

agency it is expedient to retain for the purpose of reducing the expense or increasing the income of the family; or

(3) Real estate not used as a home, provided that if such real estate does not produce net income sufficient to meet the family budget and there is no available market for the sale of such property, or if the price which can be obtained on the prevailing market is not fair and reasonable considering the applicant's interest therein and the possibilities of sale of said property for a greater amount within a reasonable length of time thereafter then in that event, in the discretion of the county agency, ownership of the same shall not be a bar to an allowance under sections 256.72 to 256.87. Net income shall be the residue after payment from gross income of taxes, insurance, maintenance, and interest on encumbrances, if any, on the property, provided that in computing net income the gross income shall not be charged with any expenses toward betterment of the property as improvements or by payment on the principal of a mortgage; provided, that the net income thus derived shall be applied on the family budget.

Approved April 13, 1955.

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CHAPTER 415—H. F. No. 892

[Coded]

*An act relating to chemically treated grain.*

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

Section 1. [17.41] **Grain defined.** Unless the language or context clearly indicates that a different meaning is intended, the term "grain" shall mean whole seeds or entire grains or any broken parts thereof, of field peas, field beans, soybeans or other legumes, or flax, wheat, rye, barley, oats, corn, sorghum, spelt or emmer, vetch, buckwheat, or any other cereals.

Sec. 2 [17.42] **Chemically treated grain, sale.**  
Subdivision 1. It shall be unlawful for any person, firm, corporation, or association to sell, or offer for sale, or expose for sale, or to purchase for the purpose of resale, any grain for human, animal, or poultry consumption, if such grain contains toxic chemicals in sufficient quantities to be harmful to humans, animals, or poultry, providing such person, firm, corporation or association knew or upon the exercise of reasonable diligence could have known of the presence in the grain

in question of toxic chemicals in sufficient quantities to be harmful to humans, animals or poultry.

Subd. 2. It shall also be unlawful for any person knowingly to sell, or offer for sale, or expose for sale any grain for human, animal or poultry consumption, containing toxic chemicals in any quantity, without informing the purchaser, in writing, of such fact.

Sec. 3. [17.43] **Violations.** Any person violating section 2, subdivision 1, or section 2, subdivision 2, of this act shall be guilty of a gross misdemeanor and shall be fined not less than \$250 or be imprisoned for not less than 60 days, or both.

Sec. 4. [17.44] **Seizure of chemically treated grain.** Subdivision 1. In the event grain is sold or offered for sale for the purpose of human, animal, or poultry consumption, which contains toxic chemicals in sufficient quantities to be harmful to humans, animals, or poultry, the district court of the judicial district in which the grain is found may, upon complaint and showing made by the commissioner of agriculture, dairy and food, order said grain to be seized. In the event the court finds that the grain is subject to seizure, it shall order the grain to be sold or otherwise disposed of for purposes other than human, animal, or poultry consumption. To this end the court may require the grain to be specially labeled, dyed or otherwise altered in appearance. Upon application of the owner or any other person interested in the grain, the court shall permit such person at his own expense to recondition said grain and if, after reconditioning, it appears to the satisfaction of the court that the toxic chemicals have been removed so that the grain is no longer harmful to humans, animals, or poultry, the court then shall release the grain.

Subd. 2. The court at any time after seizure and up to a reasonable time before trial shall allow any interested party, his attorney or agent, to obtain a representative sample of the grain seized and a true copy of the analysis on which the seizure is based.

Approved April 13, 1955.

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#### CHAPTER 416—H. F. No. 999

*An act relating to school districts, providing for additional levies to retire certain bonds; amending Minnesota Statutes 1953, Section 275.121.*