

CHAPTER 673—H. F. No. 1518

An act relating to the regulation and inspection of commercial canneries; amending Minnesota Statutes 1965, Sections 31.31, 31.311 and 31.39; repealing Minnesota Statutes 1965, Section 31.391.

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

Section 1. Minnesota Statutes 1965, Section 31.31, is amended to read:

31.31 Commercial canneries; regulation. All commercial ~~vegetable and fruit~~ canneries, shall be under the supervision and regulation of the commissioner. For the purpose of sections 31.31 to 31.392, a commercial cannery is defined to mean any place or building where ~~vegetables, fruits, fish or other food~~ is received in a raw or partly processed form, ~~except meat products processed in commercial canneries which are inspected by the United States bureau of animal industry, except for meats and meat products frozen in retail stores for sale directly to the consumer,~~ for the purpose of canning in hermetically sealed containers; *and* where sterilization by heat is used, *or where preservation of vegetable products is accomplished by the use of approved chemical preservatives, sugar, salt or acidity factors introduced as ingredients or additives,* or by freezing ~~the same food~~ for sale as and for food in any other type of vessel, bottle, can, bag, container or other type or form of package, and the products placed on the market for general consumption as human food; but shall not include private homes where farmers or others may pack or preserve vegetables, fruits, fish or other food products for their own use. At such times as the commissioner may deem proper, he shall cause all commercial canneries to be inspected, and shall require the correction of all unsanitary conditions or practices found therein, and may search and enter all cupboards, closets, or any other places in such canneries ~~for the purpose of discovering any chemical preservatives or adulterants which he has reason to believe are used or intended to be used in the canning, freezing or preserving of vegetables, fruits, fish or other food products, except meat products processed in commercial canneries which are inspected by the United States bureau of animal industry,~~ and for *the purpose of enforcing the provisions thereof of laws, rules and regulations provided therefore.*

Sec. 2. Minnesota Statutes 1965, Section 31.311, is amended to read:

31.311 Inspection under supervision of commissioner. The inspection of commercial canneries shall be under the supervision of the commissioner of the department of agriculture. The commis-

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

sioner shall appoint a ~~bacteriologist~~ *trained and qualified sanitarians* who shall ~~visit and~~ inspect commercial canneries as often as is necessary, and ~~may~~ conduct bacteriological surveys, make sanitary inspections, and assist the canning industry. All commercial canneries shall comply with all food laws, and with all sanitary laws, and *related* rules and regulations; shall use only proper raw materials and ingredients in the preparation of food products; and *shall utilize approved* ~~shall apply~~ the requisite sterilization by heat processing techniques in the packing and preservation of food products. In making inspections of commercial canneries the quality of any raw materials or ingredients used in canning, packing, or preserving food products shall be examined, and any raw materials or other ingredients thereof unfit for use in the packaging, canning, or preservation of food products shall be condemned. The commissioner may employ such assistants, aides, and technicians as are needed by the bacteriologist in making the necessary surveys and conducting special studies while commercial canneries are in operation. No such assistant, aide, or technician shall be employed for a period of more than five months in any year. All such assistants, aides, and technicians *trained and qualified sanitarians and bacteriologists employed under the provisions of this act* shall be subject to the provisions of Minnesota Statutes, Chapter 43. *All analyses, examinations, and assays of food samples and specimens either obtained during inspections or submitted to the laboratories of the Minnesota department of agriculture pursuant to law, or rules and regulations shall be examined, analyzed, or assayed under the supervision of a bacteriologist of the department of agriculture.*

Sec. 3. Minnesota Statutes 1965, Section 31.39, is amended to read:

31.39 Assessments; inspections, services; commercial canneries account. The commissioner is hereby authorized and directed to collect from each commercial cannery an assessment for inspection and services furnished, and for maintaining a bacteriological laboratory and employing a bacteriologist and ~~such assistants such bacteriologists and trained and qualified sanitarians~~ as he may deem necessary. The assessment to be made on each commercial cannery, for each and every packing season, shall not exceed one-half cent per case on all foods packed, canned, or preserved therein, nor shall the assessment in any one calendar year to any one cannery exceed ~~\$1,000~~ *\$1,500*, and the minimum assessment to any cannery in any one calendar year shall be \$50. *The commissioner shall provide appropriate deductions from assessments for the net weight of meat, chicken, or turkey ingredients which have been inspected and passed for wholesomeness by the United States department of agriculture.*

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The commissioner may, when he deems it advisable, graduate and reduce the assessment to such sum as is required to furnish the inspection and laboratory services rendered. The assessment made and the sums so collected shall be deposited in the state treasury, as other departmental receipts are deposited, but shall constitute a separate account to be known as the commercial canneries inspection account, which is hereby created, and together with moneys now remaining in said account, set aside, and appropriated as a revolving fund, to meet the expense of special inspection, laboratory and other services rendered, as provided in sections 31.31 to 31.392. The amount of such assessment shall be due and payable on or before December 31, of each year, and if not paid on or before February 15 following, shall bear interest after that date at the rate of seven percent per annum, and a penalty of ten percent on the amount of the assessment shall also be added and collected.

Sec. 4. **Repealer.** *Minnesota Statutes 1965, Section 31.391, is repealed.*

Sec. 5. **Effective date.** *This act is effective on January 1, 1968.*

Approved May 22, 1967.

CHAPTER 674—H. F. No. 1591

[Coded]

An act relating to the operation of state government; providing for the payment of refunds under the budget and allotment system; amending Minnesota Statutes 1965, Chapter 16, by adding a section.

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

Section 1. Minnesota Statutes 1965, Chapter 16, is amended by adding a section to read:

[16.161] Budget and allotment system, refunds. *Notwithstanding the provision of Minnesota Statutes, Section 16.16, or any other law to the contrary, the payment of a refund for any purpose authorized by law shall be chargeable against the fund, appropriation, allotment, or encumbrance for the period in which the refund is paid.*

Approved May 22, 1967.

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