

officers, wholly or in part at the expense of any such corporation, of medical expenses, insurance against accident, sickness, disability or death, and may adopt a plan for retirement allowances or pensions to employees and officers based on services rendered before, after, or before and after, the plan is adopted; such pension or allowance to be payable in such amounts, at such times and upon such conditions as the board of directors of the corporation in its discretion shall determine.

Sec. 2. Acts legalized. All allowances for medical expenses, insurance against accident, sickness, disability or death, and retirement allowances or pensions heretofore granted or paid by any such corporation to its employees and officers pursuant to action by its board of directors, is hereby validated.

Approved April 22, 1947.

CHAPTER 447—H. F. No. 1490

An act relating to the manufacture and sale of non-alcoholic beverages and amending Minnesota Statutes 1945, Sections 34.01, Subdivision 3, 34.02, 34.10, and 34.11.

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

Section 1. Minnesota Statutes 1945, Section 34.01, Subdivision 3, is amended to read as follows:

34.01. **Definitions.** Subd. 3. **Carbonated beverages.** A carbonated or still beverage shall be a beverage made of pure cane, beet sugar, or refined corn sugar, or *corn syrup or corn syrup solids*, with pure water, and pure flavoring materials, with or without fruit acids and harmless coloring materials, and the finished product shall contain not less than seven per cent of sugar and less than one-half of one per cent of alcohol by volume. All carbonated or still beverages not conforming to the above requirements, to the provisions of sections 34.02 to 34.11, to Laws 1921, Chapter 495, or to the rules, definitions, and standards made thereunder, shall be deemed to be adulterated.

Sec. 2. Minnesota Statutes 1945, Section 34.02, is amended to read as follows:

34.02. **Licenses; exceptions.** No person shall manufacture, mix, or compound any soft drinks or other non-alcoholic

beverage, except apple or fruit ciders, natural fruit juices, or cereal beverages to be sold in bottles, barrels, kegs, jars, coolers, cans, glasses or tumblers, or other containers, without first having obtained a license therefor from the commissioner. Sections 34.02 to 34.11 shall not apply to beverages manufactured, mixed, or compounded in quantities of less than one quart at one time.

Sec. 3. Minnesota Statutes 1945, Section 34.10, is amended to read as follows:

34.10. Containers cleansed; prohibitions. Before being filled with such beverages, all bottles, jars, and coolers shall be sterilized by soaking for a period of not less than five minutes in a solution *consisting of a minimum of three per cent of caustic soda, expressed in terms of sodium hydrate, heated to not less than 130 degrees Fahrenheit, and then thoroughly rinsed in pure water until freed from alkali.* Jars and coolers, before being refilled, shall be cleansed and washed as in the manner above prescribed for bottles. When such beverages are marketed in second-hand or used barrels, kegs, or other wooden containers, such containers shall be thoroughly cleansed and coated on the inside with paraffin, pitch, or other suitable material. No beverages shall be placed in containers known as the "Hutchinson plunger bottle," or any container of similar type.

Sec. 4. Minnesota Statutes 1945, Section 34.11, is amended to read as follows:

34.11. Markings of containers. It shall be unlawful for any person to place his products in bottles or containers bearing any name blown in the glass or appearing thereon other than the true name, *or the registered trade name, of the manufacturer; provided, however, that a beverage marketed under a registered trade name or trade mark may be placed by the manufacturer thereof under franchise, license, or permit from or under contract with, the owner and holder of the trade name or trade mark for such beverage in a bottle into which there was blown or on which there appears the name or the address of another manufacturer of such beverage provided the manufacturer who so places such beverage in such bottle affixes thereto a label or cap on which appears his name and address together with such other information as the commissioner may require; and, provided further, that a successor in interest of a beverage manufacturer may, by using label or cap as heretobefore provided, use the bottle of his predecessor.*

Approved April 22, 1947.