

No. 384, S.]

[Published May 31, 1909.

CHAPTER 215.

AN ACT to repeal sections 4607b—4 to section 4607b—9, inclusive, of the statutes, and to create new sections to be numbered 4607b—4, 4607b—5, 4607b—6, 4607b—7, 4607b—8, 4607b—9, relating to unsanitary milk and unsanitary cream and providing a penalty.

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

SECTION 1. Section 4607b—4 to section 4607b—9, inclusive, of the statutes, being chapter 67 of the laws of 1903, as amended by chapter 154 of the laws of 1905, entitled "An Act to Prevent the Sale of Unclean and Unsanitary Milk and the Use thereof in the Manufacture of Food Products, and to Prohibit Unclean and Unsanitary Conditions of Creameries, Cheese Factories and Milk Dealers' Establishments or Out-fits," are hereby repealed.

SECTION 2. There are added to the statutes new sections to be numbered section 4607b—4, section 4607b—5, section 4607b—6, section 4607b—7, section 4607b—8, section 4607b—9, to read:

Section 4607b—4. For the purposes of this act, the term "milk" shall mean the fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within eight days before and four days after calving, and contains not less than eight and one-half (8.5) per cent. of solids not fat, and not less than three (3) per cent. of milk fat; and the term "cream" shall mean that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean, and contains not less than eighteen (18) per cent. of milk fat.

Milk which shall be drawn from cows that are kept in barns or stables which are not reasonably well lighted and ventilated, or that are kept in barns or stables that are filthy from an accumulation of animals feces and excreta or from any other cause; or milk which shall be drawn from cows which are themselves in a filthy condition; or milk kept or transported in dirty, rusty, or open-seamed cans or other utensils; or milk that is stale, putrescent, or putrid; or milk to which has been added any unclean or unwholesome foreign substance; or milk which has been kept exposed to foul or

noxious air or gases in barns occupied by animals, or kept exposed in dirty, foul, or unclean places or conditions, is hereby declared to be unsanitary milk.

Cream produced from any such aforesaid unsanitary milk; or cream produced by the use of a cream separator, which separator had not been thoroughly washed, cleansed, and scalded after previous use in the separation of cream from milk; or cream produced by the use of a cream separator placed or stationed in any unclean or filthy room or place or in any building containing a stable wherein are kept cattle or other animals, unless such cream separator is so separated and shielded by partition from the stable portion of such building as to be free from all foul or noxious air or gases which issue or may issue from such place or stable; or cream that is stale, putrescent, or putrid; or cream that is kept or transported in dirty, rusty, or open-seamed cans or other utensils; or cream which has been kept exposed to foul or noxious air or gases in barns occupied by animals, or in dirty, foul, or unclean places or conditions, is hereby declared to be unsanitary cream.

Section 4607b—5. No person shall by himself, his servant, or agent, or as the servant or agent of any other person, or as the officer, servant, or agent of any firm or corporation, sell or offer for sale, furnish or deliver, or have in possession, or under his control with intent to sell or offer for sale, or furnish, or deliver to any person, firm, or corporation as food for man, or to any creamery, cheese factory, milk condensing factory, or milk or cream dealer, any unsanitary milk or any unsanitary cream.

Section 4607b—6. No person shall by himself, his servant, or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, manufacture for sale any article of food for man from any unsanitary milk or from any unsanitary cream.

Section 4607b—7. All premises and utensils used in the handling of milk, cream, and by-products of milk, and all premises and utensils used in the preparation, manufacture, or sale, or offering for sale of any food product for man from milk or cream or the by-products of milk, which shall be kept in an unclean, filthy, or noxious condition are hereby declared to be unsanitary.

It shall be unlawful for any person, firm, or corporation engaged in selling, or furnishing milk, cream, or any by-products of milk, intended for use as food for man; and it shall be unlawful for any person, firm, or corporation, engaged in

selling or furnishing milk, cream, or any by-product of milk, to any creamery, cheese factory, milk condensing factory, or to any place where such milk, cream, or by-products of milk are manufactured or prepared into a food product for man, and for sale as such; and it shall be unlawful for any milk dealer, or an employe of such milk dealer, or any person, firm, or corporation, or the employe of such person, firm, or corporation, who operates a creamery, cheese factory, milk condensing factory, or who manufactures or prepares for sale any article of food for man from milk, cream, or by-product of milk, or who manufactures, re-works, or packs butter for sale as a food product, to maintain his premises and utensils in an unsanitary condition.

Section 4607b—8. Any person, firm, or corporation, who receives in cans, bottles, or other vessels any milk, or cream, or other dairy product intended as food for man, which has been transported over any railroad or boat-line or by other common carrier, when such cans, bottles, or vessels are to be returned, shall cause the said cans, bottles, or other vessels to be thoroughly washed and cleansed before return shipment.

Section 4607b—9. Any person who by himself, his servant, or agent, or as the servant or agent of any other person, or as the officer, servant, or agent of any firm or corporation, who violates any provision of this act shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars for each and every offense, or shall be imprisoned in the county jail not less than thirty days nor more than sixty days.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 28, 1909.

No. 447, S.]

[Published May 31, 1909.]

CHAPTER 216.

AN ACT to amend section 1 of chapter 28 of the private and local laws of Wisconsin of the year 1855, entitled, an act to incorporate the Wayland University.

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

SECTION 1. Section 1 of chapter 28 of the private and local laws of the state of Wisconsin of the 1855 is hereby amended to read: Section 1. That Absalom Miner, H. I. Parker, R. A. Tyfe, Charles Gifford, J. F. Westover, J. R. Doolittle, O. O.