

No. 641, S.]

[Published June 18, 1917.]

CHAPTER 427

AN ACT to create section 486t of the statutes, authorizing boards of education and district boards to provide lunches for school children.

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

SECTION 1. A new section is added to the statutes to read: Section 486t. The board of education of any city, however organized, or the district board of any school district may provide lunches for children attending the public schools at a price to cover the cost of the food, provided that indigent children or children of poor parents may receive such lunches at such a price and under such conditions as the board of education or the district board may determine; provided, further, that the conditions under which, and the pupils to whom, such food is furnished at less than cost, shall not be disclosed to any other pupils.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 14, 1917.

No. 25, A.]

[Published June 18, 1917.]

CHAPTER 428

AN ACT to create chapter 78w of the statutes, constituting sections 1684w—1 to 1684w—14, inclusive, and to create subsection (4) of section 20.59 of the statutes, relating to cold storage of certain articles of food, and providing laws as to cold storage, uniform with those of other states, providing a penalty, and appropriating the fees therein to carry out the provisions of the chapter.

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

SECTION 1. There is added to the statutes chapter 78w, constituting sections 1684w—1 to 1684w—14, inclusive, and there is added to section 20.59 of the statutes a new subsection, to read: Section 1684w—1. For the purpose of this chapter "cold storage" shall mean the storage or keeping of articles of food at or below a temperature above zero of forty-five degrees Fahrenheit in a cold storage warehouse; "cold storage warehouse" shall mean any place artificially cooled to or below a temperature above zero of forty-five degrees Fahrenheit, in which ar-

articles of food are placed and held for forty days or more; "article of food" shall mean fresh meat as defined in section 4601—4a of the statutes and fresh meat products and all eggs, butter, and butter substitutes.

Section 1684w—2. No person, firm or corporation shall maintain or operate a cold storage warehouse without a license so to do issued by the dairy and food commissioner. Any person, firm or corporation desiring such license shall make written application to the dairy and food commissioner for that purpose, stating the location of the warehouse. The dairy and food commissioner thereupon shall cause an examination to be made of said warehouse and, if it be found by him to be in a proper sanitary condition and otherwise properly equipped for its intended use, he shall issue a license authorizing the applicant to operate the same as a cold storage warehouse during one year upon payment to the state treasurer by the applicant of a license fee as follows: For a warehouse located in a city of the first class, forty dollars; for a warehouse located in a city of the second class, thirty dollars; for a warehouse located in a city of the third class, twenty dollars; and for a warehouse located in a city of the fourth class, ten dollars.

Section 1684w—3. In case any cold storage warehouse, or any part thereof, shall at any time be deemed by the dairy and food commissioner to be in an insanitary condition, or not properly equipped for its intended use, he shall notify the licensee of such condition and upon the failure of the licensee to put such cold storage warehouse in a sanitary condition or to properly equip the same for its intended use, within a time to be designated by the dairy and food commissioner, he shall revoke such license.

Section 1684w—4. Every such licensee shall keep accurate records of the articles of food received in and of the articles of food withdrawn from his cold storage warehouse, and the dairy and food commissioner shall have free access to such records at any time. Every such licensee shall submit a monthly report to the dairy and food commissioner, setting forth in itemized particulars the quantities and kinds of articles of food in his cold storage warehouse. Such monthly reports shall be filed on or before the fifth day of each month, and the reports so rendered shall show the conditions existing on the last day of the preceding month reported and a summary of such reports shall be prepared by the dairy and food commissioner and shall be open to public inspection on or before the tenth day of each month.

Section 1684w—5. The dairy and food commissioner shall inspect and supervise all cold storage warehouses and make such inspection of articles of food therein as he may deem necessary to secure the proper enforcement of this chapter, and he shall have access to all cold storage warehouses at all reasonable times. The dairy and food commissioner may appoint such persons as he deems qualified to make any inspection under this chapter.

Section 1684w—6. No person, firm or corporation, as owner, shall knowingly place, receive or keep in any cold storage warehouse any article of food intended for human consumption if diseased, tainted or otherwise unfit for human consumption, or which may not reasonably be expected to keep wholesome for human consumption. No person, firm or corporation, as owner, shall place, receive or keep in any cold storage warehouse any article of food for use other than for human consumption, unless previously marked, in accordance with forms to be prescribed by the dairy and food commissioner, in such a way as to indicate plainly the fact that such article of food is not to be sold or used as human food.

Section 1684w—7. No person, firm or corporation shall place, receive or keep in any cold storage warehouse in this state articles of food unless the same shall be plainly marked, stamped or tagged, either upon the container in which they are packed, or upon the article of food itself, with the date when placed therein; and no person, firm or corporation shall remove, or allow to be removed, such article of food from any cold storage warehouse unless the same shall be plainly marked, stamped or tagged, either on the container in which it is enclosed or upon marks, stamps and tags shall be prima facie evidence of such receipt and removal and of the dates thereof. All articles of food in any cold storage warehouse at the time this chapter goes into effect shall, before being removed therefrom, be plainly marked, stamped or tagged with the date when this chapter goes into effect and the date of removal therefrom. It shall be unlawful for any person, firm or corporation, except the ultimate consumer or purchaser of such article of food, to remove, alter, mutilate or conceal such dates of entry and removal from cold storage. When any package containing such article of food shall be broken and the contents thereof sold by items, or when the said dates are marked, stamped or tagged upon the article of food itself in bulk, then the seller shall, at the request of the purchaser, correctly state the information required by this section to be placed upon the original package or upon the article of food itself in bulk, upon a tag to be attached to such item be-

fore delivering the same to the purchaser. The container from which such article of food is sold shall be in plain view of the purchaser or on demand produced for inspection by the purchaser.

Section 1684w—8. No person, firm or corporation shall hereafter keep or permit to remain in any cold storage warehouse any article of food which has been held in cold storage either within or without the state, for a longer aggregate period than twelve months, except with the consent of the dairy and food commissioner as hereinafter provided. The dairy and food commissioner may upon application during the twelfth month, extend the period of storage beyond twelve months for any particular article of food, provided the same is found upon examination to be in proper condition for further cold storage. The length of time for which such further storage is allowed shall be specified in the order granting the permission. A report on each case in which such extension of storage may be permitted, including information relating to the reason for the action of the dairy and food commissioner, the kinds and amounts of the articles of food for which the storage period was extended, and the length of time for which this continuance was granted, shall be filed, open to public inspection, in the office of the dairy and food commissioner, and shall be included in his annual report. Such extensions shall be not more than sixty days; a second extension of not more than sixty days may be granted upon a re-examination, but the entire extended period shall be not more than one hundred and twenty days in all.

Section 1684w—9. It shall be unlawful to sell, or offer for sale, any article of food which has been held for a period of forty days or over in cold storage either within or without the state, except as and for "cold storage goods", and without notifying persons purchasing, or intending to purchase the same, that it has been so held, by the display of a placard plainly and conspicuously marked, "cold storage goods" on the bulk mass or articles of food; and it shall be unlawful to sell, offer for sale, represent or advertise as fresh any article of food which has been held in cold storage for a period of forty days or over. It shall be unlawful to sell or to offer for sale, to display, advertise, or to represent in any manner whatsoever for the purpose of selling, any eggs other than cold storage that have been held for a period of forty days or over, either within or without the state, without notifying the persons purchasing or intending to purchase the same, that they are held eggs.

Section 1684w—10. It shall be unlawful to return to any

cold storage warehouse any article of food which has been once released from storage for the purpose of placing it on the market for sale. Provided, however, that the dairy and food commissioner may, upon application, permit eggs and butter to be returned to any cold storage warehouse, provided the same is found upon examination to be in proper condition for further cold storage. Such return shall be unlawful unless all prior stampings, markings and taggings upon such article shall remain thereon. It shall be unlawful to transfer any article of food from one cold storage warehouse to another contrary to the provisions of this chapter, except with the consent of the dairy and food commissioner, and such transfer shall be unlawful unless all prior stampings, markings and taggings upon such article shall remain thereon.

Section 1684w—11. The dairy and food commissioner may make all necessary rules and regulations to carry this chapter into effect. Such rules and regulations shall be filed in his office, and shall not take effect until sixty days after such filing.

Section 1684w—12. Any person, firm or corporation violating any provision of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not less than twenty-five dollars nor more than one hundred dollars and for the second or any subsequent offense by a fine of not less than fifty dollars nor more than one thousand dollars or by imprisonment of not more than six months, or by both such fine and imprisonment in the discretion of the court.

Section 1684w—13. This chapter shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

Section 1684w—14. This chapter may be cited as the Uniform Cold Storage Act.

(20.59) (4) All moneys paid into the state treasury for cold storage warehouse licenses as provided in section 1684w—2 are appropriated for the dairy and food commissioner and ex officio state superintendent of weights and measures to carry into effect sections 1684w—1 to 1684w—14, inclusive.

SECTION 2. This act shall take effect on and after the first day of September, 1917.

Approved June 14, 1917.