

## CHAPTER 31

## FOODS AND FROZEN FOODS

**31.01 DEFINITIONS**

In actions to recover damages for injuries to plaintiffs caused by eating impure food products allegedly purchased at defendant's bakery, the issue of defendant's ownership is properly for the jury. *Shindelus v Sevcik*, 211 M 432, 1 NW(2d) 397.

Liability of restaurateur for defective food. 20 MLR 527.

Liability of retail dealers for defective food products. 23 MLR 585, 612.

**31.02 UNLAWFUL TO SELL CERTAIN FOODS.**

Plaintiff's wife purchased three impure chocolate eclairs from defendant. Damages were recoverable. *Cermak v Sevcik*, 215 M 204, 9 NW(2d) 508.

**31.03 FOOD, WHEN DEEMED ADULTERATED.**

See, *Cermak v Sevcik*, 211 M 432, 1 NW(2d) 399; 215 M 204, 9 NW(2d) 508.

Constitutionality of rules and regulations issued and promulgated by state agencies, and having the force and effect of law. 1942 OAG 85, Feb. 18, 1942 (135-B-1).

**31.05 SEIZURE, SEARCH WARRANTS.**

Municipality may by ordinance authorize seizure and summary destruction of milk not conforming to legal standard. *Nelson v City of Mpls.* 112 M 16, 127 NW 445.

**31.12 LABELING.**

The label "orange juice" does not include concentrated juice to which water is added. OAG April 19, 1945 (135-B-6-K).

**31.18 KOSHER AND NONKOSHER NOT TO BE USED WRONGFULLY.**

Kosher foods are subject to classification and the commissioner may promulgate rules and regulations relating to that classification. OAG Oct. 2, 1933 (135-B-5).

**31.28 SANITARY FOOD LAW.**

While a county attorney need not function as a detective or a police officer, certain sections such as sections 31.14, 97.29, 144.28, and 211.33 tend to broaden his duties as set out in section 388.05. 1942 OAG 189, Nov. 10, 1942 (121-B-7).

Power of a municipality to exclude sale of milk from outside plants under municipal health ordinance. 18 MLR 841.

**31.31 COMMERCIAL CANNERIES; SUPERVISION; SANITARY CONDITIONS.**

Amended by L. 1947, c. 558, s. 1.

**31.311 INSPECTION UNDER SUPERVISION OF BACTERIOLOGIST.**

HISTORY. L. 1947, c. 558, s. 2.

**31.39 ASSESSMENTS FOR INSPECTIONS AND SERVICES; COMMERCIAL CANNERIES INSPECTION ACCOUNT; PENALTY FOR NON-PAYMENT.**

Amended by L. 1947, c. 558, s. 3.

**31.391 CONCRETE FLOORS.**

HISTORY. L. 1947, c. 558, s. 4.

**31.392 CANNING IN DWELLING OR BASEMENT FORBIDDEN.**

HISTORY. L. 1947, c. 558, s. 5.