

SEC. 2. Any person or corporation found guilty of a violation of this act shall be punished by a fine of not less than one hundred (100) dollars, nor to exceed five thousand (5,000) dollars, and stand committed until such fine is paid. Penalty for violation.

SEC. 3. Upon the trial of an indictment against a corporation or a copartnership for a violation of the first section of this act, all officers and agents of such corporation or copartnership shall be competent witnesses against the defendant on trial, and such officers and agents may be compelled to testify against such defendant and produce all books and papers, in his custody or under his control, pertinent to the issue in such trial, and shall not be excused from answering any such question or from producing any books and papers because the same might tend to criminate such witness; but nothing which such witness shall testify to and no books or papers produced by him shall in any manner be used against him in any suit, civil or criminal, to which he is a party. Who are competent witnesses to testify.

SEC. 4. All acts and parts of acts in conflict with this act be and the same are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 20, 1891.

## CHAPTER 11.

[S. F. No. 467.]

AN ACT RELATING TO THE SALE OF IMITATION BUTTER. Imitation butter.

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

SECTION 1. Whoever, by himself or his agent, shall sell, expose for sale or have in his possession with intent to sell, any article or compound made in imitation of butter or as a substitute for butter, and not wholly made from milk or cream, and that is of any other color than bright pink, shall be subject to the payment of a penalty of fifty (50) dollars, and for a second and each subsequent offense, a penalty of one hundred (100) dollars, to be recovered with costs in any court in this state of competent jurisdiction. Must be colored pink.

SEC. 2. Samples or specimens of any articles in imitation of butter, suspected of being of a spurious character, shall be analyzed or otherwise satisfactorily tested as to color and compounds; and a certificate of the analysis, sworn to by the analyzer, shall be admissible as evidence in all prosecutions under this act. Certificate of analysis competent evidence.

SEC. 3. The having in possession by any person or firm of any articles or substance prohibited by this act

Possession *prima facie* evidence of intent to violate law.

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 and food commissioner shall be authorized to seize upon and take possession of such article or substance, and upon the order of any court which has jurisdiction under this act, he shall sell the same for any purpose other than to be used for food; the proceeds derived from fines and the sale of imitation butter shall be paid into the state treasury, to be placed to the credit of the state dairy and food commissioner's fund.

Butter defined.

SEC. 4. For the purpose of this act the term "butter" shall be understood to mean the product usually known by that name, and which is manufactured exclusively from milk or cream, or both.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 21, 1891.

## CHAPTER 12.

[H. F. No. 1237.]

AN ACT IN RELATION TO THE MANUFACTURE AND SALE OF LARD AND OF LARD COMPOUNDS AND SUBSTITUTES, AND OF FOODS PREPARED THEREFROM; TO PREVENT FRAUD AND TO PRESERVE THE PUBLIC HEALTH.

Lard compounds.

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

Sale of compounds prohibited as lard.

SECTION 1. No person shall within this state manufacture for sale, have in his possession with intent to sell, offer or expose for sale or sell, as lard, any substance not the legitimate and exclusive product of the fat of the hog.

Misdemeanor to sell substitute for lard not branded.

SEC. 2. Every person who manufactures for sale within this state, has in his possession with intent to sell, offers or exposes for sale, or sells as lard, or as a substitute for lard, or an imitation of lard, any mixture or compound which is designed to take the place of lard and which is made from animal or vegetable oils or fats, or any mixture or compound consisting in part of lard in mixture or combination with animal or vegetable oils or fats, unless the same shall be branded or labeled as hereinafter required and directed, shall be guilty of a misdemeanor and shall upon conviction be subject to the penalties hereinafter provided in this act.

"Lard Substitute" to be labeled on all packages.

SEC. 3. Every person who manufactures for sale, has in his possession with intent to sell, offers or exposes for sale or sells, any substance made in the semblance of lard, or as an imitation of lard, or a substitute for lard, and which is designed to take the place of lard, and which consists of any mixture or compound of animal or vegetable oils or