

No. 348, S.]

[Published September 14, 1929.

CHAPTER 495.

AN ACT to create subsection (6) of section 20.59 and section 98.065 and to amend subsection (1) of section 98.13 of the statutes, relating to milk powdering establishments, making an appropriation, and providing a penalty.

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

SECTION 1. A new subsection is added to section 20.59 and a new section is added to the statutes to read: (20.59) (6) All license fees collected by the dairy and food commissioner under the provisions of section 98.065 shall be paid within one week of receipt thereof into the general fund of the state treasury. All moneys so deposited are appropriated to the dairy and food commissioner to carry out the provisions of section 98.065.

98.065 (1) No person, firm or corporation shall engage in or continue in the operation of an establishment wherein milk or skimmed milk or buttermilk or whey is dried or powdered without first obtaining a license so to do from the dairy and food commissioner. The fee for such license shall be twenty-five dollars. This section shall not be construed to require an additional license from a butter factory or a cheese factory drying or powdering by-products of its own manufacture, but the provisions of subsections (2) and (3) shall apply to all such butter and cheese factories.

(2) All buildings wherein the process of powdering is carried on shall be constructed and equipped to manufacture such powdered milk, buttermilk, skimmed milk or whey under clean and sanitary conditions and fit for human food.

(3) All milk, skimmed milk, buttermilk or whey to be dried or powdered shall be kept at all times clean, not exposed to contamination, and shall not be handled or cared for in an unclean manner. All equipment used in such establishments and for the purpose of powdering or drying milk, buttermilk, skimmed milk or whey shall be kept in a clean and sanitary condition at all times.

(4) Application for a license to operate an establishment wherein milk or skimmed milk or buttermilk or whey is dried or powdered shall be made upon an application blank furnished by the dairy and food commissioner upon request and shall state

the applicant's name and address, the exact location of the establishment for which such license is requested, and such other information as the commissioner may reasonably require. Upon receiving an application for such license the commissioner may issue a permit to the applicant and such permit shall be in force and effect until the applicant shall have been notified of the denial of his application, or until a license shall have been issued.

(5) Each application shall be accompanied by the required fee, payable to the commissioner, and no license shall be issued until such fee is so paid. If license is denied, then the fee shall be returned to the applicant together with a notification of such denial.

(6) As soon as convenient after filing of such application the commissioner shall cause an investigation to be made of the condition of the establishment applying and determine whether or not a license is to be granted.

(7) Licenses issued under the provisions of this section shall expire on the thirty-first day of March next following the date of issue and may be renewed upon filing application for renewal and the payment of the required fee prior to March thirty-first.

(8) No permit, license or renewal shall be transferable and whenever any person, firm or corporation discontinues the use of the building for which such license was granted the license shall be deemed void.

SECTION 2. Subsection (1) of section 98.13 of the statutes is amended to read: (98.13) (1) Every violation of any of the provisions of sections 98.05, 98.06, 98.065 and 98.12 or any lawful rule or regulation issued by the commissioner, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than thirty days and the revocation of the license of the convicted person.

SECTION 3. This act shall take effect upon passage and publication.

Approved September 12, 1929.