

CHAPTER 101—H. F. No. 276

An act relating to the licensing and regulation of dairy plants; amending Minnesota Statutes 1961, Sections 32.09 and 32.10.

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

Section 1. Minnesota Statutes 1961, Section 32.09, is amended to read:

32.09 Dairy plant licensing. No dairy plant or other establishment in which dairy products or goat milk, as defined in section 32.391, subdivision 1, are manufactured, processed, or handled, or for transportation, shall be operated in this state unless a license therefor shall be issued and be in force, as provided in sections 32.09 and 32.10. The owner, operator, or lessee of any such plant or establishment shall apply to the commissioner for such license upon such form and shall furnish such information as he may require *including, but not limited to, an audited financial statement verified by the auditor and the plant manager.* The application shall be accompanied by a fee which shall be based upon the butterfat intake of the applicant during the year ended on the last day of the month next preceding the date of application, as follows: If the butterfat intake for such period is 200,000 pounds or less, \$10; if the butterfat intake for such period is more than 200,000 pounds, \$25 for each place to be licensed, which shall be paid into the state treasury. If the commissioner finds that such applicant maintains a proper place, with sufficient and proper machinery and equipment for the manufacture of ~~butter or cheese or other~~, *processing, or handling of dairy products, or for maintaining a cream station* as required by law in this state and the rules and regulations of the commissioner, he shall issue the license so applied for. All such licenses shall expire on June thirtieth, of each year, unless sooner revoked as provided in section 32.10. A separate license shall be required and the prescribed fee shall be paid for each such plant or establishment. If a license is not applied for on or before July 1st of each year or within 30 days after such applicant has operated as a creamery, cheese factory, condensery, milk plant or cream station, a penalty of 10 percent of the license fee shall be imposed for each month thereafter; provided that in no case shall the penalty exceed the amount of the license fee.

Sec. 2. Minnesota Statutes 1961, Section 32.10, is amended to read:

32.10 Licenses; suspension, revocation. When any person licensed under sections 32.09 and 32.10 shall have been convicted of a violation of any provision of any law of this state relating to the

Changes or additions indicated by italics, deletions by ~~strikeout~~.

manufacture or sale of butter or cheese or other dairy products, or the operation of dairy plants, or other establishments in which dairy products or goat milk, as defined in section 32.391, subdivision 1, are manufactured, processed, or handled, or for transportation, or of any provision of any rule or regulation of the commissioner made and promulgated under the provisions of law or there has been a continued course of conduct by such licensee or any agent, representative or employee of such licensee which deceives or defrauds producers or consumers, his license (1) may be suspended for the time stated in order of suspension, ~~or~~ (2) may be revoked or canceled by the commissioner, or (3) upon application for a renewal license, the commissioner may refuse to issue the same, upon ten days' written notice with opportunity to be heard. The commissioner shall promulgate procedural rules and regulations governing the notice, hearing, evidence, findings, order, and record to be kept in such hearings, in the manner provided by law. Upon conviction of a second or any subsequent offense, the commissioner may revoke and cancel such license with or without notice of hearing, in his discretion, and in such case the commissioner shall not issue another license for the operation of such plant or establishment for a term of one year from the date of such cancelation or revocation.

Approved March 22, 1963.

CHAPTER 102—H. F. No. 342

An act relating to milk and cream grading and testing licenses; providing for re-examinations, and penalties for late renewals of licenses; amending Minnesota Statutes 1961, Section 32.075.

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

Section 1. Minnesota Statutes 1961, Section 32.075, is amended to read:

32.075 Milk and cream testers; term of license; transferability; fees and penalties. Every license issued by the commissioner shall be for a period ending on the thirty-first day of December next following, and shall not be transferable. The fee for each such annual license or renewal thereof shall be \$3 and shall be paid to the commissioner before any license or renewal thereof is issued. If a license is not applied for on or before January 1st of each year or within 30 days after the applicant has operated as a competent and qualified grader to test milk and cream, a penalty of 10 per-cent of the license fee shall be imposed for each month thereafter, provided that in no

Changes or additions indicated by italics, deletions by ~~strikeout~~.