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GENERAL STATUTES OF MINNESOTA

SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES
AND OTHER LAWS OF A GENERAL AND PERMANENT
NATURE, ENACTED BY THE LEGISLATURE
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

COMPILED BY

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CHAPTER 21

INSPECTION OF FOOD AND OTHER ARTICLES

DAIRY PRODUCTS

3685. Same—License for "A 1" brand— * * *

3rd. The butter or cheese manufactured in such factories shall grade or score at least ninety-three 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. ('13 c. 366 § 4 subd. 3, amended '15 c. 368 § 1)

3686. Same—License for "B" brand—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 ninety-two 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 ninety-two 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. ('13 c. 366 § 5, amended '15 c. 368 § 2)

OTHER FOODS

3725-3727. [Repealed.]

See note under § [3727—]1.

[3727—]1. Compounds or chemical preservatives for canning—Manufacture or sale prohibited—It shall be unlawful for any person to manufacture for sale within the State of Minnesota any article to be used as a canning compound or chemical preservative in the canning and preserving of fresh fruits and vegetables which is adulterated within the terms of this act, nor shall any person add to, apply or use, in the process of canning fruits or vegetables, any canning compound which is adulterated within the terms of this act.

Provided that no article shall be deemed adulterated within the provisions of this act when intended for export to any foreign country or purchaser, and prepared and packed according to the specifications or directions of the foreign country to which said article is intended to be shipped; but, if said article shall be in fact sold or offered for sale for domestic use or consumption then this proviso shall not except said article from the operation of any of the other provisions of this act. ('15 c. 335 § 1)

Section 7 repeals 1913 c. 441 [3725-3727].

[3727—]2. Same—Possession with intent to sell—Penalty—The having in possession of any preservative compound which is adulterated as herein defined, with intent to sell the same, is hereby prohibited, and whoever shall have in his possession with intent to sell, sell or offer for sale any preservative compound, which is adulterated within the meaning of this act, shall be guilty of a misdemeanor and, on conviction thereof, shall be punished as hereinafter provided.

Proof that any person, firm or corporation has or had possession of any preservative compound which is adulterated within the terms of this act shall be prima facie evidence that the possession thereof is in violation of this section. ('15 c. 335 § 2)

[3727—]3. **Same—“Preservative compound” defined**—The term “Preservative Compound,” as used herein, shall include all articles used for preservative purposes, whether simple, mixed or compound, and any substance used as a constituent in the manufacture thereof. ('15 c. 335 § 3)

[3727—]4. **Same—When deemed adulterated**—That for the purposes of this act a preservative compound shall be deemed to be adulterated if it contain any added poisonous or other added deleterious, unwholesome and injurious ingredient which may render said article injurious to public health; and formaldehyde, hydrofluoric acid, salicylic acid, sulphurous acid, and all compounds and derivatives thereof, are hereby declared unwholesome and injurious. ('15 c. 335 § 4)

[3727—]5. **Same—Dairy and food commissioner to enforce**—The dairy and food commissioner of the state is charged with the proper enforcement of all the provisions of this act. ('15 c. 335 § 5)

[3727—]6. **Same—Penalty for violation**—Whoever shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and violation thereof shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100), or by imprisonment in the county jail for not more than three (3) months. ('15 c. 335 § 6)

[3732—]1. **Cold storage eggs—Sale, etc., without making known, etc., prohibited—Receptacles to be stamped**—No person, firm or corporation by himself or his agents shall sell, agree to sell, or advertise for sale any cold storage eggs without making it known to the purchaser or prospective purchaser that the eggs are cold storage eggs, and all boxes or other receptacles in which cold storage eggs are sold or delivered, in wholesale or retail, shall be stamped in a conspicuous manner with the words: “Cold Storage Eggs.” ('15 c. 18 § 1)

[3732—]2. **Same—Dairy and food commissioner to enforce**—The dairy and food commissioner of the state is charged with the proper enforcement of all the provisions of this act. ('15 c. 18 § 2)

[3732—]3. **Same—Penalty for violation**—Whoever shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or by imprisonment in the county jail for not less than fifteen days for each and every offense. ('15 c. 18 § 3)

MISCELLANEOUS PROVISIONS

[3771—]1. **Commercial fertilizers—Certificate to be attached on sale**—That any persons, firm or corporation, who shall offer, sell or expose for sale, in the State of Minnesota, any commercial fertilizer the price of which exceeds five dollars (\$5.00) per ton, shall affix to every package, in a conspicuous place on the outside thereof, or furnish to the purchasers of goods sold in bulk, a plainly printed certificate, naming the materials, including the filler, if any, of which the fertilizer is made, stating the number of pounds in the package sold, the name or trademark under which the article is sold, the name of the manufacturer and the place of manufacture; and a chemical analysis, stating the minimum percentage of nitrogen in available form, of potassium soluble in water, of phosphorus in available form (soluble or reverted) and of insoluble phosphorus. ('15 c. 251 § 1)

[3771—]2. **Same—Certified copy of certificate to be filed with dairy and food commissioner**—Before any commercial fertilizer is sold, or offered for sale, the manufacturer, importer or party who causes it to be sold, or offered for sale, within the State of Minnesota, shall file in the office of the dairy and food commissioner a certified copy of the certificate referred to in Section 1 of this act [3771—1] and shall pay to the dairy and food commissioner on or before May 1st of each year a license fee of ten dollars (\$10.00) for each brand of fertilizer offered for sale or sold within the state. Provided, that whenever the manufacturer or importer shall have paid the license fee herein required

for any year, no other person shall be required to pay such license fee for that brand. ('15 c. 251 § 2)

[3771—]3. **Same—Commissioner to enforce**—The state dairy and food commissioner and his assistants shall enforce the provisions of this act, and he may publish annually a report of all analysis made and certificates filed. The inspectors and assistants of the dairy and food commissioner shall exercise, in the enforcement of this act, all the authority and powers now granted such assistants under the food and dairy laws of the State of Minnesota. The state dairy and food commissioner is hereby authorized, in person or by deputy, to take for analysis a sample from any lot or package of commercial fertilizer in this state not exceeding two pounds in weight. ('15 c. 251 § 3)

[3771—]4. **Same—Penalty for violation**—Any person, firm or corporation who shall offer or expose for sale or sell any commercial fertilizer in the State of Minnesota without complying with the provisions of this act, or who shall use an analysis regarding any commercial fertilizer, which shall be false as to the constituents named in Section 1 of this act [3771—1], or who shall obstruct or interfere with the dairy and food commissioner, or any of his assistants, in the discharge of their duties, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each offense. ('15 c. 251 § 4)

[CHAPTER 21B]

[REGULATION OF SALE OF STOCKS, BONDS AND OTHER SECURITIES]

[3782—]1. **State securities commission—How constituted—Meetings—Secretary—Salary—Powers and duties—Annual report**—There is hereby created a commission to be known as the state securities commission, hereafter referred to as the "commission," whose duty it shall be to administer and provide for the enforcement of all the provisions of this act. Said commission shall consist of the public examiner who shall be the president thereof, the attorney general of the state or an assistant attorney general specifically designated by him therefor and the commissioner of insurance all of whom shall be members of said commission during their terms of office and any two shall constitute a quorum. Said commission shall have its office in the state capitol, in the city of St. Paul, in a room to be furnished and equipped by the state and all its records shall be there kept. It shall hold regular bi-weekly meetings on such dates as may be determined by the commission and may hold special meetings upon the call of the president; it shall keep a complete record of all its meetings, its accounts and the business it transacts and may prepare all necessary blanks to be used in its proceedings and in the conduct of its business. The commission shall have the power to appoint a secretary at a salary to be fixed by the commission, not exceeding three thousand (\$3,000) dollars per annum. The person so appointed shall proceed to qualify by subscribing the usual oath of office and by giving a bond to the state of Minnesota in the sum of ten thousand dollars with such surety as the commission shall approve, conditioned upon the faithful performance of the duties of the office which bond shall be filed and recorded as now provided by law for state officers. The secretary, when acting for the commission, shall have equal power and authority, subject to the approval of the commission and he shall attend to and perform any and all detailed work relative to the commission. The commission shall have power to employ such other and further assistance as may be necessary to carry out the provisions of this act. Annually on or before the first day of November, the commission shall prepare and file in the office of the governor a report containing an accurate review of the work of the commission for the fiscal year ending June 30th, preceding the date of said report and which shall contain a schedule of all ap-