

court, and the carrier or warehouseman as defendant. No further pleadings than those filed before the commission shall be necessary. Such findings of fact shall be prima facie evidence of the matters therein stated, and the order shall be prima facie reasonable, and the burden of proof upon all issues raised by the appeal shall be on the appellant. If the court shall determine that the order appealed from is lawful and reasonable, it shall be affirmed and the order enforced as provided by law. If it shall be determined that the order is unlawful or unreasonable, it shall be vacated and set aside. Such appeal shall not stay or supersede the order appealed from unless the court upon examination of the order and the return made on the appeal, and after giving the respondent notice and opportunity to be heard, shall so direct. If such appeal is not taken such order shall become final, and it shall thereupon be the duty of the carriers affected to adopt and publish the rates or classifications therein prescribed. When no appeal is taken from an order, as herein provided, the parties affected by such order shall be deemed to have waived the right to have the merits of such controversy reviewed by a court, and there shall be no trial of the merits or reexamination of the facts of any controversy in which such order was made, by any district court to which application may be made for a writ to enforce the same. *Any party to a proceeding in the district court may appeal to the supreme court of Minnesota from the order or judgment of such district court within the time and in the manner and under the procedure provided in Chapter 605, Minnesota Statutes; provided that if the commission be the appellant, no bond upon such appeal shall be required.*

Approved April 14, 1961.

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CHAPTER 394—H. F. No. 1355

[Coded in Part]

*An act defining manufacturing and changing certain licensure fee provisions of the pharmacy act by amending Minnesota Statutes 1957, Sections 151.01, 151.07, 151.08, 151.12, 151.13, 151.19 and 151.25.*

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

Section 1. Minnesota Statutes 1957, Section 151.01, is amended by adding a Subdivision 14 as follows:

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

*Subd. 14. Manufacturing. The term "manufacturing" in places other than a pharmacy, means and includes the production, quality control and standardization by mechanical, physical, chemical, or pharmaceutical means, packing, re-packing, tableting, encapsulating, labeling, relabeling, filling or by any other process, of all drugs, medicines, chemicals, or poisons, without exception, for medicinal purposes.*

Section 2. Minnesota Statutes 1957, Section 151.07, is amended to read:

**151.07 Meetings.** The board shall meet at least once in every six months to examine applicants for registration and to transact its other business, giving reasonable notice of all examinations by mail to known applicants therefor. The secretary shall record the names of all persons registered by the board, together with the grounds upon which the right of each to registration was claimed. The fee for examination shall be ~~\$20~~; *in such amount as the board may determine not exceeding the sum of \$50*, which fee may in the discretion of the board be returned to applicants not taking the examination.

Section 3. Minnesota Statutes 1957, Section 151.08, is amended to read:

**151.08 Compensation of board members.** Each member of the board shall receive ~~\$20 a day for his actual services as such compensation for his actual services as such~~ *in an amount to be determined by the board but not to exceed \$35 per day* and his necessary expenses in attending meetings.

Section 4. Minnesota Statutes 1957, Section 151.12, is amended to read:

**151.12 Reciprocity; registration fee.** The board may in its discretion grant registration without examination to any pharmacist licensed by the board of pharmacy or a similar board of another state which accords similar recognition to licensees of this state; provided, the requirements for registration in such other state are in the opinion of the board equivalent to those herein provided. The fee for registration shall be ~~\$25~~ *in such amount as the board may determine not exceeding the sum of \$50*.

Section 5. Minnesota Statutes 1957, Section 151.13, is amended to read:

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

**151.13 Annual renewal fees.** Every person registered by the board shall annually pay to the board a renewal fee to be fixed by it, which fee shall not exceed ~~\$5.00~~ **\$15.00** for a pharmacist and \$3.00 for an assistant pharmacist. It shall be unlawful for any such person who refuses or fails to pay such renewal fee to practice pharmacy in this state. Every certificate and every renewal shall expire at the time therein prescribed, not later than one year from its date.

Section 6. Minnesota Statutes 1957, Section 151.19, is amended to read:

**151.19 Registration; license; fee.** The board shall require and provide for the annual registration of every pharmacy now or hereafter doing business within this state. Upon the payment of a fee, not to exceed ~~\$10~~, **\$20**, the board shall issue a license in such form as it may prescribe to such persons as may be qualified by law to conduct a pharmacy. Such license shall be exposed in a conspicuous place in the pharmacy for which it is issued and expire on the thirtieth day of June following the date of issue. It shall be unlawful for any person to conduct a pharmacy unless such license has been issued to him by the board.

Section 7. Minnesota Statutes 1957, Section 151.25, is amended to read:

**151.25 Registration of manufacturers or wholesalers; license; fee; prohibition.** The board shall require and provide for the annual registration of every person engaged in *manufacturing or selling at wholesale* drugs, medicines, chemicals or poisons for medicinal purposes, now or hereafter doing business within this State. Upon a payment of a fee of ~~\$25~~ **\$50** the board shall issue a license in such form as it may prescribe to such *manufacturer or wholesaler*. Such license shall be exposed in a conspicuous place in such *manufacturer's or wholesaler's* place of business for which it is issued and expire on the 13th day of June following the date of issue. It shall be unlawful for any person to *manufacture or sell at wholesale* drugs, medicines, chemicals or poisons for medicinal purposes unless such a license has been issued to him by the board. It shall be unlawful for any person engaged in the ~~business of~~ *manufacture or selling at wholesale*, or his agent, to sell drugs, medicines, chemicals, or poisons to other than a pharmacy, except as provided in this chapter.

Approved April 14, 1961.

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