

be in the forms heretofore used, except as modified by said judge, and the city attorney shall be the prosecuting officer therein; all the provisions in the charter and ordinances of the city of Oshkosh, relating to justices of the peace, or to criminal prosecutions, shall be held applicable to said municipal court.

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

Approved June 24, 1911.

No. 449, S.]

[Published June 26, 1911.

CHAPTER 446.

AN ACT to amend sections 1636—61, 1636—62, 1636—64, 1636—65, 1636—66, and 1636—67 of the statutes, relating to bakeries and confectionaries.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Sections 1636—61, 1636—62, and 1636—64 of the statutes are amended to read: Section 1636—61. 1. All buildings occupied for bakeries and confectionery establishments, and all buildings or rooms *connected with, or part of such bakeries or confectionery establishments and used for storage of goods that are intended to be used in the preparation of the products of such establishments or for storage of the products of such establishments shall be well drained, and all plumbing therein, if any, shall be constructed in accordance with well established sanitary principles and of good workmanship; and the rooms thereof used for the manufacture, storage, or sale of bread and other food products, or for the storage of goods that are intended to be used in the preparation of such bread and other food products, shall be light, dry, and airy. * * ** The room or rooms used for the manufacture or storage of bread and other food products in bakeries and confectionery establishments shall have floors and side walls so constructed as to exclude rats, mice, and other vermin * * *. Said floors shall have a smooth surface and be impermeable and may be constructed of wood, cement, or tile laid in cement. * * *

(Am. 1911, c. 664, s. 77.)

2. *No water closet, earth closet, privy, urinal or ash pit shall be within the bake room or any other room used in the manufacture of bread or other food products in any bakery or confectionery establishment. All water closets, urinals, or privies connected with, part of, or within any building used as a bakery or confectionery shall be so arranged that gases or odors out of said closets, urinals, or privies connected with, part of, or within any*

closets, urinals, or privies cannot enter into any room used in the production or storage of food in any bakery or confectionery, and such closets, privies, or urinals shall be equipped with efficient natural or mechanical means of removing all odors or gases into the outer air.

Section 1636—62. * * * 1. All bakeries and confectioneries shall be provided with ample toilet facilities apart from the utensils used in the preparation of said foods to enable the workmen employed therein to keep their persons clean. Said bakeries and confectioneries shall also be provided with a separate * * * place to enable the workmen to change their clothes and keep the same in a proper condition. *The walls and ceilings of such rooms used for the manufacture or storage of bread or other food products, or for the storage of goods that are intended to be used in the preparation of such bread or other food products, shall be whitewashed at least as often as once in six months, or in lieu of such whitewashing, walls or ceilings may be painted once in two years and scrubbed at least once in six months; and the floors and side walls shall at all times be free from moisture and kept in a good state of repair. The floors, utensils, and furniture of such room as are for the manufacture, storing, or sale of said food products and the wagons used for the delivery of said food products shall at all times be kept in a sanitary, clean condition. The furniture and utensils of such rooms shall also be so arranged so that the same can be easily and perfectly cleaned. The air within such bakery or confectionery establishment shall at all times be kept pure and free from noxious odors and harmful gases.*

2. *No room used as a bakery or confectionery shall be used as a habitation or sleeping place by any person, and such rooms used as bakeries or confectioneries shall not be used for any purpose except those incidental to the manufacture, storage, or sale of the products of such bakery or confectionery establishments.*

3. *All persons engaged in the manufacture of bread or other food products in bakery or confectionery establishments shall provide themselves with caps and slippers or shoes and an external suit of washable material, and wear these garments while engaged in the preparation, packing, or handling of food in or about bakeries or confectioneries, said garments to be used for that purpose only and to be kept at all times in a clean condition.*

4. *No food shall be prepared, handled, or cared for in any unclean manner or near any filthy object in any bakery or confectionery establishment, nor by any person wearing filthy clothing, nor by any person afflicted with a loathsome or venereal disease. No goods that are decayed or have been contaminated by expo-*

sure to disease or filth, nor any goods to which vermin have had access, or which vermin have partly consumed or devoured, nor goods which have become unclean in any manner shall be used in the preparation of any product of a bakery or confectionery establishment. No person shall befoul any room or any utensil used in the preparation of food in any bakery or confectionery establishment.

5. No bread, confectionery, or other food product of a bakery or confectionery establishment, shall be exposed in or about such establishment so that dust of a street or other filth, flies, or other insects or vermin may settle upon it; and while such bread, confectionery, or other food products of bakery or confectionery establishments are distributed in wagons, carts, baskets, boxes, or other containers of such bakery or confectionery establishments, they shall be well covered and protected from dust, filth, or insects, and shall not be handled in any unclean manner while being distributed.

Section 1636—64. No person shall work or be employed in or about any bakery or * * * confectionery establishment for the manufacture of food products during the time in which a case of contagious or infectious disease exists in the house in which such person * * * resides, and not thereafter until such house has been properly disinfected; provided that such persons may be employed if the local board of health issue a certificate in writing that no danger of public contagion or infection would result from the employment of said person in such establishment.

SECTION 2. That section of Sanborn and Sanborn's Supplement designated as section 1636—65 is amended and made section 1636—65 of the statutes, to read: Section 1636—65. 1. If in the opinion of the commissioner of labor or the bakery inspector it is necessary to have some action taken or that alterations, additions, or changes are required in or upon any premises occupied and used, or for which application for license to be occupied and used as bakeries or confectionaries, has been filed, in order to conform to the provisions of law for the regulation of bakeries and confectionery establishments, he shall serve a written notice, either personally or by registered mail upon the owner of, manager, or officer operating such bakery or confectionery establishment, requiring such action to be taken or such alterations, changes, or additions to be made within thirty days. Provided, however, that if the required alteration cannot be made with reasonable diligence within thirty days, the commissioner of labor or the bakery inspector shall extend the time for making such alterations, changes, or additions such reasonable time as may be

required to complete the additions, changes, or alterations if due diligence is used, such extension of time in no case to exceed ninety days from receipt of notice, however.

2. It shall be the duty of every occupant, whether owner or lessees of * * * any premises used as a bakery * * * or confectionery establishment for the manufacture of food products to carry out the provisions of this act and make, or cause to be made, all changes, * * * additions, and alterations necessary therefor. * * *

(Am. 1911, c. 664, s. 77.)

SECTION 3. That section of the statute designated in Sanborn and Sanborn's supplement as section 1636—66, and by chapter 486, laws of 1906 as section 1636—65, and as amended by chapter 530, laws of 1907, is amended to read: Section 1636—66. 1. It shall be the duty of the state bureau of labor and boards of health, both state and local, to see that the provisions of this act are enforced, and the commissioner of labor shall appoint a proper and competent person to act as bakery inspector for two years, who shall perform his duties under the direction of the said commissioner, *and who shall be an officer of the bureau of labor. The bakery inspector shall inspect and ascertain the sanitary condition of the bakery and confectionery establishments of the state and of such rooms, buildings, or apartments for which application for license to establish or operate a bakery or confectionery establishment therein has been filed, and shall examine such plans and specifications for buildings, rooms, or apartments to be occupied and used as bakery or confectionery establishments, as may be submitted to him with reference to the laws for their sanitary regulation, and shall require such action to be taken as may be needed to have bakery and confectionery establishments conform to the provisions of law. Such bakery inspector shall perform such other duties as may be required by the commissioner of labor.* The state factory inspector * * * and the assistant state factory inspectors shall have the same power as the bakery inspector in respect to examining bakeries and confectionery establishments and enforcing the provisions of this act. The said bakery inspector shall receive a salary of twelve hundred dollars per annum and necessary expenses incurred in the performance of his official duties, to be paid out of the general fund not otherwise appropriated.

(Am. 1911, c. 664, s. 77.)

2. No building, room, or apartment shall be used for the purpose of establishing or operating a bakery or confectionery establishment for the manufacture of bread and other food products, unless a license is secured as provided in this act. Application for a license shall be made to the commissioner of

labor and industrial statistics, by any person, firm, or corporation desiring to establish or conduct a bakery or confectionery for the manufacture of bread, *confectionery*, and other food products of such establishments. Such application shall be made in such form as the commissioner of labor may determine. Blank applications *therefor* shall be prepared and furnished by the commissioner of labor. *Said application shall describe the construction and condition of the building, rooms, or apartments in regard to the provisions of law for the regulation of such bakery and confectionery establishments in which it is desired to establish or operate such bakery or confectionery establishment; and if said building or room conforms to the provisions of law, the commissioner of labor or the bakery inspector shall grant a license permitting the use of such building, room, or apartments for the purpose of establishing and conducting a bakery and confectionery therein to the person, firm, or corporation having made application. The license so issued shall be deemed void, and shall be surrendered to the bureau of labor, when the person, firm, or corporation to whom it was granted discontinues using the building, room, or apartment to which it applied as a bakery or confectionery establishment, or when another person, firm, or corporation becomes owner, manager, or operator of such bakery or confectionery establishment. Such license may also be revoked by an order of the court upon a second or any subsequent conviction of or violation of or failure to comply with any provisions of this act.*

* * *

(Am. 1911, c. 664, s. 77.)

3. The terms "bakery" and "bake shop" as used in sections 1636—61 to 1636—67, inclusive, of the statutes, and sections amendatory or additional thereto, are defined to be any room or place where bread, crackers, cakes, pies, macaroni, spaghetti, or any other food product of which flour or meal is the principal ingredient are baked, cooked, or dried, or prepared or mixed for baking, cooking, or drying for sale as food; provided, however, that the terms "bakery" and "bake shop" shall not be deemed to include any restaurant, hotel, cafes, boarding house, or other public eating place wherein such products are prepared to be used, and are used exclusively at meals and served in such restaurants, hotel, cafe, boarding house, or other public eating place.

(Am. 1911, c. 664, s. 77.)

4. The term "new bakery" as used in chapter 230 laws of 1903, and acts amendatory thereof, is defined to be a bakery established in a room not theretofore used for baking purposes, or in a room constructed for baking purposes after the passage and publication of sections 1636—61 to 1636—67, inclusive, of

the statutes; provided that any bakery or bake shop established before the passage and publication of chapter 486 laws of 1907, the ceiling of which is less than eight feet high from the floor, and which has not been out of use continuously for a period of over six months, need not be altered so as to make the ceiling eight feet high from the floor.

5. *The terms "confectionery" and "confectionery establishment" as used in sections 1636—61 to 1636—67, inclusive, of the statutes, and sections amendatory and additional thereto, are defined to be any room or place where candy, sweetmeats, or any other food products, of which sugar, molasses, chocolate or nutmeats are the principal ingredients, are prepared, mixed, cooked, dried, formed, coated or cooled to be sold as food, and any room or place where food, the principal ingredients of which are sugar, milk, cream, or fruit are chilled or frozen or prepared or mixed for chilling or freezing, and any room used for any process incidental thereto.*

(Am. 1911, c. 664, s. 77.)

6. *The term "new confectionery" as used in chapter 486 laws of 1907 and in subsequent acts relating to confectioneries is defined to be a confectionery established in a room not theretofore used for confectionery purposes, or in a room constructed for confectionery purposes after the passage and publication of said chapter 486 laws of 1907; provided that any confectionery established before the passage and publication of this act, which has not been out of use continuously for a period of over six months immediately preceding the passage of this act, and the ceiling of which is less than eight feet high from the floor, shall not be required to be altered to make the ceiling eight feet high from the floor.*

SECTION 4. Section 1636—67 of the statutes is amended to read: Section 1636—67. 1. Any person who shall * * * use any room, building, or apartment for the purpose of establishing or operating a bakery or confectionery establishment therein after this act shall take effect without first * * * securing a license permitting him so to do, as provided by this act, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty dollars nor more than one hundred dollars; or by imprisonment in the county jail for not more than ninety days, or both. * * *

(Am. 1911, c. 664, s. 77.)

2. *Any person operating a bakery or confectionery establishment for the manufacture of bread and other food products, who, by himself or his servant or agent, or as the servant or agent for any firm or corporation, shall violate or fail to comply with any of the provisions of section 1636—61, or of subdivision 1, 2, or 3 of section 1636—62, or of subdivision 2 of section*

1636—65 as created by this act, or of section 1636—63 as created by chapter 230, laws of 1903 and amended by chapter 486, laws of 1907, thirty days after notice in writing shall have been served upon him personally or sent through registered mail to him by the commissioner of labor or bakery inspector or some agent or officer of the board of health, requiring such person to take such action or to make or cause to be made such changes, repairs, or alterations in such bakery or confectionery establishment as may be necessary to have such bakery or confectionery establishment conform to the provisions of law for their sanitary regulation; or if the required changes, repairs, or alterations could in the exercise of reasonable diligence not be made or completed within thirty days, after such additional time as may have been necessary to complete the required action, change, repairs, or alterations has expired, not to exceed ninety days, however, from the receipt of notice in any case; and any person, who by himself or his servant or agent, or as the servant or agent of any firm or corporation shall violate or fail to comply with the provisions of section 1636—61 as created by this act after one day's notice in writing has been served upon such person by any of the officers herein mentioned to discontinue his employment in or about such bakery or confectionery establishment; and any person who by himself or his servant or agent, or as the servant or agent of any firm or corporation shall violate or fail to comply with the provisions of subdivisions 4 and 5 of section 1636—62, as created by this act, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty, nor more than one hundred dollars, or by imprisonment in the county jail for not more than ninety days, or both.

(Am. 1911, c. 664, s. 77.)

SECTION 5. This act shall take effect and be in force from and after its passage and publication.

Approved June 24, 1911.

No. 1043, A.]

[Published June 26, 1911.

CHAPTER 447.

AN ACT to amend the second paragraph of section 2424 of the statutes, relating to terms of court in the Sixth judicial circuit.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The second paragraph of section 2424 of the statutes is amended to read: Sixth Circuit. In the county of La Crosse, on the second Monday in January, the second Monday in May, and the third Monday in October; in the county