

CHAPTER 240

WEIGHTS AND MEASURES

<p>Sec. 240.01 State treasurer to keep standards 240.02 County sealers; deputies; fees 240.03 Dry measures 240.04 Liquid measure 240.05 Lineal measure 240.06 Hundredweight 240.07 Standard weight of bushel 240.08 Standard measurement of wood 240.09 Standard weight of coal, charcoal and ice 240.10 Standard weight of flour 240.11 Fractional parts</p>	<p>Sec. 240.12 Variations; duty of commission 240.13 Sealing 240.14 Testing upon request 240.15 Neglect to procure standards 240.16 Weight of bread; standard avoirdupois weight; twin or multiple loaves 240.17 Bread to be wrapped 240.18 Net weight construed 240.19 Penalty for violation 240.20 Violations; penalty 240.21 Fines</p>
---	---

240.01 STATE TREASURER TO KEEP STANDARDS. The state treasurer shall keep weights, measures, and scales which shall conform to the standards established by law and test thereby all weights, measures, and scales presented to him by any county sealer, and when he finds them accurate stamp upon them, with a seal kept for that purpose, the letters "Min."

[R. L. s. 2722] (7019)

240.02 COUNTY SEALERS; DEPUTIES; FEES. Every county treasurer shall be the sealer of weights and measures for his county. He shall keep a full set of weights, measures, and scales, and in January, 1910, and in every fifth January thereafter, and when new ones are procured, cause the same to be tested and sealed by the state treasurer; and he shall test thereby all weights, measures, and scales presented to him, and when he finds them accurate stamp upon them, with a seal kept for the purpose, the letters "Minn." He shall receive five cents for every weight, measure, or scale tested. He may appoint deputy sealers, whose appointments shall be filed with the register of deeds.

[R. L. s. 2723] (7020)

240.03 DRY MEASURES. The standard measure of capacity for commodities sold by dry measure shall be the bushel containing 2150.42 cubic inches. The half bushel, peck, half peck, quarter peck, quart, and pint shall be derived by successively dividing that measure by two.

[R. L. s. 2724; 1913 c. 560 s. 1] (7021)

240.04 LIQUID MEASURE. The standard measure of capacity for liquids shall be the wine gallon, containing 231 cubic inches; and 31.50 gallons shall constitute a barrel, except for fermented malt liquors which shall be a barrel of 31 gallons, and 63 gallons a hogshead.

[R. L. s. 2725; 1913 c. 560 s. 2] (7022)

240.05 LINEAL MEASURE. The standard measure of length, from which all other measures of extension, lineal, superficial, or solid, shall be derived, is the yard, of three feet, or 36 inches.

[R. L. s. 2726; 1913 c. 560 s. 2] (7023)

240.06 HUNDREDWEIGHT. In contracts for the sale of goods or commodities, the term "hundredweight" shall mean 100 pounds avoirdupois.

[R. L. s. 2727; 1913 c. 560 s. 3] (7024)

240.07 STANDARD WEIGHT OF BUSHEL. In contracts for the sale of any of the following articles, the term "bushel" shall mean the number of pounds avoirdupois herein stated:

Corn, in ear, 70; beans (except lima beans, scarlet runner pole beans, white runner pole beans and broad windsor beans), smooth peas, wheat, clover seed, Irish potatoes and alfalfa, 60; broom corn seed and sorghum seed, 57; shelled corn (except sweet corn), rye, lima beans, flaxseed and wrinkled peas, 56; sweet potatoes and turnips, 55; onions and rutabagas, 52; buckwheat, hempseed, rapeseed, beets, green apples, walnuts, rhubarb, hickory nuts, chestnuts, tomatoes, scarlet runner pole beans and white runner pole beans, 50; barley, millet, Hungarian grass seed, sweet corn, cucumbers and peaches, 48; broad windsor beans, 47; carrots, timothy seed and

pears, 45; parsnips, 42; spelt or spilts, 40; cranberries, 36; oats and bottom onion-sets, 32; dried apples, dried peaches and top onion-sets, 28; peanuts, 22; blue grass, orchard grass and redtop seed, 14; plastering hair, unwashed, 8; plastering hair, washed, 4; lime, 80; but if sold by the barrel the weight shall be 200 pounds. In contracts for the sale of green apples, the term "bushel" shall mean 2150.42 cubic inches.

[R. L. s. 2728; 1913 c. 560 s. 4; 1935 c. 270] (7025)

240.08 STANDARD MEASUREMENT OF WOOD. In all contracts for sale of wood the term "cord" shall mean 128 cubic feet of wood, in four foot lengths; and if the sale is of "sawed wood," a cord shall mean 110 cubic feet when ranked, or 160 cubic feet when thrown irregularly or loosely into a conveyance for delivery to the purchaser; and if the sale is of "sawed and split wood," a cord shall mean 120 cubic feet, when ranked, and 175 cubic feet when thrown irregularly and loosely into a conveyance for delivery.

[1913 c. 560 s. 5] (7026)

240.09 STANDARD WEIGHT OF COAL, CHARCOAL AND ICE. In all contracts for the sale of coal, charcoal, and ice, the term "ton" shall mean 2,000 pounds. A sale of coal, charcoal, and ice, except by weight, is hereby prohibited.

[1913 c. 560 s. 6] (7027)

240.10 STANDARD WEIGHT OF FLOUR. In all contracts for the sale of flour, the term "barrel" shall mean 196 net pounds avoirdupois.

[1913 c. 560 s. 6] (7028)

240.11 FRACTIONAL PARTS. All contracts for the sale of a fractional part of a bushel, barrel, ton, or cord of any article or commodity on which the legal weight or measurement per bushel, barrel, ton, or cord has been established, shall require and mean a like fractional part of the legal and established weight or measurement per bushel, barrel, ton, or cord.

[1913 c. 560 s. 8] (7029)

240.12 VARIATIONS; DUTY OF COMMISSION. The commission shall establish uniform tolerances or reasonable variation to take care of unavoidable shrinkage, and of scale variations in handling and weighing of any of the articles mentioned in this chapter.

[1913 c. 560 s. 10] (7031)

240.13 SEALING. Every person engaged in any business requiring the use of weights or measures shall cause those used by him to be tested and sealed by the county sealer. Every person who shall buy, sell, or dispose of any goods or commodities by an unsealed weight, measure, or scale kept by him, or shall knowingly use any such weight, measure, or scale which has been sealed, but is incorrect, shall be guilty of a misdemeanor; but no contract of sale shall thereby be rendered void.

[R. L. s. 2729] (7032)

240.14 TESTING UPON REQUEST. Upon written request of any person aggrieved, and payment of \$1.00, and mileage at the rate of 20 cents per mile going and returning, the county sealer or his deputy shall test any weights, measures, or scales used in his county, whether already sealed or not. If such sealer or deputy shall give to the person complained of prior notice of such testing, he shall be guilty of a misdemeanor.

[R. L. s. 2730] (7033)

240.15 NEGLECT TO PROCURE STANDARDS. When a county treasurer is requested, in writing, to procure any standard of weight or measure required by law to be kept by him, he shall procure the same within 20 days thereafter, or forfeit to the county \$100.00 at the suit of any interested person.

[R. L. s. 2731] (7034)

240.16 WEIGHT OF BREAD; STANDARD AVOIRDUPOIS WEIGHT; TWIN OR MULTIPLE LOAVES. It shall be unlawful for any person, firm, or corporation to manufacture, produce for sale, sell, or offer or expose for sale in this state bread in loaves of any other weight than the following standard avoirdupois weights: one pound, one and one-half pounds, or any multiple of one pound.

When twin or multiple loaves are baked the weights herein specified shall apply to each unit of the twin or multiple loaf, but nothing in sections 240.16 to 240.18 and

MINNESOTA STATUTES 1941

240.17 WEIGHTS AND MEASURES

1840

240.20 shall be construed to prohibit making a twin loaf of a total weight of 16 or 24 ounces if the same be marked and sold as a pound or a pound and a half loaf.

[1927 c. 351 s. 1] (7035-1)

240.17 BREAD TO BE WRAPPED. Each loaf or twin loaf of bread sold within this state shall be wrapped in a clean wrapper or clean wrapping paper in such manner as to completely protect the bread from dust, dirt, vermin or other contamination, the wrapping to be done in the bakery where made at any time prior to or at the time of sale of such bread. Where three or more loaves of bread are sold and delivered at the bakery for personal use, then and in that case the bread may be wrapped in bulk.

Every loaf or twin loaf of bread sold within this state shall have affixed on the loaf or on the outside of the wrapper in a plain statement the weight of the loaf or twin loaf of bread, together with the name and address of the manufacturer.

[1927 c. 351 s. 2; 1931 c. 322 s. 1] (7035-2)

240.18 NET WEIGHT CONSTRUED. The weights specified in sections 240.16 to 240.18 and 240.20 shall be construed to mean net weights within a period of 24 hours after baking. A variation at the rate of one ounce per pound over or one ounce per pound under the specified weight of each individual loaf shall not be a violation of sections 240.16 to 240.18 and 240.20; provided, that the total weight of 25 loaves of bread of a given variety shall in no case fall below 25 times the unit weight.

[1927 c. 351 s. 3; 1931 c. 322 s. 2] (7035-3)

240.19 PENALTY FOR VIOLATION. Whoever in buying shall take any greater number of pounds or cubic feet to the bushel, barrel, ton, or cord, as the case may be, than is in this chapter allowed and provided, or in selling, shall give any less number, shall be guilty of a misdemeanor; and, upon conviction thereof, punished by a fine of not less than \$10.00, nor more than \$100.00, or by imprisonment for not less than ten, nor more than 90 days in the county jail, and the cost of such proceeding.

[1913 c. 560 s. 9] (7030)

240.20 VIOLATIONS; PENALTY. Any person, firm, or corporation which shall violate any provision of sections 240.16 to 240.18 shall be guilty of a misdemeanor; and, upon conviction, punished by a fine of not less than \$10.00, nor more than \$100.00, and each separate sale or violation of any provision shall constitute a separate offense.

[1927 c. 351 s. 4] (7035-4)

240.21 FINES. All fines collected under the provisions of this chapter shall be paid to the county treasurer for the benefit of the school fund of the county where the action is brought.

[R. L. s. 2732] (7035)