

CHAPTER 227.

ESTABLISHMENT OF LABORATORY FOR MANUFACTURE OF HOG CHOLERA SERUM.

S. F. 507.

AN ACT to establish a laboratory for the manufacture and distribution of hog cholera serum, toxines, vaccines and biological products at the Iowa state college of agriculture and mechanic arts, under the supervision of the president of said college, and to make an appropriation therefor; to abandon the laboratory for manufacturing of hog cholera serum now being operated by the state of Iowa; to regulate the sale and keeping for sale, or use or using of hog cholera serum and virus; to provide penalties for the violation of said regulations; and to repeal chapter one hundred fifty-one (151) of the acts of the thirty-third general assembly and chapter one hundred fourteen (114) of the acts of the thirty-fourth general assembly.

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

SECTION 1. Hog cholera serum—laboratory—supervision—director and assistants—how appointed. The state board of education is hereby authorized and directed to establish at Ames, Iowa, in connection with the Iowa state college of agriculture and mechanic arts, a laboratory for the manufacture of hog cholera serum, toxines, vaccines and biological products and to provide the necessary equipment therefor. The president of said college shall appoint the director of said laboratory and such assistants as are deemed necessary to efficiently carry on said work and shall, with the approval of said board, fix the salaries of said assistants.

SEC. 2. Serum—how sold. The director of said laboratory shall on application, furnish said serum to any person within the state of Iowa for use in his herd only, together with specific instructions for the use of same, at the approximate cost of manufacture, and such cost shall be stated on the package. Any surplus serum or other biological products may be sold by said director at a reasonable profit to any applicant outside of the state. The director of the serum laboratory is authorized to purchase serum or other biological products which he deems reliable and he may sell the same at approximate cost in the same manner as products of the laboratory are sold, at any time it appears to him that the available supply will not be sufficient to meet the demand.

SEC. 3. Moneys received—where deposited—vouchers issued—expenses. The director shall issue receipts for all moneys received by him for serum and other biological products sold and shall deposit all such funds with the treasurer of the college, which treasurer shall be responsible on his bond for the same. Upon receipt of said moneys the said treasurer shall issue duplicate receipts therefor, one of which he shall deliver to the director and the other to the secretary of the state board of education. Said moneys shall be kept by said treasurer in a separate fund to be known as the serum fund, and he shall pay out from said fund as other college funds are expended, but only for expenses directly connected with the maintaining of said laboratory and the manufacture, purchase and distribution of said serum and biological products.

SEC. 4. Director to declare standard of potency—permits to sell—how issued—fees. The director of said laboratory shall have the power and it is made his duty to establish and declare the standard degree of potency of hog cholera serum for successfully treating, curbing and controlling hog cholera

or swine plague. Any person, firm, company or corporation, before selling or offering for sale within this state any hog cholera serum, shall first make application to the director of the laboratory herein created, for permission to sell the same in the state. Said application shall give the name of said person, firm, company or corporation with its place or places of business. Such other information and samples of serum shall be furnished whenever required by the director. If the director is satisfied that said person, firm, company or corporation is fit, proper and reliable, upon the furnishing of a bond in the sum of one thousand dollars (\$1,000.00) by said applicant, which bond shall be approved by the director, he shall issue to said person, firm, company or corporation a permit to sell said serum within the state for a period of one calendar year or part thereof, for which permit he shall collect the sum of twenty-five dollars (\$25.00), which money shall be deposited and handled the same as moneys received for the sale of serum. At the time of issuing said permit, the said director shall deliver to said applicant a statement showing the standard or degree of potency of hog cholera serum as established by said director and said permit may at any time be revoked and cancelled by said director when it becomes evident to him that the terms on which it was issued are being violated. No hog cholera serum shall be sold or offered or kept for sale or use, or be used in this state which is below the standard test of potency established by the director, except for experimental purposes at the place of manufacture of hog cholera serum and under the direction of the manager thereof.

SEC. 5. **Inspection—forfeiture.** The bond required in section four (4) of this act, shall be to the effect that the person, firm, company or corporation holding a permit shall forfeit and pay to the director the sum of five hundred dollars (\$500.00) whenever upon inspection it shall be ascertained that any serum kept for sale or distribution or offered for sale by any person, firm, company or corporation is below the standard provided for by the director, which money shall when collected be deposited and handled the same as moneys received from the sale of serum. The attorney general is hereby authorized and it is made his duty to proceed upon the bond to collect the amount forfeited.

SEC. 6. **Virus—how sold—by whom—violation—punishment.** The director of said laboratory is authorized to procure virulent blood or virus from cholera infected hogs and to distribute the same at approximate cost for use with hog cholera serum and under restrictions concerning payments as established in section three (3) of this act. No person, firm, company or corporation shall distribute or sell any portion of virulent blood or virus from cholera infected hogs unless permitted in writing so to do by the director of said laboratory and under such regulations as the said director may issue, and such permit shall specify the time and place, and when and where the said virus may be used. And no person shall use any portion of virulent blood or virus from cholera infected hogs unless he has received special instruction in reference to such use of such virulent blood or virus which is satisfactory to the director of said laboratory and said director has issued a permit to such person, and such permit shall be cancelled by said director for cause which said director may deem sufficient; provided, that these restrictions shall not apply to official work of, first, veterinary members of the animal health commission or, second, representatives of the United States bureau of animal industry; but all virulent blood or virus used by such persons shall be reported to the director of the serum laboratory in such manner as he may require. Any person, firm, company or corporation violating the terms herein stated shall be punished the same as provided for in section eight (8) of this act.

SEC. 7. **Seizure—examination.** The director of said laboratory or the state veterinarian or their duly qualified deputies or assistants are hereby authorized to seize and forward to the state laboratory for examination, samples of any serum or virus used or kept for use or for sale within this state, at any time or at any place, under the police and health regulations in force in this state. The director of the state laboratory shall have power to condemn or destroy any serum or virus which he deems to be unsafe.

SEC. 8. **Violation—penalty.** After the taking effect of this act, any person, firm, company or corporation offering or keeping for sale in this state any hog cholera serum or virus without securing a permit from the director, or selling or offering or keeping for sale after said permit has been cancelled or has expired, any hog cholera serum, or while holding a permit, selling or offering or keeping for sale any hog cholera serum which is below the standard of potency as established and declared by said director, shall be fined in a sum not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00). In default of the payment of such fine, the individual, or if it be a company, firm or a corporation offending, the managing agent or executive officer of such firm, company or corporation within the state, shall be imprisoned in the county jail not less than thirty (30) days or more than one hundred fifty (150) days.

SEC. 9. **Use limited to certain serum.** After the taking effect of this act, any person, firm, company or corporation willfully using or keeping for use in this state any hog cholera serum other than that manufactured at the state laboratory or that sold by a holder of a valid permit issued by the director of the laboratory shall be punished as provided for in section eight (8) of this act.

SEC. 10. **Present laboratory discontinued.** The laboratory for the manufacture of hog cholera serum now being operated by the state of Iowa, shall be discontinued and the state veterinarian is hereby directed to turn over to the director of the laboratory hereby provided for, the equipment of said discontinued laboratory. The state veterinarian is hereby authorized and directed to adjust all claims and leases and to dispose of the same in such manner and on such terms as shall be approved by the governor of the state of Iowa.

SEC. 11. **Appropriation.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of thirty-five thousand dollars (\$35,000.00) or as much thereof as may be necessary to carry out the provisions of this act. The above amount or so much thereof as may be necessary to carry out the provisions of said act shall be paid by warrants drawn by the auditor of state upon the state treasurer upon the order of the board of education.

SEC. 12. **Repeal.** That chapter one hundred fifty-one (151) of the acts of the thirty-third general assembly and chapter one hundred fourteen (114) of the acts of the thirty-fourth general assembly be and the same are hereby repealed.

SEC. 13. **In effect.** This act being deemed of immediate importance, shall take effect and be in full force after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 23 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913 and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,
Secretary of State.