

*num* of 25 days a year. Members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties.

Approved April 21, 1953.

---

CHAPTER 518—H. F. No. 1314

*An act relating to foods and frozen foods; amending Minnesota Statutes 1949, Section 31.01, Subdivision 1, Section 31.25, Subdivision 2, and Sections 31.10 and 31.44.*

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

Section 1. Minnesota Statutes 1949, Section 31.01, Subdivision 1, is amended to read:

**31.01 Definitions.** Subdivision 1. **Terms.** Unless the language or context clearly indicates that a different meaning is intended, the words, terms, and phrases defined in *this section* shall, for the purposes of *this chapter*, be given the meanings subjoined to them.

Sec. 2. Minnesota Statutes 1949, Section 31.10, is amended to read:

**31.10 Standards, definitions; promulgation.** For the purpose of securing uniformity, so far as practicable, between the laws of this state and those of the federal government now enacted to prevent fraud and deception in the manufacture, use, sale, and transportation of food, *frozen food, milk products, ice-cream mix and ice-cream mix base*, and to protect and preserve the public health, it shall be the duty of the commissioner to fix, adopt, and publish, from time to time, by rulings or regulations, in writing, definitions and standards of quality, purity, *identity, composition, analysis, content* and strength of articles of food, *frozen food, milk products, ice-cream mix, or ice-cream mix base*, for which no definitions and standards are prescribed by law, and such definitions and standards so fixed, adopted, and published *by the commissioner* shall be the lawful definitions and standards thereof before all courts; provided that when definitions and standards have been or may be fixed by the secretary of the department of agriculture of the United States, except in cases where definitions or standards otherwise are prescribed by law, they *may* be accepted by the commissioner and *if accepted*, published as definitions or standards for Minnesota. *All definitions and standards promulgated and adopted by the commissioner shall be done in accordance with sections 15.041 to 15.049. Until*

such definitions and standards are *promulgated and adopted in the manner stated*, the definitions and standards heretofore *prescribed by law or promulgated and adopted* by the commissioner shall remain in full force and effect, except as otherwise prescribed by law. Any person who shall manufacture, use, sell, transport, *package*, offer for sale or transportation, or have in possession with *the intent to sell, package, repack, offer for sale or transportation, or use, or transport*, any article of food, *frozen food, milk products, ice-cream mix or ice-cream mix base*, which does not conform to such definition or standards so fixed, adopted, and published, shall be guilty of a violation of *this chapter*.

Sec. 3. Minnesota Statutes 1949, Section 31.25, Subdivision 2, is amended to read:

Subd. 2. **Sale of certain frozen foods.** (1) No person shall sell, advertise, or expose for sale, or offer for sale a frozen food, ice-cream mix, or ice-cream mix base, if it contains any fat, oils or paraffin, other than milk fat, except such fats or oils as are naturally contained in the flavor used.

(2) When ice milk is sold, offered or exposed for sale in a package or other container, there shall be conspicuously printed thereon the words "ice milk." The words "ice milk" shall appear in ink upon a contrasting background, in type not less than 24-point Gothic capitals. When ice milk is sold at retail to a consumer, the owner, operator or manager of such retail establishment shall have signs conspicuously posted on the inside of such retail establishment with lettering large enough to be distinctly seen and read containing the words "ice milk sold here." Such signs shall remain posted so long as ice milk is sold or offered for sale to consumers. When ice milk is sold to a consumer in a baked cone or a baked cup, such baked cone or cup shall have embossed or impressed on the outside thereof the words "ice milk" in type not less than 24-point Gothic capitals.

(3) No person shall sell, advertise or offer or expose for sale any imitation ice-cream.

(4) No person shall sell, offer for sale or advertise for sale any frozen food, ice-cream mix or ice-cream mix base if the brand name of the frozen food, ice-cream mix or ice-cream mix base or label upon it, or the advertising accompanying it, shall give a false indication of origin, character, composition, name of manufacturer, or is otherwise false or misleading in any particular.

Sec. 4. Minnesota Statutes 1949, Section 31.44, is amended to read:

**31.44 Violations, penalties.** Subdivision 1. *Save as hereinafter otherwise specifically provided, any person violating, or failing to comply with, any of the provisions of this chapter, or any of the provisions of any of the rules, regulations, definitions, standards, or rulings made and filed with the secretary of state thereunder, shall be guilty of a misdemeanor. Each separate violation of this chapter shall be, unless otherwise specifically provided therein, a separate offense, except that in the case of a violation through continuing failure or neglect to obey the provisions of this chapter, each day of continuance of such failure or neglect shall be deemed a separate offense.*

Subd. 2. *Any person licensed under the provisions of Minnesota Statutes 1949, Sections 31.19, 31.21, 31.22 and 31.23 who knowingly violates, or who directs or knowingly permits any officer, agent, or employee to violate Section 31.25, Subdivision 2, Clause (1) or Clause (3), shall be guilty of a gross misdemeanor and upon conviction thereof, be punished by a fine of not more than \$1,000, or 30 days imprisonment in the county jail, or both. For each subsequent offense, in addition to any fine or imprisonment imposed under this subdivision, upon conviction thereof, the commissioner of agriculture shall revoke or withhold issuing to such offender any license required under the provisions of Minnesota Statutes 1949, Sections 31.19, 31.21, 31.22, and 31.23 and in such case of revocation of license the commissioner shall not issue any license for the operation of such frozen food manufacturing plant for a period of one year from the date of such revocation.*

Subd. 3. *Any person violating Section 31.25, Subdivision 2, Clause (2) or Clause (4), for each first offense shall, upon conviction thereof, be punished by a fine of not less than \$25 nor more than \$100 and for each subsequent offense, upon conviction thereof, by a fine of not less than \$100 nor more than \$250, or 30 days imprisonment in the county jail, or both.*

Subd. 4. *Whoever shall, without permission of the commissioner, use any brand, label, or device authorized by the commissioner, or who shall fail to furnish reports containing information required or within the time specified, or who shall fail to obey any lawful direction of the commissioner given by him in carrying out the provisions of this chapter, or shall use any raw materials, articles, or substances forbidden to be used in canning, packing, or preserving vegetables or fruits, or shall violate, or fail to comply with, any of the provisions of this chapter, or the rules or regulations made thereunder, shall be guilty of a misdemeanor, and, upon conviction, shall, in the absence of any other penalty provided by law, be punished by a*

fine of not less than \$100, nor more than \$500, or by imprisonment for not less than 30 days, nor more than three months, or both, for each offense.

Subd. 5. *In addition to the remedies herein provided, the commissioner may commence proceedings in the district court of any county in which any violation of this chapter has occurred or is threatening to occur for a temporary or permanent injunction against any person violating or threatening to violate any provision of this chapter.*

Approved April 21, 1953.

---

CHAPTER 519—H. F. No. 1320

[Coded]

*An act authorizing the director of public institutions to accept contributions of money for the use and benefit of mentally deficient and epileptic persons and to expend any money so received for certain purposes.*

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

Section 1. [246.41] **Acceptance of contributions for benefit of mentally ill persons.** Subdivision 1. **Director of institutions, for state.** The director of public institutions is authorized to accept, for and in behalf of the state, contributions of money for the use and benefit of mentally deficient and epileptic persons.

Subd. 2. **Special welfare fund.** Any money so received by the director shall be deposited with the state treasurer in a special welfare fund, which fund is to be used by the director of public institutions for the benefit of mentally deficient and epileptic persons within the state, including those within institutions. And, without excluding other possible uses, research relating to mentally deficient and epileptic persons shall be considered an appropriate use of such funds; but such funds shall not be used for any structures or installations which by their nature would require state expenditures for their operation or maintenance without specific legislative enactment therefor.

Approved April 21, 1953.

---

CHAPTER 520—H. F. No. 1328

*An act relating to conveyancing and registration; amending Minnesota Statutes 1949, Section 508.37.*