

No. 293, A.]

[Published April 30, 1903.

**CHAPTER 133.**

AN ACT to amend section 4601 of the statutes of 1898, relative to the adulteration of drugs and foods.

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

**Adulteration, what is.** SECTION 1. Section 4601 of the statutes of 1898 is hereby amended by striking out from the second paragraph of said section the following words: "Provided, that the provisions of this or the preceding section shall not apply to mixtures or compounds recognized as ordinary articles of food if the same be distinctly labeled as mixtures or compounds and from which no necessary ingredient in their preparation is eliminated," where they are used at the end of said section and substituting therefor the following: "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, so that said section, when so amended shall 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 under or by a name recognized in the United States pharmacopoeia, it differs from the standard of strength, quality or purity laid down in the latest current edition thereof; second, if, when sold under or by a name not recognized in said pharmacopoeia, but which is found in the pharmacopoeia 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 edition 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 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 29, 1903.