

vacation of said judgment or decree. The compensation of the divorce counsel or other attorney for performing such services shall be at the rate of \$20 per day, same to be paid out of the county treasury upon order of the presiding judge and the certificate of the clerk of the court. If the judgment or decree shall be vacated it shall restore the parties to the marital relation that existed before the granting of such judgment or decree. If after vacation of the judgment or decree either of the parties shall bring an action in this state for divorce against the other the court may order the complainant in such action to reimburse the county the amount paid by it to the divorce counsel or other attorney in connection with such vacation proceedings.

SECTION 5. 261.01 (3) of the statutes is amended to read:

261.01 (3) Of an action for the annulment or affirmance of a marriage or for a divorce, *the action must be commenced in the county in which either party resides.*

Approved July 10, 1947.

No. 205, A.]

[Published July 14, 1947.

CHAPTER 384.

AN ACT to renumber 97.27 to be 97.27 (1) and to create 97.02 (10) (j), 97.025 (6) and 97.27 (2) of the statutes, restricting sale of diabetic ice cream, and use of saccharin in prepared foods and providing a penalty.

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

SECTION 1. 97.02 (10) (j) of the statutes is created to read:
 97.02 (10) (j) Diabetic ice cream is a frozen or partially frozen product made from cream, or milk and cream, and saccharin, and may contain added milk solids, added milk fat, eggs, natural flavoring, edible gelatin or harmless vegetable gum, and shall contain not less than 13 per cent of milk fat, nor more than one-half of one per cent of said gelatin or gum, or a mixture of said gelatin and gum. The volume of ice cream after being melted shall be not less than one-half the volume of the ice cream as manufactured and sold. It shall contain no sugar.

SECTION 2. 97.025 (6) of the statutes is created to read:

97.025 (6) No person shall sell or display or offer to sell any diabetic ice cream as defined in section 97.02 (10) (j) except in sealed containers with a capacity of not more than one pint; all such containers shall be clearly, legibly and noticeably labeled with the following words: "DIABETIC ICE CREAM; CONTAINS SACCHARIN; DOES NOT CONTAIN SUGAR." The words "DIABETIC ICE CREAM" shall be printed in 18 point, condensed Gothic type with cardboard between letters. It shall be unlawful to sell such ice cream to any customer or to serve it to any customer in any sundae, soda, malted milk beverage or in any other manner unless it is requested by its full name "diabetic ice cream."

SECTION 3. 97.27 of the statutes is renumbered 97.27 (1).

SECTION 4. 97.27 (2) of the statutes is created to read:

97.27 (2) This section shall not be construed to prohibit the sale of diabetic ice cream as provided in section 97.025 (6), nor other dietary foods containing saccharin in containers clearly, legibly and noticeably labeled with the following words: "Contains saccharin, a non-nutritive, artificial sweetener, which should be used only by persons who must restrict their intake of ordinary sweets."

Each of the words in "diabetic ice cream" shall be of equal size. The percentage composition in terms of carbohydrate, protein and fat and the caloric value shall be shown on the label. The label shall also have printed thereon the following: "To be used as your physician directs."

Approved July 10, 1947.