

insurance permitted by the statutes, provided, however, that any re-insurance company, organized or admitted to transact more than one class or kind of re-insurance, shall be required to have an aggregate capital equal to the capital now required by law for each kind or class of insurance, and shall be required to hold reserves in the same amount and manner as now required for each such kind or class of insurance which by the provisions of its charter, it is authorized to transact; such re-insurance company may be incorporated, *and foreign re-insurance companies may be admitted to transact business in this state*, in the same manner as fire, life, casualty and surety corporations are now provided for and shall comply with the same laws regulating such corporations so far as the same may be applicable. Such re-insurance company shall pay the same fees and taxes \* \* \* required to be paid by fire insurance companies, and shall *within the month of January* of each year, file an annual statement of its business with the department of insurance, *showing its condition on the thirty-first day of December of the preceding year.*

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved May 16, 1905.

No. 232, A.]

[Published May 18, 1905.

## CHAPTER 207.

AN ACT to amend section 4600 of the statutes of 1898, and section 4601 of the statutes of 1898, as amended by chapter 133 of the laws of 1903, relating to the sale of adulterated articles and defining the terms "drug" and "food."

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

**Sale of adulterated articles; definitions.** SECTION 1. Section 4600 of the statutes of 1898 is hereby amended so as to read as follows: Section 4600. Any person who shall, by himself, his servant or agent or as the servant or agent of any other person, sell, exchange, deliver or have in his possession with in-

tent to sell, exchange, offer for sale or exchange any drug or article of food which is adulterated shall be fined not less than twenty-five dollars nor more than one hundred dollars or be imprisoned in the county jail not less than thirty days nor more than four months. The term "drug," as used in this section, shall include all medicines for internal or external use, anti-septics, disinfectants and cosmetics. The term "food," as used herein, shall include all articles used for food or drink or *condiment* by man, whether simple, mixed or compound.

**Adulteration, what is.** SECTION 2. Section 4601 of the statutes of 1898, as amended by chapter 133 of the laws of 1903, is hereby amended so as to read as follows: Section 4601. An article shall be deemed to be adulterated within the meaning of the preceding section:

1. In the case of drugs: First, if, when sold, *or offered or exposed for sale or had in possession with intent to sell*, under or by a name recognized in the United States pharmacopœia, it differs from the standard of strength, quality or purity laid down in the latest current edition thereof; second, if when sold, *or offered or exposed for sale or had in possession with intent to sell*, under or by a name not recognized in said pharmacopœia, but which is found in the pharmacopœia of some other country, the national formulary or other standard work on materia medica, it differs materially from the standard of strength, quality or purity laid down in the latest current *report* of such work; third, if its strength, quality or purity falls below the professed standard under which it is sold.

2. In the case of food: First, if any substance or substances have been mixed with it, so as to lower or depreciate or injuriously affect its strength, quality or purity; second, if any inferior or cheaper substance or substances have been substituted wholly or in part for it; third, if any valuable or necessary ingredient has been wholly or in part abstracted from it; fourth, if it is an imitation of, or sold under the name of, another article; fifth, if it consists, wholly or in part, of a diseased, infected, decomposed, putrid, tainted or rotten animal or vegetable substance or article, whether manufactured or not; sixth, if it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; seventh, if it contains any added substance or ingredient which is poisonous, injurious, or deleterious to health, or any deleterious substance not a necessary ingredient in its manufacture; provided, that

articles of food which are labeled, branded or tagged in a manner showing their exact character and composition and approved by the dairy and food commissioner of the state, and not containing any poisonous or deleterious ingredient, shall not be deemed adulterated in the case of mixtures or compounds sold under their own distinct names or under coined names and which articles, if substitutes, are not in imitation of, or sold under, the name of any other article of food; and provided further, that nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods to disclose their trade formulas, except so far as may be necessary to secure freedom from adulteration, imitation or fraud.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 16, 1905.

---

No. 258, A.]

[Published May 18, 1905]

## CHAPTER 208.

AN ACT to provide for the collection of vital statistics in cities and incorporated villages.

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

**Record of births and deaths.** SECTION 1. The health officers of all cities except those of the first class, and the clerks of all incorporated villages shall collect, as now prescribed by law, and keep a complete record of all births and deaths occurring within their respective jurisdiction. The blank forms in the record books shall conform to the birth and death certificates now in use.

**Quarterly report to state board of health.** SECTION 2. It shall be the duty of the health officers of all cities, and the clerks of all incorporated villages to make a full report quarterly to the secretary of the state board of health on blanks fur-