

CHAPTER 7.

[S. F. No. 244.]

AN ACT IN RELATION TO THE MANUFACTURE AND SALE OF BAKING POWDERS, SUGARS AND SYRUPS, VINEGARS, LARD, SPIRITUOUS AND MALT LIQUORS, TO PREVENT FRAUD AND TO PRESERVE THE PUBLIC HEALTH.

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

Baking powder
adulteration of

SECTION 1. Every person who manufactures for sale within this state, or offers or exposes for sale, or sells any baking powder, or any mixture or compound intended for use as a baking powder, under any name or title whatsoever, which shall contain, as may appear by the proper tests, any alum in any form or shape, unless the same be labelled as hereinafter required and directed, shall be deemed guilty of a misdemeanor; and upon conviction, shall for each offense be punished by a fine not less than twenty-five (25) or more than one hundred (100) dollars and costs, or by imprisonment in the county jail not exceeding thirty (30) days.

Penalty.

Baking powder
containing
alum must be
so labelled.

SEC. 2. Every person making or manufacturing baking powder, or any mixture or compound intended for use as a baking powder, which contains alum in any form or shape, shall securely affix or cause to be securely affixed to every box, can or package containing such baking powder or like mixture or compound, a label upon the out side and face of which is distinctly printed in legible type not smaller than "long primer," the name and residence of the manufacturer, and the following words: "This baking powder contains alum." Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall for each offense be punished by a fine not less than twenty-five (25) nor more than one hundred (100) dollars and costs, or by imprisonment in the county jail not to exceed thirty (30) days.

Seizure of,
adulterated
articles not
properly
labelled.

SEC. 3. The having in possession by any person or firm of any of the articles or substances hereinbefore described, and not labelled as provided by section two (2) of this act, shall be considered prima facie evidence that the same is kept by such person or firm in violation of the provisions of this act, and the state dairy commissioner, his assistants, experts and chemists or any one thereof, are hereby authorized to seize upon and take possession of such articles or substances, and upon the order of any court which has jurisdiction under this act, he shall sell the same, giving full notice of the time of such sale and of the fact that such compound or substances contain alum, and the proceeds of such sale shall be placed to the credit of the state dairy commissioner's fund.

SEC. 4. The district and municipal courts and justices of the peace of this state shall have jurisdiction of all cases arising under this act, and their jurisdiction is hereby extended so as to enable them to enforce the penalties imposed by any or all of the sections hereof.

Courts having jurisdiction in cases arising under this act.

SEC. 5. In all prosecutions under this act, the costs thereof shall be paid in the manner now provided by law, and such fine shall be placed to the state dairy commissioner's fund.

Costs, how paid.

SEC. 6. Every person who manufactures for sale, or offers or exposes for sale as cider vinegar, any vinegar not the legitimate product of pure apple juice, known as apple cider, or vinegar not made exclusively of said apple cider, or vinegar into which foreign substances, drugs or acids have been introduced, as may appear by proper tests, shall be deemed guilty of a misdemeanor, and for each offense be punishable by fine of not less than twenty-five (25) or more than one hundred (100) dollars and costs.

Cider vinegar, adulteration of

SEC. 7. Every person who manufactures for sale, or offers for sale, any vinegar found upon proper tests to contain any preparation of lead, copper, sulphuric acid, or other ingredient injurious to health, shall be deemed guilty of a misdemeanor, and for each such offense shall be punished by a fine of not more than one hundred (100) dollars and costs.

Adulterated vinegar.

SEC. 8. No person, by himself, his servant or agent, or as the servant or agent of any other person, shall sell, exchange, deliver, or have in his custody or possession, with intent to sell or exchange, or expose or offer for sale or exchange, any adulterated vinegar, or label, brand or sell as cider vinegar, or as apple vinegar, any vinegar not the legitimate product of pure apple juice, or not made exclusively from apple cider.

Sale prohibited

SEC. 9. All vinegars shall have an acidity equivalent to the presence of not less than four and one-half ($4\frac{1}{2}$) per cent. by weight of absolute acetic acid, and in the case of cider vinegar shall contain, in addition, not less than two (2) per cent., by weight, of cider vinegar solids upon full evaporation over boiling water; and if any vinegar contains any artificial coloring matter injurious to health, or less than the above amount of acidity, or, in the case of cider vinegar, if it contains less than the above amount of acidity, or of cider vinegar solids, it shall be deemed to be adulterated within the meaning of this act.

Vinegar, acidity of.

All manufacturers of vinegar in the state of Minnesota, and all persons who reduce, or re-barrel, vinegar in this state, and all persons who handle vinegar in lots of one (1) barrel or more, are hereby required to stencil or mark in black figures, at least one (1) inch in length, on the head of each barrel of vinegar bought or sold by them, the standard strength of the vinegar contained in the package or

Barrels to be stenciled.

barrel, and shall be denoted by the number of grains of pure bi-carbonate of potash required to neutralize one (1) fluid ounce of vinegar.

Penalty for neglect.

And any neglect so to mark, or stencil, each package or barrel, or any false marking of packages or barrels, shall be deemed a misdemeanor, and shall be punished by a fine of not less than twenty-five (25), nor more than one hundred (100) dollars and costs.

SEC. 10. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall be punished by fine not exceeding one hundred (100) dollars and costs.

Adulterated food.

SEC. 11. Whoever adulterates, for the purpose of sale, lard with cotton seed oil, or other vegetable oils, or terra alba, or any substance injurious to health, or whoever bar- ters or gives away, or sells, or has in possession with intent to sell, any substance intended for food, which has been adulterated with cotton seed oil, terra alba, or any other substance injurious to health, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five (25) nor more than one hundred (100) dollars and costs for each offense.

SEC. 12. The having in possession of any adulterated lard, by any dealer or trader, shall for the purpose of this act, be deemed *prima facie* evidence of intent to sell the same.

Spirituons or malt liquors, adulteration of

SEC. 13. No person shall within this state manufacture, brew, distil, have or offer for sale, or sell any spirituous or fermented or malt liquors containing any substance or ingredient not normal, or healthful, to exist in spirituous, fermented or malt liquors, or which may be deleterious or detrimental to health when such liquors are used as a beverage, and any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five (25) or more than one hundred (100) dollars and costs for the first offense, and by a fine of not less than fifty (50) or more than one hundred (100) dollars and costs, or imprisonment of not less than thirty (30) or more than ninety (90) days, or by both such fine and imprisonment for each subsequent offense.

Penalty.

Duty of dairy commissioner to enforce act.

SEC. 14. It shall be the duty of the state dairy commissioner and his assistants, experts and chemists by him appointed, to enforce the provisions of this act. The said commissioner is hereby authorized and empowered to employ such experts, and chemists as may be deemed by him necessary for the proper enforcement of this law. Their compensation to be fixed by the commissioner.

All charges, accounts, and expenses authorized by this act shall be paid by the state treasurer upon a warrant drawn by the state auditor.

SEC. 15. The said commissioner and assistant commis-

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sioners, and such experts and chemists as they shall duly authorize for the purpose, shall have access, ingress, and egress to all places of business, factories and buildings where the same is manufactured or kept for sale, cases or vessels used in the manufacture and sale of any spirituous, fermented or malt liquors or any imitation thereof, or any of the substances or articles mentioned in this act. They shall also have the power and authority to open any package, car or vessel containing such articles which may be manufactured, sold or exposed for sale in violation of the provisions of this act, and may inspect the contents therein, and may take samples therefrom for analysis.

Powers of dairy commissioner and assistants.)

All clerks, book-keepers, express agents, railroad officials, employees or common carriers shall render to them all the assistance in their power, when so requested, in tracing, finding or discovering the presence of any prohibited article named in this act.

Assistance to be rendered by express agents, et. al.

Any refusal or neglect on the part of such clerks, book-keepers, express agents, railroad officials, employees or common carriers to tender such friendly aid, shall be deemed a misdemeanor and be punished by a fine of not less than fifty (50) dollars or more than one hundred (100) dollars for each and every offense.

Penalty for refusal to assist.

SEC. 16. The salary of the chemists shall not exceed two thousand (\$2000) dollars annually.

Salary of chemist.

SEC. 17. This act shall take effect and be in force from and after August first, (1st,) eighteen hundred and eighty-nine (1889.)

When act to take effect.

Approved April 24th, 1889.

CHAPTER 8.

[S. F. No. 406.]

AN ACT FOR THE PROTECTION OF THE PUBLIC HEALTH BY PROVIDING FOR INSPECTION BEFORE SLAUGHTER OF CATTLE, SHEEP AND SWINE DESIGNED FOR SLAUGHTER FOR HUMAN FOOD.

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

SECTION 1. The sale of any fresh beef, veal, mutton, lamb or pork for human food in this state, except as hereinafter provided, is hereby prohibited.

Sale of beef, veal, etc.

SEC. 2. It shall be the duty of the several local boards of health of the several cities, villages, boroughs and townships within this state to appoint one (1) or more inspectors of cattle, sheep and swine for said city, village, borough or township, who shall hold their offices for one (1)

Duties of local boards of health.