

276.11 **County treasurers; distribution of funds.** *Immediately Within 90 days* after each settlement in February, May, and October the county treasurer shall pay over to the state treasurer or the treasurer of any town, city, village, or school district, on the warrant of the county auditor, all moneys received by him arising from taxes levied and collected belonging to the state, or to such municipal corporation, or other body and deliver up all orders and other evidences of indebtedness of such *municipal* corporation or other body, taking triplicate receipts therefor. He shall file one of the receipts with the county auditor, and shall return one by mail on the day of its reception to the clerk of the town, city, village, or school district to which such payment was made, who shall preserve the same in his office. *If the county treasurer fails to pay over such moneys to the state or to a municipal corporation or other body within 90 days after settlement, interest shall thereafter accrue at the rate of 3-1/2 percent per year. Interest shall be payable upon appropriation from the general revenue fund of the county and, if not paid, may be recovered by the state, municipal corporation, or other body, in a civil action.*

Approved May 15, 1967.

CHAPTER 434—H. F. No. 1467

An act relating to frozen foods; amending Minnesota Statutes 1965, Sections 32.55, Subdivisions 2 and 12; 32.62, Subdivision 2; 32.64, Subdivisions 1, 2, and 4.

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

Section 1. Minnesota Statutes 1965, Section 32.55, Subdivision 2, is amended to read:

Subd. 2. **Frozen food.** “Frozen foods” means ice cream, frozen custard, French ice cream, French custard ice cream, ice milk, fruit sherbets, water ices, frozen malted milk, frozen milk shakes; ~~or frozen malts, or any frozen food for which the commissioner has established a standard of identity,~~ but shall not include frozen vegetables, fruits, meats, poultry, or bakery products.

Sec. 2. Minnesota Statutes 1965, Section 32.55, Subdivision 12, is amended to read:

Subd. 12. **Imitation ice cream.** “Imitation ice cream” means any frozen substance, mixture or compound regardless of

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the name under which it is represented, which is made in imitation or semblance of ice cream, or is prepared or frozen as ice cream is customarily prepared or frozen and which is not ~~ice cream; frozen eustard; french ice cream; french eustard ice cream; ice milk; fruit sherbet; water ices; frozen malted milk; frozen milk shake; or frozen malt a frozen food~~ as defined *provided for* in this section.

Sec. 3. Minnesota Statutes 1965, Section 32.62, Subdivision 2, is amended to read:

Subd. 2. **Frozen foods, restrictions.** (1) No person shall sell, advertise or expose for sale, or offer for sale a frozen food, *or mix, ice cream mix; or mix base; 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 *therefor, unless it conforms to a standard of identity prescribed by the commissioner in accordance with law.*

(2) When ice milk is sold, offered or exposed for sale in a package ~~form 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, the words "ice milk".* When ice milk is ~~sold~~ *sold* at retail ~~served~~ 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; *or mix, ice cream mix or mix base or ice cream mix base therefor,* if the brand name of the frozen food, *or mix, ice cream mix; or mix base 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 1965, Section 32.64, Subdivision 1, is amended to read:

32.64 **Pasteurization.** Subdivision 1. All mix or ice

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cream mix shall be pasteurized. Pasteurization is hereby defined as the process of heating every particle of mix or ice cream mix in properly operated equipment approved by the commissioner to a *such* temperature of not less than 155 degrees Fahrenheit, and holding at that temperature for not less than 30 minutes, or heating every particle of mix or ice cream mix in properly operated equipment approved by the commissioner to a temperature of not less than 175 degrees Fahrenheit, *temperatures* and holding at such temperature for not less than 25 seconds for such times as have been recognized by the United States public health service and which have been adopted by the commissioner in accordance with law. Nothing contained in this definition shall be construed as excluding any other process which has been demonstrated to be equally efficient and is approved by the commissioner.

Sec. 5. Minnesota Statutes 1965, Section 32.64, Subdivision 2, is amended to read:

Subd. 2. Immediately after pasteurization such mix or ice cream mix shall be cooled in properly operated equipment approved by the commissioner to a *such* temperature of 45 degrees Fahrenheit or lower as the commissioner shall prescribe by regulation and held at or below that temperature until frozen.

Sec. 6. Minnesota Statutes 1965, Section 32.64, Subdivision 4, is amended to read:

Subd. 4. At no time after pasteurization shall frozen foods, mix, ice cream mix, reconstituted mix base, or reconstituted ice cream mix base have a bacterial count exceeding 50,000 bacteria per gram, standard plate count, or a coliform count exceeding 20 coliforms per gram, in more than one of any four consecutive samples taken on separate days, unless the last individual sample taken is within the standards prescribed herein. Compliance shall be determined in accordance with the latest standard methods of the American public health association: *standards set forth in regulations adopted by the commissioner in accordance with law.* Such tests shall be made of a representative sample of frozen foods, mix, ice cream mix, mix base, reconstituted mix base, ice cream mix base, or reconstituted ice cream mix base taken from an unbroken package in the possession of the manufacturer, but in the event that no unbroken package is available when requested, then it shall be taken from a broken package in the possession of the manufacturer.

Sec. 7. **Effective date.** *This act is effective July 1, 1967. However, before the effective date the commissioner may promul-*

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gate necessary rules and regulations to take effect on the effective date of this act.

Approved May 15, 1967.

CHAPTER 435—H. F. No. 1473

[Not Coded]

An act authorizing the conveyance by the state of certain land in Hennepin county.

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

Section 1. **Conveyance of state lands; Hennepin county.** The governor upon recommendation of the commissioner of conservation on behalf of the state of Minnesota shall transfer and convey by quit claim deed to Leonard Joseph Flesher, Jr. for such consideration or terms as agreed upon the following described land located in Hennepin county, Minnesota, to wit:

All that part of the following described premises in Government Lot 5, Section 22, Township 116, Range 22, lying South of the center line of County Road No. 2, described as follows: Beginning at the Northwest corner of said Government Lot 5, thence South along the West line of said Government Lot 5 distant 466.85 feet to a point 813.9 feet North of the Southwest corner of the Northwest $\frac{1}{4}$ of said Section 22; thence East parallel with the South line of said Northwest $\frac{1}{4}$ distant 555.0 feet; thence South $2^{\circ} 45'$ East 400.0 feet; thence South $6^{\circ} 20'$ East 83.5 feet to the centerline of County Road No. 2; thence North $81^{\circ} 58'$ East along said centerline 150.06 feet; thence South $6^{\circ} 20'$ East 344.0 feet more or less to the Shore of Starring Lake; thence Easterly along the shore of Starring Lake to the East line of said Government Lot 5; thence North along said East line to a point 209.42 feet South of the Northeast corner of said Government Lot 5; thence West parallel with the North line of said Lot 5 208.0 feet; thence North parallel with said East line 209.42 feet to said North Line; thence West along said North line to the point of beginning.

Approved May 15, 1967.

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