

MINNESOTA STATUTES 1975 SUPPLEMENT

31.60 FOOD LAW

man, vice chairman, and secretary who shall each serve for one year and until their successors are elected and qualified. The advisory board shall meet at the call of the chairman. The commissioner or his duly appointed representative shall attend meetings called by the chairman. A meeting may be called upon written request of a majority of all of the members of the board, to be held at a time convenient to both the board and the commissioner. The commissioner or his duly appointed representative shall attend meetings called by written request of the members. The commissioner shall make available to the board such information as it may request regarding the policies and programs of the department.

[1975 c 315 s 5,6]

31.633 Meat substitutes; indication on menu; penalties.

Subdivision 1. Any restaurant, eating place or other establishment serving meat in any form to the public, which meat has any filler or meat substitute added to it or incorporated in it, shall clearly and prominently indicate on its menu or bill of fare the meat entrees that contain filler or meat substitutes.

Subd. 2. Any person who violates the provisions of subdivision 1 is guilty of a misdemeanor.

[1975 c 133 s 1]

CHAPTER 32. DAIRY PRODUCTS

Sec.
32.075 Term of license; transferability; fees and penalties.

Sec.
32.394 Grade A pasteurized milk.
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32.075 Term of license; transferability; fees and penalties.

Every license issued by the commissioner shall be for a period ending on the thirty-first day of December next following, and shall not be transferable. The fee for each such initial license shall be \$15 and each renewal thereof shall be \$6 and shall be paid to the commissioner before any license or renewal thereof is issued. If a license renewal is not applied for on or before January 1 of each year, a penalty of 25 percent of the license fee shall be imposed. A person who does not renew his license within one year following its December 31 expiration date, except those persons who do not renew such license while engaged in active military service, shall be required to prove his competency and qualification pursuant to section 32.073, before a license is issued. The commissioner may require any other person who renews his license to prove his competency and qualification in the same manner. All license fees and penalties received by the commissioner shall be paid into the state treasury.

[1975 c 412 s 20]

32.394 Grade A pasteurized milk.

[For text of subs 1 to 7, see M.S.1974]

Subd. 8. Any processor of milk, milk products or goat milk who wishes to acquaint himself and his producers with Grade A requirements may make a request to the commissioner for exploratory inspections and meetings for this purpose. Upon receipt of such request, the commissioner at his convenience shall cause such exploratory inspections to be made and such meetings to be held as are necessary to acquaint said processor and producers with such requirements. If, after such exploratory inspections are made and such meetings are held and when in his opinion his field service has brought his producers into compliance with said requirements, said processor wishes to avail himself of further inspection service, he shall so apply on a form furnished by the

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commissioner, stating the number of farms to be inspected. Such applications shall be accompanied by a fee payable to the state treasurer in an amount of not less than \$50 and not more than \$300, which fee is to be charged for preliminary inspection prior to continuous inspection, and assessments over \$50 are to be determined by charging \$1 for each farm over 50, but shall not exceed \$300 if more than 300 farms are inspected; provided that, if the plant and farms are accepted for continuous inspection, this charge shall be made only once. If the preliminary inspection discloses that the processor is eligible for use of the Grade A label on his products and before he so labels said products, he shall apply for continuous inspection on a form furnished by the commissioner and shall hold a Grade A permit. Such application shall be accompanied by a fee of not less than \$100 nor more than \$300 per plant and of not less than \$15 nor more than \$30 per farm, said fee to be paid annually by the processor. The commissioner as he deems necessary to more nearly meet the cost of the service, annually may adjust the assessments within the limits set herein.

Subd. 8a. A laboratory, before conducting a test the results of which are to be used in the enforcement of requirements for distribution of milk, milk products or goat milk under the Grade A label, must be certified as meeting the requirements for laboratory approval that are established by regulation of the commissioner, and must receive a permit from the commissioner. The permit shall remain valid without renewal unless suspended or revoked by the commissioner for failure to comply with the requirements. Satisfactory analytical procedures and results for split samples, the nature, number and frequency of which shall be in accordance with regulations established by the commissioner, shall be required of a certified laboratory for retention of its certification and permit.

An application for initial certification or for recertification following suspension or revocation of a permit shall be accompanied by a fee of not less than \$50 nor more than \$200. The fee for each set of split samples shall be not less than \$20 nor more than \$50. The commissioner may annually adjust assessments within the limits established by this subdivision to meet the cost of the services required by this subdivision.

A certified laboratory of record on June 5, 1975 shall be issued a permit without having to pay the initial certification fee.

Subd. 8b. A processor of milk, milk products or goat milk, other than Grade A, who wishes to obtain farm certification, shall make a request to the commissioner for a farm certification inspection. A processor who requests and receives a farm certification inspection shall pay a fee to the commissioner for the certification of his milk supply. The fee shall be set by the commissioner in an amount necessary to meet the cost of the service for farm certification, which fee shall not exceed 50 percent of the fees charged for Grade A permits.

[1975 c 412 s 21-23]

[For text of subd 9, see M.S.1974]

32.59 Nonresident manufacturer license.

Any person who manufactures frozen foods, mix, ice cream mix, mix base, or ice cream mix base outside of the state, for sale within the state, shall apply for registration with the department of agriculture in such form, and furnish such information, as it may require. Samples of all frozen foods, mix, ice cream mix, mix base, or ice cream mix base, so manufactured for sale and sold within this state, shall be submitted to the department. Each application for registration shall be accompanied by a fee of \$100, which shall constitute the registration fee in case certificate of registration is granted. If the department of agriculture shall find that the samples so submitted are up to the accepted standards, and otherwise comply with the laws of this state, it shall is-

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sue to applicant a certificate of registration.

[1975 c 412 s 24]

CHAPTER 32A. DAIRY INDUSTRY UNFAIR TRADE PRACTICES

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| Sec. | Sec. |
| 32A.03 Definitions. | 32A.07 Unfair practices by wholesalers, manu- facturers or distributors. |
| 32A.05 Department of agriculture, powers. | 32A.09 Redress for injuries. |
| 32A.06 Repealed. | |

32A.03 Definitions.

[For text of subd 1, see M.S.1974]

Subd. 2. "Selected dairy products" means "milk" for human consumption in fluid form, "fluid milk products" as defined in section 32.391, "frozen foods" as defined in section 32.55, subdivision 2, cottage cheese, and "mix" and "ice cream mix" as defined in section 32.55, subdivision 4, including ice milk mix.

[1975 c 220 s 1]

[For text of subds 3 to 14, see M.S.1974]

32A.05 Department of agriculture, powers.

[For text of subds 1 and 3, see M.S.1974]

Subd. 4. For the purpose of administering and enforcing the provisions of sections 32A.01 to 32A.09, each first manufacturer subject to sections 32A.01 to 32A.09 shall pay to the commissioner a fee of one cent per cwt. on all milk processed or used in the manufacture of a selected dairy product sold in this state or manufactured in this state for sale therein except frozen foods on which the fee shall be three-quarters of a cent on each gallon of frozen foods sold in this state or manufactured in this state for sale therein. For ice milk mix the fee shall be one and one-twentieth of a cent on each gallon of mix. For ice cream mix the fee shall be one and seventeen-fortieths of a cent on each gallon of mix. Such fees shall be the maximum fees. The commissioner may fix such fees at a lesser amount and may adjust such fees from time to time whenever he finds that the cost of administering and enforcing the provisions of sections 32A.01 to 32A.09 can be defrayed with such below maximum fees. The fees thus computed shall be paid by the manufacturer to the commissioner on or before the 15th day of the month following the month in which such frozen foods were sold in this state or a selected dairy product manufactured in this state from such milk was sold therein. Provided, however, that when the amount of the fees so computed does not exceed \$60 annually, these fees shall be paid within 30 days following the end of the calendar year. When fees are under \$240 annually, payment shall be made quarterly within 30 days following the end of the quarter. All fees over \$240 annually shall be paid monthly within 30 days following the end of the month when due. A penalty amounting to 10 percent of the fees then due shall be imposed by the commissioner for each month for which such fees are delinquent. The amounts so received by the commissioner shall be deposited with the state treasurer and shall constitute a separate account to be known as the "Dairy Industry Unfair Trade Practices Account" which is hereby created, set aside and appropriated as a revolving fund to be used to defray the cost of administering and enforcing sections 32A.01 to 32A.09.

[1975 c 220 s 2]

32A.06 [Repealed, 1975 c 220 s 5]