

## CHAPTER 366—H. F. No. 1029.

*An Act to provide for a brand for butter and cheese, and to regulate the use thereof.*

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

**Section 1. Permission to use brand for butter and cheese.**

—Any person, firm or corporation manufacturing butter or cheese may use the brand or label therefor as provided in this act when authorized by the dairy and food commissioner.

**Sec. 2. Commissioner to authorize use of particular brand.**

—The dairy and food commissioner may authorize the use of the following brand or label for butter or cheese manufactured in the state of Minnesota. Such brand or label shall have the following design and shall be of such size as the dairy and food commissioner shall designate:



and shall contain the following words:

Minnesota brand, A 1, (or "B" as the case may be) made under state rules and regulations.

No.... (insert factory No.)

**Sec. 3. Application to be made to commissioner—Right to revoke license.**—Any person, firm or corporation desiring to use the brand or label described in Section 2 of this act in the manufacture or sale of butter or cheese, shall make written application for a license therefor to the dairy and food commissioner, which application shall describe the creamery or factory by location and name in which such butter or cheese is to be manufactured, and give such other information as the dairy and food commissioner may require. A license shall be granted by such

commissioner to such person, firm or corporation to use such brand or label at the factory described in the application, if the commissioner shall find, on investigation, that all the provisions of this act have been complied with. Such license shall state that the brand or label provided for in Section 2 of this act may be used in connection with the manufacture or sale of butter or cheese from the factory described in such license. Such factory so described shall be given the same number as the serial number of the license.

No person, firm or corporation shall use, in the manufacture or sale of butter or cheese, such brand or label, either A 1 or B, without having first obtained a license therefor. Such license so granted may be revoked by the dairy and food commissioner if any of the conditions required by sections 4, 5, 6 and 8 of this act are not complied with. No license granted hereunder shall be revoked on account of the grade or score being less than 94 per cent, as provided in paragraph 3 of section 4, unless such grade or score shall have fallen below 94 per cent more than three times in one year; but such grade or score shall never be less than 93 per cent. Such license so granted shall not be transferable. All licenses shall be numbered in serial order.

**Sec. 4. Conditions to be complied with.**—No license shall be granted for the use of the brand or label A 1 in the manufacture or sale of butter or cheese unless the person, firm or corporation so manufacturing the same shall comply with the following conditions:

1st. The factory in which such butter or cheese is made shall score 90 points or over out of a possible hundred, according to factory inspection score system to be adopted by the dairy and food commission.

2nd. The factory to use sanitary machinery, piping and equipment of all kinds.

3rd. The butter or cheese manufactured in such factories shall grade or score at least 94 points out of a possible hundred, according to the usual and accepted methods of judging and grading butter and cheese. For the purpose of obtaining such license such grade must have been made at least fifteen days prior to such application.

4th. The milk or cream used in the manufacture of A 1 butter or cheese must have been produced in dairies inspected by the dairy and food commission, and which shall have been graded by such commission at least 60 points out of a possible hundred, according to a standard to be adopted by the dairy and food commission for the inspection and grading of dairies. Such milk must likewise be produced from cows that have been tested and found to be free from tuberculosis, such tests to have

been made within six months prior to the application for license. All cows from which such milk is obtained must be tested at least every two years for tuberculosis.

5th. No butter or cheese bearing this brand can be made from cream that has not been pasteurized according to Chapter 353, General Laws 1909, nor shall any cream or milk be received at such factory in which the water and solids not fat contain over two-tenths of one per cent lactic acid. The use of neutralizer or any form of preservative except salt is prohibited. This shall not be construed to apply to starters made out of pure lactic acid culture.

Sec. 5. **Scoring necessary to continue use of brand.**—No license shall be granted for the use of Minnesota brand or label grade B for the manufacture of butter or cheese unless all the requirements necessary for the manufacture of butter or cheese graded Minnesota A 1, as set forth in Section 4 of this act, shall have been complied with, excepting that the butter or cheese shall score at least 93 points out of a possible hundred, according to the usual and accepted methods of judging and grading butter and cheese, and shall not have fallen below 93 per cent more than three times in any year, and shall never fall below 92 per cent; and the factory in which such butter or cheese is manufactured must score at least 85 points; and the dairies supplying milk or cream to such factories shall score at least 50 points. And, further, cows from which milk or cream is produced need not be tested for tuberculosis.

Sec. 6. **Commissioner may require samples.**—The dairy and food commissioner may require any person, firm or corporation to whom any such license may be granted to furnish from time to time samples of butter or cheese manufactured in any factory described in the license. Any person, firm or corporation holding license hereunder shall furnish a list of the persons from whom milk or cream is purchased, with the address of such persons, and if the license permits the use of the label or brand A 1, then likewise a statement showing that the cows from which was produced the milk or cream used in the manufacture of such product have been tested for tuberculosis, when required by the dairy and food commissioner.

Sec. 7. **Use of similar brand prohibited.**—The use of any brand for butter or cheese or butter substitute resembling the above brand, or so near like it that it can be confounded with it, is prohibited.

Sec. 8. **To report monthly number of pounds branded.**—Any person, firm or corporation to which permission has been granted to use such brand must report to the dairy and food commissioner the number of pounds branded each month. Such brand or label shall be used in marking the butter or cheese or packages only at the factory.

Sec. 9. **Violation a misdemeanor.**—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be subject to a fine of not less than fifteen dollars (\$15.00) nor more than fifty dollars (\$50.00) for each offense.

Sec. 10. This act shall take effect and be in force from and after its passage.

Approved April 19, 1913.

---

CHAPTER 367—H. F. No. 1078.

*An Act to amend Sections 1983 and 2006 of the Revised Laws, 1905, providing for connections between railroad companies and various industries and granting power to the railroad and warehouse commission to fix the terms of such connection.*

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

Section 1. **To connect with docks, wharfs, coal yards, as well as other places, on order of commission.**—That Section 1983 Revised Laws, 1905, be, and the same is hereby amended so as to read as follows:

“Section 1983. If the owner of any manufactory, warehouse, dock, wharf, mill, coal yard, stone quarry, or brick or lime kiln entitled to connection with any railroad, and the carrier operating such railroad, fail to agree upon the terms for such connection, upon petition of either party, and proper notice to the adverse party, the commission shall fix such terms by proceedings as herein provided in case of complaints to it and subject to appeal as in such cases.”

Sec. 2. **Side tracks to be constructed to such points.**—That Section 2006, Revised Laws, 1905, be, and the same is hereby amended so as to read as follows:

“Section 2006. Every such company, upon written demand of the owner of any grain warehouse or mill of not less than five thousand (5,000) bushels capacity, adjacent to the right of way of such company and at or near any regular station thereof, shall construct, maintain and operate at its own expense, proper side tracks connecting such warehouse or mill with the tracks of such railroad, and afford the owner thereof proper and reasonable facilities for shipment therefrom. Should additional right of way be required for such side track, the cost and expense of procuring it shall be paid by the owner of said mill or warehouse. Such company shall also construct, maintain and operate side tracks connecting with its road any such grain