

No. 496, A.]

[Published March 28, 1895.

## CHAPTER 87.

AN ACT to regulate the sale of commercial fertilizers.

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

Sale of fertilizers regulated.

SECTION 1. Every manufacturer, company or person who shall sell, offer or expose for sale in this state any commercial fertilizer, or any material used for fertilizing purposes, the price of which exceeds ten dollars per ton, shall affix to every package of such fertilizer, in a conspicuous place on the outside thereof, a plainly printed statement clearly and truly certifying the number of net pounds in the package sold, or offered for sale, name or trade mark under which the article is sold, the name of the manufacturer or shipper, the place of manufacture, the place of business and a statement of the following fertilizing constituents, namely: The percentage of nitrogen in an available form, the percentage of potash soluble in water, and the percentage of available phosphoric acid, soluble and reverted, as well as total phosphoric acid.

Statement of contents of packages to be affixed to same.

Sample jar of fertilizer to be filed with director of the agricultural experiment station

SECTION 2. Every manufacturer, company or person who shall offer or expose for sale in this state any commercial fertilizer or material used for fertilizing purposes, the price of which exceeds ten dollars per ton, shall for each and every fertilizer bearing a distinguishing name or trade mark, file annually with the director of the Agricultural Experiment station of the university of Wisconsin, between the first and last days of December, a certified copy of the statement named in section 1, of this act, said certified copy to be accompanied, when required, by a sealed glass jar or bottle containing at least one pound of the fertilizer to be sold or offered for sale, and the company

or person filing said certified copy with its accompanying sample or fertilizer, shall thereupon make affidavit that the said sample corresponds within reasonable limits to the fertilizer which it represents, in the percentage of nitrogen in an available form, total and available phosphoric acid, and potash soluble in water, which it contains, said affidavit to apply to the entire calendar year next succeeding the date upon which it is made. Additional brands may be offered for sale during the year; provided, samples and affidavits are filed as above directed at least one month before such brands of fertilizers are offered for sale, in which case an analysis fee of double the usual amount must be paid. The deposit of the sample of fertilizer as herein provided shall be required by said director, unless the company, manufacturer or persons selling or offering for sale a fertilizer coming within the provisions of this act, shall certify that its composition for the succeeding year is to be the same as given in the last previously certified statement, in which case the requiring of the said sample shall be at the discretion of said director.

SECTION 3. The director of the Agricultural Experiment station shall analyze or cause to be analyzed all the samples of fertilizers which come into his possession under the provisions of section 2, of this act, and shall publish the results thereof in a bulletin or report on or before the first day of April next succeeding.

Analysis to be made by the director of the agricultural experiment station.

SECTION 4. Any manufacturer, importer, agent or seller of any commercial fertilizer coming within the provisions of this act, shall pay annually to the director of the Wisconsin Agricultural Experiment station, for each brand of fertilizer sold within the state a fee of twenty-five dollars, and upon fulfilling the requirements laid upon him by this act, shall for each brand receive from the director a certificate of compliance with this act, which certificate shall be a license permitting the sale of the same within the state for the calen-

Amount of fee to be paid.

dar year for which the fee is paid. All fees received by said director shall be paid by him into the treasury of said Experiment station.

Penalty for evading the law.

SECTION 5. Any manufacturer, importer or person who shall sell, offer or expose for sale in this state any commercial fertilizer without complying with the requirements of sections 1, 2 and 4 of this act, or any fertilizer which contains substantially a smaller percentage of constituents than are certified to be contained, shall, on conviction in a court of competent jurisdiction, be fined one hundred dollars for the first offense, and two hundred dollars for each subsequent offense.

One sample of each fertilizer to be analyzed annually.

SECTION 6. The director of the Wisconsin Experiment station shall annually analyze, or cause to be analyzed, at least one sample of every fertilizer sold or offered for sale under the provisions of this act. Said director is hereby authorized in person or by deputy to take a sample, not exceeding two pounds in weight, for said analysis, from any lot or package of fertilizer or any material used for manurial purposes which may be in the possession of any manufacturer, importer, agent or dealer in this state; but said sample shall be drawn in the presence of said party or parties in interest, or their representatives, and taken from a parcel or a number of packages which shall not be less than ten per cent. of the whole lot sampled, and shall be thoroughly mixed and then divided into two equal samples and placed in glass vessels and carefully sealed and a label placed on each, stating the name or brand of the fertilizer or material sampled, the name of the party from whose stock the sample was drawn and the time and place of drawing, and said label shall also be signed by the director or his deputy and by the party or parties in interest or their representative at the drawing and sealing of said samples; one of said duplicate samples shall be retained by the director and the other by the party whose stock was sampled; and the sample or samples retained by the director shall

be for comparison with the certified statement named in section 2, of this act. The result of analysis of the sample or samples so procured shall be reported to the person or persons requesting the analysis, and shall also be published in a report or bulletin within a reasonable time.

SECTION 7. It shall be the duty of the director of the Wisconsin Agricultural Experiment station to enforce the provisions of this act, and to prosecute or cause to be prosecuted any party or parties violating the same.

Prosecutions,  
by whom con-  
ducted.

SECTION 8. This act shall take effect and be in force from and after December 1st, 1895.  
Approved March 23, 1895.

No. 419, S.]

[Published March 30, 1895.

## CHAPTER 88.

AN ACT relating to the salary of the deputy railroad commissioner and reenacting chapter 281, of the laws of Wisconsin for the year 1889.

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

SECTION 1. Chapter 281, of the laws of Wisconsin for the year 1889, entitled, "An act relating to the salary of the deputy railroad commissioner and appropriating a certain sum of money therefor," is hereby reenacted as the law of this state notwithstanding the provisions contained in chapter 31, of the laws of 1895, entitled, "An act to amend chapter 43, of the laws of 1883, entitled, 'An act in relation to the departments of insurance and railroads.'"

Affecting the  
deputy railroad  
commissioner.

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

Approved March 29, 1895.