

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved May 13, 1901.

No. 192, S.]

[Published May 16, 1901.

CHAPTER 377.

AN ACT to regulate the sale and analysis of concentrated feedings stuffs.

The people of the state of Wisconsin represented in senate and assembly do enact as follows

Term "concentrated feeding stuffs" defined. SECTION 1. The term "concentrated commercial feeding stuffs" as used in this act, shall include linseed meals, cotton seed meals, peameals, cocoanut meals, gluten meals, oil meals of all kinds, gluten feeds, maize feeds, starch feeds, sugar feeds, sucrose hominy feeds, cerealine feeds rice meals, oat feeds, corn and oat feeds, ground beef or fish scraps, mixed feeds of all kinds, also all condimental stock foods, patented and proprietary stocks foods claimed to possess nutritive as well as medicinal properties and all other materials intended for feeding to domestic animals; but shall not include hays and straws, the whole seeds nor the unmixed meals made directly from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, dried brewer's grains, wet brewer's grains, malt sprout, sorghum, and broom corn. Neither shall it include wheat, rye and buckwheat brans or middlings, not mixed with other substances, but sold separately, as distinct articles of commerce, nor pure grains ground together.

Duty of manufacturer, etc., as to recital on packages. SECTION 2. Every manufacturer, company or person who shall sell, offer or expose for sale or for distribution in this state any concentrated commercial feeding stuff, used for feeding farm live stock, shall furnish with each car or other amount shipped in bulk and shall affix to every package of such feeding stuff in a conspicuous place on the outside thereof, a plainly printed statement clearly and truly certifying the number of net pounds in the car or package sold or offered for sale, the name or trade

mark under which the article is sold, the name of the manufacturer or shipper, the place of manufacture, the place of business and the percentages it contains of crude protein, allowing one per centum of nitrogen to equal six and one-fourth per centum of protein and of crude fat, both constituents to be determined by the methods prescribed by the director of the Wisconsin Agricultural Experiment Station. Whenever any feeding stuff is sold at retail in bulk or in packages belonging to the purchaser, the agent or dealer, upon request of the purchaser shall furnish to him a certified copy of the statement named in this section.

Duty before offering for sale. SECTION 3. Before any manufacturer, company or person shall sell, offer or expose for sale in this state any concentrated commercial feeding stuffs, he or they shall for each and every feeding stuff bearing a distinguishing name or trade mark, file annually during the month of December with the director of the Wisconsin Agricultural Experiment Station a certified copy of the statement specified in the proceeding section, said certified copy to be accompanied, when the director shall so request, by a sealed glass jar or bottle containing at least one pound of the feeding stuff to be sold or offered for sale, and the company or person furnishing said sample shall also submit a satisfactory affidavit that said sample corresponds within reasonable limits to the feeding stuff which it represents, in the percentage of protein and fat which it contains.

Annual license for sale of; fee. SECTION 4. Each manufacturer, importer, agent or seller of any concentrated commercial feeding stuffs, shall pay annually to the director of the Wisconsin Agricultural Experiment Station a license fee of twenty-five dollars. Whenever a manufacturer, importer, agent or seller of concentrated commercial feeding stuffs desires at any time to sell such material and has not paid the license fee therefor in the preceding month of December, as required by this section, he shall pay the license fee prescribed hereinbefore making any such sale. The license fees received by such director pursuant to the provisions of this section shall be paid into the treasury of the university and shall constitute a special fund from which to defray the expenses incurred in making the inspections and analyses required by this act and enforcing the provisions thereof, and he shall report annually to the regents of the university of Wisconsin the amount received and the expense incurred for salaries, laboratory expenses, chemical supplies, traveling expenses, printing and other necessary matters. When-

ever the manufacturer, importer or shipper of concentrated commercial feeding stuffs shall have filed the statement required by section two of this act and paid the license fee as prescribed in this section, no agent or seller of such manufacturer, importer or shipper shall be required to file such statement or pay such fee.

Analysis of; samples how procured. SECTION 5. The director of the Wisconsin Agricultural Experiment Station shall annually analyze or cause to be analyzed, at least one sample to be taken in the manner hereinafter prescribed, of every concentrated commercial feeding stuff sold or offered for sale under the provisions of this act. Said director shall cause a sample to be taken, not exceeding two pounds in weight, for said analysis, from any lot or package of such commercial feeding stuff which may be in the possession of any manufacturer, importer, agent or dealer in this state but said sample shall be drawn in the presence of the parties in interest, or their representatives and taken from a parcel or a number of packages, which shall not be less than ten per centum of the whole lot sampled, and shall be thoroughly mixed, and then divided into equal samples, and placed in glass vessels, and carefully sealed and a label placed on each, stating the name of the party from whose stock the sample was drawn and the time and place of drawing, and said label shall also be signed by the person taking the sample, and by the party or parties in interest or their representative at the drawing and sealing of said samples; one of said duplicate samples shall be retained by the director and the other by the party whose stock was sampled; and the sample or samples retained by the director shall be for comparison with the certified statement named in section three of this act. The result of the analysis of the sample or samples so procured, together with such additional information as circumstances advise, shall be published in reports or bulletins from time to time.

Penalty for non-compliance. SECTION 6. Any manufacturer, importer or person who shall sell, offer or expose for sale or distribution in this state any concentrated commercial feeding stuff, without complying with the requirements of this act, or any feeding stuff which contains substantially a smaller percentage of constituents than are certified to be contained, shall, on conviction in a court of competent jurisdiction, be fined not less than twenty-five nor more than one hundred dollars for the first offense, and not more than two hundred dollars for each subsequent offense.

Penalty for adulterations. SECTION 7. Any person who shall adulterate any kind of meal or ground grain or other feeding stuff with milling or manufacturing offals, or any other substance whatever, for the purpose of sale, unless the true composition, mixture or adulteration thereof is plainly marked or indicated upon the package containing the same or in which it is offered for sale; or any person who sells, or offers for sale any meal, ground grain or other feeding stuff which has been so adulterated, unless the true composition, mixture or adulteration is plainly marked or indicated upon the package containing the same, or in which it is offered for sale, shall be fined not less than twenty-five or more than one hundred dollars for each offense.

Prosecutions for violations; notice to manufacturer, etc. SECTION 8. Whenever the director aforesaid becomes cognizant of the violation of any of the provisions of this act, he shall report such violations to the dairy and food commissioner, and said commissioner shall prosecute the party or parties thus reported; but it shall be the duty of said commissioner upon thus ascertaining any violation of sections two, three or four of this act, to forthwith notify the manufacturer, importer or dealer in writing and give him not less than thirty days thereafter in which to comply with the requirements of this act, but there shall be no prosecution in relation to the quality of any concentrated commercial feeding stuff if the same shall be found substantially equivalent to the certified statement named in section two of this act.

SECTION 9. This act shall take effect July 1st, 1901.
Approved May 13, 1901.