

same manner as are license fees, as prescribed in section 29.09, but without deduction.

(4) All fishermen licensed under the provisions of this section shall file such reports on the amounts and kinds of fish taken as may be requested by the conservation commission.

Approved August 17, 1945.

No. 23, A.]

[Published August 27, 1945.

CHAPTER 577.

AN ACT to amend 98.12 of the statutes, relating to standard milk bottles, and providing a penalty.

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

98.12 of the statutes is amended to read:

98.12 STANDARD MILK BOTTLES. (1) * * * *For the sale of milk or cream at retail, no bottle shall be used unless its capacity is one gallon, half gallon, * * * one quart, third quart, one pint, or half pint, * * *; every such bottle shall be delivered filled * * * to the bottom of the cap seat, stopple or other designating mark. The following variations on individual bottles * * * may be allowed, but the average contents of not less than 25 bottles selected at random from at least 4 times the number tested must not be in error by more than one-quarter of * * * such tolerances: 8 drams above and 8 drams below on the gallon; 6 drams above and 6 drams below on the half gallon; * * * 4 drams above and 4 drams below on the quart; 3 drams above and 3 drams below on the pint; 2 drams above and 2 drams below on the third quart and on the half pint respectively; * * *. When milk or cream is pasteurized in the bottle in which it is to be sold or delivered, such bottle may have a capacity sufficient to permit of the expansion of the contents in the process of heating, but such bottle shall have clearly marked thereon by a line or other designating mark the point to which such bottle is filled when containing the respective capacities provided for in this section, at 68 degrees Fahrenheit (20 degrees centigrade). The department shall prescribe and adopt such rules and regulations as it may deem necessary to carry out the provisions of this section. Bottles * * * so used * * * shall have clearly*

blown or otherwise permanently marked in the side of the bottle, the capacity of the bottle and the word "Sealed" and in the side or bottom of the bottle the name, initials or the trademark of the manufacturer and designating number, which designating number shall be different for each manufacturer and may be used in identifying the bottles. The designating number shall be furnished by the department upon application by the manufacturer, and upon filing by the manufacturer of a bond in the sum of \$1,000 with sureties to be approved by the attorney-general, conditioned upon their conformance with the requirements of this section. A record of the bonds furnished, the designating numbers, and to whom furnished, shall be kept in the office of the department.

(2) Any manufacturer who sells milk or cream bottles to be used in this state that do not comply as to * * * *capacity* and markings with * * * this section shall * * * *forfeit* \$500, to be recovered by the attorney-general in an action against the offender's bondsmen, * * * brought in the name of the * * * state. Any * * * *person* who uses, for the * * * *sale of milk or cream at retail*, * * * bottles that do not comply with * * * this section as to markings and capacity, shall be * * * *punished by a fine of not more than \$100, or by imprisonment not more than 6 months, or by both such fine and imprisonment.*

(3) Sealers of weights and measures are not required to seal bottles * * * for milk or cream marked as in this section provided, but they shall from time to time make tests on individual bottles used by the various firms in the territory over which they have jurisdiction, in order to ascertain whether the above provisions are being complied with, and they shall report violations found immediately to the department.

Approved August 23, 1945.