this act when they consist of a mixture of sugar or sugars, suitable flavor, and/or egg or egg yolk, and a substantial amount of one or more of the following milk products: milk, cream, skim milk or buttermilk, whether or not condensed, evaporated, concentrated, powdered, dried or desiccated, or any of the fluid derivatives of any of them, with or without other edible food materials.

**Sec. 4. Commissioner to enforce provisions.**—The agriculture, dairy and food commissioner shall enforce the provisions of this act. He may by himself, his inspectors or assistants, exercise in the enforcement of the act all the authority and power now granted under the dairy and food laws of the State of Minnesota.

**Sec. 5. Penalty.**—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be for each offense punished by a fine of not less than fifteen dollars or by imprisonment for not less than twenty days, and for each subsequent offense by a fine of not less than fifty dollars or by imprisonment for not less than sixty days.

Approved March 19, 1931.