

security of the mines and machinery is endangered, or shall neglect or refuse to securely prop any entries under his control, or refuse to obey any order given by the superintendent in relation to the safety of the mine or that part of the mine under his charge or control he shall be punished by a fine not exceeding one hundred dollars. (\$100) or imprisonment in that [the] county jail not exceeding thirty days.

Approved April 11 A. D. 1913.

## CHAPTER 199.

### COLD STORAGE AND REFRIGERATING WAREHOUSES.

#### II. F. 49.

AN ACT relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the state dairy and food commissioner in relation thereto. [Additional to chapter thirteen (13) of title twelve (XII) of the supplement to the code, 1907, relating to the powers and duties of the dairy and food commissioner.]

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Terms defined.** The term "cold storage" as used in this act shall be construed to mean a place artificially cooled to a temperature of 40 degrees F. or below, but shall not include such a place in a private home, hotel, or restaurant, or to refrigerator cars.

The term "cold stored" as used in this act shall be construed to mean the keeping of "articles of food" in "cold storage" for a period exceeding thirty days.

The term "articles of food" as used in this act shall be construed to mean and include fresh meat, and fresh meat products except in process of manufacture, fresh fruit, fish, game, poultry [,] eggs, butter, and other articles intended for human consumption.

**SEC. 2. Application—examination—dairy and food commissioner—license—fee.** Any person, firm or corporation desiring to operate a cold storage or refrigerating warehouse, shall make application in writing to the state dairy & [and] food commissioner for that purpose, stating the location of its plant or plants. On receipt of the application the state dairy & [and] food commissioner shall cause an examination to be made into the sanitary condition of said plant or plants, and if found to be in a sanitary condition and otherwise properly equipped for the business of cold storage, the state dairy & [and] food commissioner shall cause a license to be issued authorizing the applicant to operate a cold storage or refrigerating warehouse for and during the period of one year. The license shall be issued upon payment by the applicant of a license fee of twenty-five dollars (\$25.00) to the state dairy & [and] food commissioner, and all licenses shall expire December 31st following the issue thereof.

**SEC. 3. Unsanitary conditions—revocation.** In the event that any place or places, or any part thereof, covered by a license, under the provision of this act shall at any time be deemed by the state dairy & [and] food commissioner to be in an unsanitary condition, it shall be his duty to notify licensee of such condition and upon the failure of the licensee to put said specified place or places, or the specified part thereof, in a sanitary condition within a designated time it shall be the duty of the state dairy & [and] food commissioner to

prohibit the use under its license such specified place or places, or part thereof, as it deems in an unsanitary condition until such time as it may be put in a sanitary condition.

**SEC. 4. Accurate records—reports.** It shall be the duty of any person, firm or corporation licensed to operate a cold storage or refrigeration warehouse to keep an accurate record of the receipts and the withdrawals of the articles of food, and the state dairy & [and] food commission or his assistants shall have free access to these records at any time. Every such person, firm or corporation shall, furthermore, submit a quarterly report to the state dairy & [and] food commissioner, setting forth in itemized particulars quantity of food products held in cold storage. Such quarterly reports shall be filed on or before the 6th day of January, April, July and October of each year, and the reports, so rendered shall show the conditions existing on the first day of the month in which the report is filed. The state dairy & [and] food commissioner, shall have the authority to require such reports to be made at more frequent intervals than the times herein specified, if in his judgment more frequent reports shall be needed in the interest of a proper enforcement of this act, or for other reasons affecting the public welfare.

**SEC. 5. Storage of diseased or tainted food prohibited—food not for human consumption plainly marked.** No article of food intended for human consumption shall be placed in cold storage if diseased, tainted or so deteriorated as to injure its keeping qualities, or if not slaughtered, handled and prepared for storage in accordance with the (pure food and sanitary food) laws and such rules and regulations as may be prescribed by the state dairy & [and] food commissioner for the sanitary preparation of food products for cold storage, under the authority hereinafter conferred. Any article of food if intended for use other than human consumption before being cold stored shall be marked by the owner in accordance with forms prescribed by the dairy & [and] food commissioner (under authority hereinafter conferred) in such a way as to plainly indicate the fact that such articles are not to be sold for human food.

**SEC. 6. Inspection.** It shall be the duty of the dairy & [and] food commissioner or his assistants to inspect and supervise all cold storage or refrigerating warehouses in this state, and to make such inspection of the entry of articles of food therein as the state dairy and food commissioner may deem necessary to secure proper enforcement of this act. The state dairy & [and] food commissioner's employes, shall be permitted access to such establishments and all parts thereof at all reasonable times for purposes of inspection and enforcement of the provisions of this act. The said state dairy & [and] food commissioner may also appoint and designate such person or persons as he deems qualified to make the inspections herein required.

**SEC. 7. Containers plainly marked—date of receipt—when removed.** All articles of food when deposited in cold storage shall be marked plainly on the containers in which they are packed or on, or in connection with, the individual article with the date of receipt, and when removed from cold storage shall be marked with the date of withdrawal, in accordance with such forms as may be prescribed by the state dairy & [and] food commissioner, under the authority hereinafter conferred.

**SEC. 8. Storage period.** No person, firm or corporation as owner or having control shall keep in cold storage any article of food for a longer period than twelve calendar months, except with the consent of the state dairy & [and] food commissioner as hereinafter provided. The state dairy & [and] food commissioner shall upon application, grant permission to extend the period of

storage beyond twelve months for a particular consignment of goods, if the goods in question are found, upon examination to be in proper condition for further storage at the end of twelve months. The length of time for which 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 state dairy & [and] food commissioner, the kind and the amount of goods for which the storage period was extended, and the length of time for which the continuance was granted, shall be included in the annual report of the state dairy & [and] food commissioner.

SEC. 9. **Cold storage goods—sign displayed.** It shall be unlawful to sell, or to offer or expose for sale uncooked articles of food which have been held in cold storage without notifying persons purchasing, or intending to purchase the same, that they have been so kept by the display of a sign marked "cold storage goods sold here", and it shall be unlawful to represent or advertise as fresh goods articles of food which have been held in cold storage.

SEC. 10. **Re-storage prohibited.** It shall be unlawful to return to cold storage any article of food that has once been released from such storage and placed on the market for sale to consumers, but nothing in this section shall be construed to prevent the transfer of goods from one cold storage or refrigerating warehouse to another, provided that such transfer is not made for the purpose of evading the provisions of this act.

SEC. 11. **Rules—regulations—labels.** The state dairy & [and] food commissioner may make rules and regulations to secure a proper enforcement of the provisions of this act, including rules and regulations with respect to the sanitary preparation of articles of food for cold storage, the use of marks, tags, or labels and the display of signs, and the violation of such rules shall be punished on conviction, as provided in section 12 of this act.

SEC. 12. **Penalty.** Any person, firm or corporation violating any of the provisions of this act shall upon conviction be punished for the first offense by a fine of not less than \$25 nor more than \$100.00 and for the second offense by a fine not less than \$100 nor more than \$500 or by imprisonment for not more than six months, or by both such fine and imprisonment.

SEC. 13. **Repeal.** All acts and parts of acts conflicting with the provisions of the statute are hereby repealed.

Approved April 19 A. D. 1913.