

## CHAPTER 192—S. F. No. 642

[Coded as Sections 32.50, 32.511]

*An act relating to the manufacture, sale and distribution of butter, cheese, milk and cream, amending Minnesota Statutes 1945, Section 32.50, by adding a new subdivision thereto, and amending Minnesota Statutes 1945, Chapter 32, by adding two new sections thereto.*

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

Section 1. Minnesota Statutes 1945, Section 32.50, is amended by adding a new subdivision thereto, as follows:

**32.50 Violations; penalties.** *Subdivision 11. Any person, firm, corporation, association or copartnership violating any of the provisions of chapter 32 or any amendatory act for which no specific penalty is provided shall be guilty of a misdemeanor and punished by imprisonment not exceeding three months, or by a fine not exceeding \$100.*

Sec. 2. Minnesota Statutes 1945, Chapter 32, is amended by adding two new sections thereto, as follows:

[32.511] **Enforcement.**

*Subdivision 1. Applications of Sections 31.02 to 31.15. For the purpose of enforcing the provisions of Minnesota Statutes 1945, Chapter 32, and amendatory acts the commissioner of agriculture, dairy and food, his assistants, agents and employees, shall have the power and authority granted under the provisions of sections 31.02 to 31.15, inclusive.*

*Subd. 2. Misbranding. "Misbranded" applies to all articles of food, or articles which enter into the composition of food, the package or label of which bears any statement, design, or device regarding such article, or the ingredients or substances contained therein, which shall be false or misleading in any particular, and to any food product which is falsely branded as to the state, territory, or country in which it is manufactured or produced.*

*An article shall also be deemed to be misbranded, in the case of food:*

(a) *If it be an imitation of or offered for sale under the distinctive name of another article;*

(b) *If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate or acetanilide, or any derivative or preparation of any of such substances contained therein;*

(c) *If in package form the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of net weight, measure, or numerical count; provided, that reasonable variations may be permitted, and tolerances, and also exceptions as to small packages may be established, by rules and regulations made by the commissioner; and, provided, further, that the commissioner shall have full authority to determine when food is in package form;*

(d) *If the package containing it, or its labels, shall bear any statement, design, or device regarding the ingredients or the substances contained therein, which statement, design, or device shall be false or misleading in any particular.*

Approved March 26, 1949.

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CHAPTER 193—S. F. No. 643

*An act relating to the manufacture and sale of butter, amending Minnesota Statutes 1945, Section 32.31, as amended by Laws 1947, Chapter 104, Section 1, and providing penalties for violation thereof.*

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

Section 1. Minnesota Statutes 1945, Section 32.31, as amended by Laws 1947, Chapter 104, Section 1, is amended as follows :