

No. 593, A.]

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CHAPTER 532.

AN ACT to create section 16361 of the statutes, relating to the prevention of the adulteration of and fraud in the sale of linseed oil, turpentine, white lead, oxide of zinc, and linseed oil compounds, making an appropriation, providing a penalty and repealing chapter 234 of the laws of 1899, being sections 1636—91 to 1636—95, inclusive of the statutes, relating to the adulteration of flaxseed or linseed oil.

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

SECTION 1. There is added to the statutes a new section to read: Section 16361. No person by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, shall sell, offer or expose for sale or have in possession with intent to sell as and for "raw flaxseed oil" or "raw linseed oil" any oil unless the same is obtained from the seeds of the flax plant and unless the same fulfills all the requirements for linseed oil laid down in the eighth decennial revision of the United States pharmacopoeia; or as and for "boiled linseed oil" or "boiled flaxseed oil" any oil unless the same shall have been prepared by heating pure raw linseed oil with or without the addition of not to exceed four (4) per cent of drier to a temperature not less than two hundred twenty-five (225) degrees Fahrenheit. And for the purpose of this act, it shall also be deemed a violation of this act if said boiled linseed oil does not conform to the following requirements: First, its specific gravity at sixty degree Fahrenheit must be not less than nine hundred thirty-five thousandths (0.935) and not greater than nine hundred forty-five thousandths (0.945); second, its saponification value (Koettstorfer figure) must not be less than one hundred eighty-six (186); third, its iodine number must not be less than one hundred sixty (160); fourth, its acid value must not exceed ten (10); fifth, the volatile matter expelled at two hundred twelve (212) degrees Fahrenheit must not exceed one-half of one per cent.; sixth, no mineral or other foreign oil or free rosin shall be present, and the amount of unsaponifiable matter as determined by standard methods shall not exceed two and five-tenths (2.5) per cent.; seventh, the film left after the flowing the oil over glass and allowing it to drain in a vertical position must dry free from

tackiness in not to exceed twenty hours, at a temperature of about seventy degrees Fahrenheit.

2. Nor shall any person by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, sell, expose or offer for sale or have in possession with intent to sell, any raw or boiled linseed oil unless it is so done under its true name, and each tank car, tank, barrel, keg, can or vessel of such oil has distinctly and durably painted, stamped, stenciled or marked thereon the true name of such oil in ordinary bold faced capital letters, not less than five line pica in size, in the words, "Pure Linseed Oil—Raw" or "Linseed Oil—Boiled," as the case may be, and the name and address of the manufacturer thereof.

3. Linseed oil compounds designed to take the place of raw or boiled linseed oil, whether sold, offered or exposed for sale, under invented proprietary names or titles, or otherwise, shall bear conspicuously upon the containing receptacle in which the same is kept for sale or sold, in ordinary bold faced capital letters not less than five-line pica in size, the word "Compound," followed immediately with the true distinctive names of the actual ingredients in the order of their greater preponderance, in the English language, in plain legible type of the same style, not less than three-line pica in size, in continuous list with no intervening matter of any kind and shall also bear the name and address of the manufacturer.

4. Nor shall any person by himself, his servant, or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, sell, offer or expose for sale or have in possession with intent to sell as and for dry white lead and substance other than basic carbonate of lead or basic sulphate of lead; nor shall any person by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, sell, offer or expose for sale or have in possession with intent to sell as and for white lead in oil, any product other than basic carbonate of lead ground in pure linseed oil or basic sulphate of lead ground in pure linseed oil; nor shall any person by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, sell, offer or expose for sale or have in possession with intent to sell any basic carbonate of lead ground in linseed oil, unless each keg, can or other receptacle containing the same has distinctly and durably painted, stamped, sten-

ciled or marked thereon the words, "white lead, basic carbonate, in oil," and the name and address of the manufacturer or jobber thereof; nor shall any person by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, sell, offer or expose for sale or have in possession with intent to sell any basic sulphate of lead ground in linseed oil, unless each cask, keg or other receptacle containing the same has distinctly and durably painted, stamped, stenciled or marked thereon the words "white lead, basic sulphate, in oil," and the name and address of the manufacturer or jobber thereof; nor shall any person by himself, his servant or agent, or as the servant or agent of any firm or corporation, sell, offer or expose for sale or have in possession with intent to sell as and for dry oxide of zinc, or zinc oxide, or zinc white, any substance other than commercially pure oxide of zinc; nor shall any person by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, sell, offer or expose for sale, or have in possession with intent to sell as and for oxide of zinc in oil, or zinc oxide in oil, or zinc white in oil, any product other than commercially pure oxide of zinc ground in pure linseed oil; nor shall any person by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, sell, offer or expose for sale, or have in possession with intent to sell any oxide of zinc ground in linseed oil, unless each keg, can or other receptacle, containing the same has distinctly and durably painted, stamped, stenciled or marked thereon the words "oxide of zinc in oil," or "zinc oxide in oil," or "zinc white in oil," and the name and address of the manufacturer or jobber thereof.

5. Nor shall any person by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, sell, offer or expose for sale, or have in possession with intent to sell as and for turpentine, spirits of turpentine or oil of turpentine, any article except pure oil of turpentine distilled from the natural gum, dip or scrape of pine trees, and unmixed with kerosene or other mineral oil or other foreign substance; nor shall any person by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, sell, offer or expose for sale or have in possession with intent to sell as and for wood turpentine or wood spirits of turpentine any article except the distillates and spirits pre-

pared directly from or by the distillation of the wood of pine trees, and unmixed with kerosene or other mineral oil or other foreign substance; nor shall any person by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, sell, offer or expose for sale, or have in possession with intent to sell any oil of turpentine or wood spirits of turpentine unless it is so done under its true name, and each tank car, tank, barrel, keg, can or vessel of such oil has distinctly and durably painted, stamped, stenciled or marked thereon the true name of such oil in ordinary bold faced capital letters, not less than five-line pica in size the words "Oil of Turpentine" or "Wood spirits of Turpentine" as the case may be, and the name and address of the manufacturer or jobber thereof.

6. It is hereby made the duty of the dairy and food commissioner, by himself or by his assistants, chemists, inspectors or agents to see that the provisions of this act are enforced, and personally or by said assistants, chemists, inspectors or agents to inspect any flaxseed oil or linseed oil or oil of turpentine or wood spirits of turpentine or white lead, dry or in oil, or zinc oxide, dry or in oil, made or offered or exposed for sale or had in possession with intent to sell in this state, and any tank car, tank, barrel, keg, can or any vessel containing the same in this state which he may suspect or have reason to believe, fails to comply with the provisions of this act, and to prosecute or cause to be prosecuted, any person or firm whom he may suspect or have reason to believe, may be violating any of the provisions of this act, which prosecution shall be conducted by the district attorney in the same manner as is now provided in case of the violation of the laws relating to the production, manufacture and sale of dairy products and to the adulteration of food, drinks, condiments and drugs, and for the purposes of this act and the enforcement thereof, the dairy and food commissioner, his assistants, chemists, inspectors and agents shall have all the powers conferred by the statutes upon him or them or any of them for the enforcement of the dairy and food and drug laws of the state, in so far as the same may be applicable thereto. The dairy and food commissioner shall have the power to appoint, with the approval of the governor, special counsel to prosecute or assist in prosecution of any case arising under the provisions of this act. All fines collected in prosecutions begun or caused to be begun by the dairy and food commissioner or any of his assistants, chemists, inspectors or agents shall be paid into the state treasury.

7. Any person who shall violate any of the provisions of this

act or any person who shall obstruct the dairy and food commissioner of this state, his assistants, chemists, inspectors or agents in the performance of his or their duty in the enforcement of the provisions of this act by refusing him entrance to any place he is authorized to enter or by refusing to deliver to him a sample of any article or articles described in this act, that is sold, or offered or exposed for sale or had in possession with intent to sell by the person to whom request therefor is made, if the value thereof is tendered, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars or more than one hundred dollars or by imprisonment in the county jail not less than thirty days nor more than four months.

8. To assist in the analysis of linseed oil, turpentine, white lead and oxide of zinc herein required, the dairy and food commissioner may, with the advice and consent of the governor, appoint an assistant chemist, who shall be paid in the same manner as is provided by law for the payment of salaries of other state officers and employes, an annual salary of \$1,200. There shall also be paid to said assistant chemist his necessary and actual expenses incurred in the discharge of his official duties on the approval of the dairy and food commissioner and the governor of verified and itemized accounts therefor. When not engaged in the analysis of the articles as herein required, the said assistant chemist shall perform such other duties as may be required by the dairy and food commissioner in the enforcement of the dairy and food and drug laws of the state.

SECTION 2. Sections 1636—91 to 1636—95, inclusive, of the statutes, being chapter 234 of the laws of 1899 entitled "An act to prevent the adulteration of and deception in the sale of flaxseed or linseed oil," are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication, provided that the provisions of this act in relation to the labeling of turpentine, white lead, oxide of zinc and linseed oil compounds, shall not take effect until January 1, 1911.

Approved June 17, 1909.