

Sec. 96. General support. There is appropriated, annually, for the biennium ending June 30, 1925, out of any unappropriated funds in the state treasury, the sum of thirty-seven hundred fifty dollars (\$3750.00) for the general support of said society.

Sec. 97. Appropriation for exposition. There is appropriated for the biennium ending June 30, 1925 out of any unappropriated funds in the state treasury the sum of fourteen thousand dollars (\$14,000.00) for the purpose of holding the horticultural exposition.

Sec. 98. Methods of presenting claims. The auditor of state shall, on the order of the executive committee of the society, signed by the president and secretary thereof, draw warrants on the appropriation provided for in the two preceding sections in such amounts and at such times as the executive committee shall deem necessary. Claims payable out of such appropriations shall be approved by the president and the secretary of the society and by the department of agriculture.

Approved April 26, 1924.

## CHAPTER 46

### ANIMAL INDUSTRY

H. F. 68

AN ACT to amend, revise, and codify chapters twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), of title eight (VIII) of the compiled code of Iowa, and of the supplement to said code, and house file sixty-eight-a (68-a) of the special session of the fortieth general assembly, relating to animal industry.

Be It Enacted by the General Assembly of the State of Iowa:

That chapters twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), of title eight (VIII) of the compiled Code of Iowa and of the supplement to said Code, and House File sixty-eight-a (68-a) of the special session of the fortieth general assembly are amended, revised, and codified to read as follows:

## CHAPTER 3

### REGISTRATION OF ANIMALS

Section 1. Offering services of stallion. No person shall offer for public service any stallion unless he shall have had said animal enrolled with the department of agriculture as a registered animal, and shall have procured from the department a certificate of soundness; provided, however, that no stallion entitled under the provisions of section eighteen hundred eleven (1811) of the compiled Code, to a permanent state certificate of soundness shall be denied renewal

Sec. 2. Offering services of jack. No person shall offer for public service any jack unless he has procured from the department a certificate of soundness. Such certificate shall state whether the animal is registered or unregistered.

Sec. 3. Sale of registered animals. No person shall offer for sale, transfer, or exchange any stallion or jack over two (2) years old as registered unless he shall have had said animal enrolled with the department as a registered animal, and shall have procured from the department a certificate of soundness.

Sec. 4. Sale of unregistered jacks. No person shall offer for sale, transfer, or exchange for public service any unregistered jack over two (2) years old unless he shall have procured from the department a certificate of soundness.

Sec. 5. Application for certificate for pure bred. Every application for enrollment as a registered animal shall set forth, under oath, the name, age, color, and ownership of the animal, and be accompanied by a certificate of registry and an affidavit of an Iowa licensed veterinarian that such animal has been examined by him and is free from any unsoundness or any hereditary, infectious, or contagious disease.

Sec. 6. Application for certificate for grade jack. Every application for a certificate of soundness for an unregistered jack shall be made in the same manner and form, except as to the certificate of pedigree, as provided in the preceding section.

Sec. 7. Animals subject to enrollment as registered. No animal shall be subject to enrollment as a registered animal unless he has been recorded in some stud book recognized by the department.

Sec. 8. Diseases which disqualify. No certificate of soundness shall be granted for an animal affected with glanders, farcy, maladie du coit (dourine), coital exanthema, urethral gleet, mange, melanosis, blindness, cataract, or periodic ophthalmia (moon blindness).

Sec. 9. Defects which do not disqualify. A certificate of soundness may be granted when an animal is affected with any of the following defects, unless such defects appear to be aggravated, or in a serious form: Amaurosis, laryngeal hemiplegia (roaring or whistling), pulmonary emphysema (heaves, broken wind), bog spavin, bone spavin, ringbone, sidebone, navicular disease, curb, with curby formation of hock, chorea (St. Vitus' dance), crampiness, shivering, string halt.

Sec. 10. Certificate when animal defective - advertisements. Certificates of soundness issued under the preceding section shall distinctly specify the defect with which the animal is affected. All advertisements of an animal so affected shall enumerate in large type, or prominent writing, the defect with which the animal is affected.

Sec. 11. Issuance of certificate. Upon receipt of an application for enrollment as a registered animal, the department shall, if satisfied that the same is reliable and that the animal is pure bred, make such enrollment and issue to the applicant a certificate of soundness. Upon receipt of an application for a certificate of soundness for an unregistered jack the department shall also issue the proper certificate.

Sec. 12. Posting certificate. Every certificate of soundness, or a true copy thereof, shall be kept posted upon the door or stall of the stable where the animal for which it was issued is usually kept, and, when such animal is advertised, each advertisement shall contain a copy of such certificate or the substance thereof.

Sec. 13. Examination on complaint. Complaint may be made to the department that a stallion or jack is diseased. The department shall determine whether an examination of said animal is reasonably necessary. If it is so

determined the owner shall be notified accordingly, and an examination shall be made by a board of three (3) licensed veterinarians, one (1) member to be selected by the department, one (1) member to be selected by the owner of the animal, and the third member to be selected by the other two (2) members so selected.

Sec. 14. Department to appoint examiners. If the owner neglects for ten (10) days after being so notified to appoint a veterinarian to act for him, the department shall appoint such veterinarian, who shall proceed as though appointed by the owner.

Sec. 15. Decision of board. The board shall determine whether said animal is:

1. Affected with a disease which would prevent the issuance of a certificate of soundness.
2. Affected with any other disease or defect in such a serious or aggravated form as to render the animal unfit for breeding.
3. Transmitting any disease or defect enumerated in this chapter as not disqualifying him for a certificate of soundness.

A decision by a majority of the board shall be certified to the department and shall be final.

Sec. 16. Revocation of certificate. If the decision is to the effect that such animal is affected as specified in the preceding section, the department shall not issue a certificate of soundness, and if one has been issued the department shall immediately revoke the same and notify the owner accordingly.

Sec. 17. Expense. If the board finds that said animal is eligible to receive or retain a certificate of soundness, the reasonable costs of the examination shall be paid from any funds in the state treasury not otherwise appropriated; otherwise such costs shall be collected from the owner.

Sec. 18. Blindness - examination - certificate. The owner of any blind stallion or jack otherwise entitled to a certificate of soundness may, upon application to the department, have the same examined at his own expense by a board of three (3) licensed veterinarians, one (1) member to be selected by the department, one (1) member to be selected by the owner of the animal, and the third member to be selected by the two (2) members so selected. If upon examination and proof furnished, a majority of said board declare that such blindness was caused by accident or disease not transmissible, then upon affidavit of a majority of said board, the department shall issue a state certificate of soundness.

Sec. 19. Renewal of certificate of soundness. If an animal for which a certificate of soundness has been issued is retained for sale, transfer, or exchange, or for public service, such certificate shall be renewed between January first and April first of each year. Such renewal shall be obtained by presenting an affidavit of soundness to the department as hereinbefore provided.

Sec. 20. Renewal without examination. The owner of every stallion or jack which has successfully passed the veterinary examination provided in this chapter for two (2) consecutive years shall be entitled to a renewal of the certificate of soundness thereafter without further examination, provided application for such renewal is made in every year following the last examination.

Sec. 21. Fee. The department shall collect a fee of one dollar (\$1.00) for each certificate of soundness and for each annual renewal thereof.

Sec. 22. Transfer of certificate - fee. When the holder of a certificate of soundness sells or otherwise transfers the title to such animal, he shall indorse on the certificate a transfer thereof to the new owner, and file the certificate, accompanied by a fee of fifty cents (50c), with the department, which shall thereupon issue a certificate to the new owner.

Sec. 23. False affidavit. Any veterinarian who knowingly makes a false affidavit as to the disease or freedom from disease, or soundness or unsoundness, of any animal examined by him or who fails to file with the department a report of his findings in accordance with the provisions of this chapter, shall be guilty of a misdemeanor and punished accordingly and his license to practice shall be revoked.

Sec. 24. Violations - penalties. Any person who shall commit any of the following acts shall be punished by a fine of not more than one hundred dollars (\$100.00), or by imprisonment in the county jail not exceeding thirty (30) days, or by both such fine and imprisonment:

1. Fraudulently represents any animal to be registered.
2. Fraudulently posts or publishes any false pedigree or certificate of soundness.
3. Uses any stallion or jack for public service, or sells any such animal over two (2) years old, representing him to be registered, without first having obtained a certificate of soundness as provided in this chapter.
4. Violates any of the provisions of this chapter in any manner.

Sec. 25. Prior certificates of soundness. Where a permanent certificate of soundness for a registered animal has heretofore been issued by the former state board of agriculture an additional state certificate shall not be required, but a renewal of the same shall be secured as herein provided.

#### CHAPTER 4

##### INFECTIOUS AND CONTAGIOUS DISEASES AMONG ANIMALS

Sec. 27. Powers of department. In the enforcement of this chapter the department of agriculture shall have power to:

1. Make all necessary rules for the suppression and prevention of infectious and contagious diseases among animals within the state.
2. Provide for quarantining animals affected with infectious or contagious diseases, or that have been exposed to such diseases, whether within or without the state.
3. Determine and employ the most efficient and practical means for the prevention, suppression, control, and eradication of contagious or infectious diseases among animals.
4. Establish, maintain, enforce, and regulate quarantine and other measures relating to the movements and care of diseased animals.
5. Provide for the disinfection of suspected yards, buildings, and articles, and the destruction of such animals as may be deemed necessary.
6. Enter any place where any animal is at the time located, or where it has been kept, or where the carcass of such animal may be, for the purpose of examining it in any way that may be necessary to determine whether it was or is infected with any contagious or infectious disease.
7. Regulate or prohibit the arrival in, departure from, and passage through the state, of animals infected with or exposed to any contagious disease; and in case of violation of any such regulation or prohibition, to detain any animal at the owner's cost.

8. Regulate or prohibit the bringing of animals into the state, which, in its opinion, for any reason, may be detrimental to the health of animals in the state.

9. Cooperate with and arrange for assistance from the United States department of agriculture in performing its duties under this chapter.

Sec. 27-a1. Infectious and contagious diseases defined. For the purpose of this chapter, infectious and contagious diseases shall be deemed to embrace glanders, farcy, maladie du coit (dourine), anthrax, foot and mouth disease, scabies, hog cholera, necrotic enteritis, or tuberculosis.

Sec. 28. Veterinary assistants. The department may appoint one (1) or more licensed veterinarians in each county as assistant veterinarians. It may also appoint such special assistants as may be necessary in cases of emergency.

Sec. 29. Powers of assistants. Such assistant veterinarians shall have power, under the direction of the department, to perform all acts necessary to carry out the provisions of law relating to infectious and contagious diseases among animals, and shall be furnished by the department with the necessary supplies and materials which shall be paid for out of the appropriation for the eradication of infectious and contagious diseases among animals.

Sec. 30. Oaths - power to administer. Such assistant veterinarians shall have power to administer oaths and affirmations to appraisers acting under this and the following chapters of this title.

Sec. 31. Adoption of rules - approval - publication. All rules adopted by the department under this chapter in addition to the other requirements concerning promulgation of rules by the department shall be published at least one (1) week prior to their taking effect in at least two (2) daily papers of general circulation within the state, except in such cases as require immediate action.

Sec. 32. Rules to harmonize with federal rules. The rules adopted by the department regarding interstate shipments of animals shall not be in conflict with the rules of the federal department of agriculture, unless there is an outbreak of a malignant, contagious disease in any locality, state, or territory, in which event the department shall have the right to place an embargo on such locality, state, or territory.

Sec. 33. Enforcement of rules. The assistant veterinarians appointed under this chapter shall enforce all rules of the department, and in so doing may call to their assistance any peace officer.

Sec. 34. Veterinary division at Ames to assist. The dean of the veterinary division of the Iowa state college of agriculture and mechanic arts is authorized to use the equipment and facilities of the division in assisting the department in carrying out the provisions of this chapter.

Sec. 35. Quarantining or killing animal. The department may quarantine or condemn any animal which is infected with any contagious or infectious disease, but no cattle infected with tuberculosis shall be killed without the owner's consent, unless there shall be sufficient funds to pay for such cattle, in the allotment made for that purpose from the appropriation for the eradication of infectious and contagious diseases among animals as provided in this chapter.

Sec. 36. Inspection of imported animals. No person shall bring into this state, except to public live-stock markets where federal inspection of live-stock is maintained, any animal for work, breeding, or dairy purposes, unless such animal has been examined and found free from all contagious or infectious diseases. Animals for feeding purposes, however, may be brought into the state without inspection, under such regulations as the department may prescribe.

Sec. 37. Certificate of freedom from disease. Freedom from disease as specified in the preceding section shall be established by a certificate of health signed by a veterinarian acting under either the authority of the federal department of agriculture, or the state department of agriculture.

Sec. 38. Certificate attached to bill of lading. A copy of such certificate shall be attached to the waybill accompanying the shipment, and a copy thereof shall be mailed to the department.

Sec. 39. Intrastate shipments. All animals, except those intended for immediate slaughter, shall be inspected when required by the department, and accompanied by the aforesaid certificate when shipped from a public stockyard in this state to another point within the state where federal inspection is not maintained.

Sec. 40. Foot and mouth disease - appropriation. Any animal killed on account of what is known as "foot and mouth disease" shall be appraised and paid for in the same manner as prescribed in the following chapter for the appraisement and payment of animals killed on account of tuberculosis, except that the deduction of five per cent (5%) of the appraised value of the animals tested as provided in said chapter shall not be made. There is appropriated from any funds in the state treasury not otherwise appropriated sufficient funds to carry out the provisions of this section.

Sec. 41. Limitation on right to receive pay. Unless an animal was examined at the time of importation into the state and found free from contagious or infectious diseases as provided in this chapter, no person importing the same and no transferee who receives such animal knowing that the provisions of this chapter have been violated shall receive any compensation under the preceding section for the destruction of such animal by the department.

Sec. 42. Duty of local boards of health. All local boards of health shall assist the department in the prevention, suppression, control, and eradication of contagious and infectious diseases among animals, whenever requested to do so.

Sec. 43. False representation as to stock shipments. Any person who knowingly makes any false representation as to the purpose for which a shipment of animals is being or will be made, with intent to avoid or prevent an inspection of such animals for the purpose of determining whether the animals are free from disease, shall be guilty of a misdemeanor and punished as provided in this chapter.

Sec. 44. Sale or exposure of infected animals. No owner or person having charge of any animal, knowing the same to have any infectious or contagious disease, shall sell or barter the same for breeding, dairy, work or feeding purposes, or permit such animal to run at large or come in contact with any other animal.

Sec. 45. Glanders. No owner or person having charge of any animal, knowing the same to be affected with glanders, shall permit such animal to be driven upon any highway, and no keeper of a public barn shall knowingly permit any animal having such disease to be stabled in such barn.

Sec. 46. Penalties. Any person who shall violate any provision of this chapter or any rule adopted thereunder by the department shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), or by imprisonment in the county jail for not more than one (1) year.

Sec. 47. Annual estimate of expenditures. The department of agriculture shall each year make an estimate of expenditures to be made from the annual appropriation for the eradication of contagious and infectious diseases among animals. Such estimates shall set aside:

1. A sufficient sum for the general administration of this chapter.
2. A sufficient sum for the inspection of herds for tuberculosis under the following chapter, except herds in counties which have been enrolled under the county area plan of eradication.
3. The remainder of said appropriation for allotment among the counties in accordance with the number of breeding cattle owned therein for the eradication of bovine tuberculosis in such counties.

#### CHAPTER 5 ERADICATION OF BOVINE TUBERCULOSIS

Sec. 48. Cooperation of state and federal authorities. The state department of agriculture is hereby authorized to cooperate with the federal department of agriculture for the purpose of eradicating tuberculosis from the dairy and beef breeds of cattle in the state.

Sec. 49. Testing and examining herds. The owner of any herd kept for breeding or dairy purposes may petition the department of agriculture for an examination of such herd for tuberculosis. The department shall grant the petition when satisfied that the petitioner intends to permanently maintain his herd and has applied for such examination for the sole purpose of detecting the presence of such disease and freeing his herd therefrom. Such examination shall be conducted as soon as practicable after the granting of the petition.

Sec. 50. Petition blank. A blank for such petition shall be furnished by the department, which shall include an agreement on the part of the person making the petition that he will conform to and abide by the rules laid down by the state and federal departments of agriculture and follow their instructions designed to suppress the disease, prevent its spread, and avoid re-infection of the herd.

Sec. 51. Appraisal. Before being tested, such animals shall be appraised at their cash value for breeding, dairy, or beef purposes by the owner and a representative of the state department of agriculture, or a representative of the federal department of agriculture, or by the owner and both of such representatives. If these parties cannot agree as to the amount of the appraisal, there shall be appointed three (3) competent and disinterested persons, one (1) by the state department of agriculture, one (1) by the owner, and the third by the first two (2) appointed, to appraise such animals, which appraisal shall be final. Every appraisal shall be under oath or affirmation and the expenses of the same shall be paid by the state, except as provided in this chapter.

Sec. 52. Presence of tuberculosis - use of infected animals. If, after such examination, tubercular animals are found, the department shall have authority to order such disposition of them as it considers most desirable and economical. If the department deems that a due regard for the public health warrants it, it may enter into a written agreement with the owner,

subject to such conditions as it may prescribe, for the separation and quarantine of such diseased animals. Subject to such conditions, the diseased animals may continue to be used for breeding purposes.

Sec. 53. Forfeiture of right to receive compensation. Any animal retained, under the preceding section, by the owner for ninety (90) days after it has been adjudged infected with tuberculosis shall not be made the basis of any claim for compensation against the state.

Sec. 54. Amount of indemnity to be paid owner. When breeding animals are slaughtered following any test there shall be deducted from their appraised value:

1. Five per cent of the appraised value of the breeding animals tested.

2. The proceeds from the sale of the salvage

The owner shall be paid by the state one-third of the sum remaining after the above deductions are made.

The state shall in no case pay to such owner a sum in excess of fifty dollars (\$50.00) for any registered pure bred animal or twenty-five dollars (\$25.00) for any grade animal.

Sec. 55. Pedigree. The pedigree of pure-bred cattle shall be proved by a certificate of registry from the herd books where registered.

Sec. 56. Limitation on right to receive pay. No compensation shall be paid to any person for an animal condemned for tuberculosis:

1. Unless said animal, if produced in the state, has been owned by such person for at least six (6) months prior to condemnation, or was raised by such person.

2. Unless said animal, if imported into the state, was examined at the time of importation and found free from tuberculosis.

Sec. 57. Preference in examinations. The department, in passing upon petitions for examinations of herds, shall give priority to petitions for the testing of dairy herds from which are sold, or offered for sale, in cities or towns, milk or milk products in liquid or condensed form.

Sec. 58. Examination by department on its own motion. The department may at any time, on its own motion, make an examination of any herd, and in case animals are destroyed, the appraisalment and payment shall be made as provided in this chapter.

Sec. 59. Records public. All records pertaining to animals infected with tuberculosis shall be open for public inspection and the department shall furnish such information relative thereto as may be requested.

Sec. 60. Accrediting tuberculosis-free herds. The department shall establish rules for determining when a herd of cattle tested and maintained under the provisions of this chapter, the laws of the United States, and the rules of the state and federal departments of agriculture shall be considered as tuberculosis-free. When any herd meets such requirements the owner shall be entitled to a certificate from the department showing that the herd is a tuberculosis-free accredited herd. Such certificate shall be revoked whenever the herd no longer meets the necessary requirements for an accredited herd, but the herd may be reinstated as an accredited herd upon subsequent compliance with such requirements.

Sec. 61. Tuberculin. The department shall have control of the sale, distribution, and use of all tuberculin in the state, and shall formulate rules for its distribution and use. Only a licensed veterinarian shall apply a tuberculin test to cattle within this state.



Sec. 62. Appointment of inspectors and assistants. The department may appoint one or more accredited veterinarians as inspectors for each county and one or more persons as assistants to such inspectors. Such inspectors, with the assistance of such person or persons, shall test the breeding cattle subject to test, as provided in this chapter, and shall be subject to the direction of the department in making such tests.

Sec. 63. Accredited veterinarian defined. An accredited veterinarian is one who has successfully passed an examination set by the state and federal departments of agriculture and is authorized to make tuberculin tests of accredited herds of cattle under the uniform methods and rules governing accredited herd work which are approved by the United States department of agriculture.

Sec. 64. Equipment for inspector. The department may furnish each inspector with the necessary tuberculin and other material not including instruments and utensils necessary to make the tests provided for in this chapter.

Sec. 65. Compensation. An inspector shall receive a compensation not to exceed ten dollars (\$10.00) per diem and ten cents (10c) for every mile traveled while engaged in such work. Unless such compensation is fixed in the biennial salary act it shall be approved by the committee on retrenchment and reform.

#### COUNTY AREA ERADICATION PLAN AND ACCREDITED AREA PLAN

Sec. 66. Establishment by petition of breeders. When any number of resident owners of breeding cattle constituting a number equal to fifty-one (51) percent of the number of owners of breeding cattle in said county, as show by the last assessors' rolls, petition the board of supervisors for the establishment of a county area eradication plan, such petition including an agreement on the part of the respective signers thereof for the testing of their respective herds, as provided in this chapter, the board shall cause a notice to be published for two consecutive weeks in two official county papers of the date of the hearing on said petition, which shall not be less than five nor more than ten days after the last publication, said date to be set by the county auditor. If, after such hearing, or if no objections are filed to such petition on or before such date, the petition shall be found sufficient, the board shall make application to the secretary of agriculture for the enrollment of the county under such plan. The application shall be accompanied by a copy of the petition and agreements, together with the action of the board thereon, duly certified by the county auditor. The secretary of agriculture, upon receiving the application, shall enroll the county under such plan. Certified copy of the agreements as filed with the secretary of agriculture shall have the same force and effect as originals on file with him. Subsequent agreements may be filed with the department.

Sec. 68. Levy for eradication fund. In each county enrolled under either of the plans provided in this chapter, the board of supervisors shall each year when it makes the levy for taxes, levy a tax sufficient to provide a fund to pay the indemnity and other expenses provided in this chapter, except as hereinafter provided, but such levy shall not exceed three (3) mills in any year upon the taxable value of all the property in the county. Such levy shall be placed upon the tax list by the county auditor and collected by the county treasurer in the same manner and at the same time as other taxes of the county. The money derived from such levy shall be placed in a fund to be known as the county tuberculosis eradication fund, and the same shall only be used for the payment of claims as provided in this chapter.

The county auditor of each county shall, not later than August fifteenth of each year, certify to the secretary of agriculture a report showing the amount in the tuberculosis eradication fund on August first of each year.

Should it appear to the secretary of agriculture that the balance in such fund is sufficient, with the county's allotment of state and federal funds available, to carry on the work in such county for the ensuing year, he shall so certify to the county auditor and when such certification has been made the board shall make no levy for such tuberculosis eradication fund for such year.

Sec. 70. Availability of county fund. After the amount allotted in any year by the department to any county enrolled under the county area plan has been expended in said county, or at any time that there ceases to be available for such county any federal funds for the eradication of bovine tuberculosis, the county eradication fund provided in this chapter shall become available as a substitute for either or both such funds for the payment of materials, indemnities, inspectors and assistants as herein provided. Immediately upon the exhaustion of such allotment the department shall certify such fact to the county auditor, which certificate shall be full authority for the board of supervisors to pay claims out of the county eradication fund.

Sec. 71. Notice of exhaustion of fund. Whenever the balance in such fund becomes less than twenty-five hundred dollars (\$2500.00) the county auditor shall notify the department in writing of such fact and no expense shall be incurred on such account in excess of the cash available in such fund.

Sec. 72. Certification of claims. All claims presented under the second preceding section shall be certified by the department and filed with the county auditor who shall present them to the board of supervisors, and such board shall allow and pay the same as other claims against the county.

Sec. 73. Accredited counties. Whenever seventy-five percent (75%) of the owners of breeding cattle in any county operating under the county area plan, shall have signed agreements with the department of agriculture, the department shall enroll the county under the accredited area plan and notify the board of supervisors of such county accordingly. The board shall cause to be published a notice of such enrollment once in two official newspapers of the county and thereafter every owner of breeding cattle within the county shall cause his cattle to be tested for tuberculosis as provided in this chapter and shall comply with all the requirements for the establishment and maintenance of a tuberculosis-free accredited herd.

Sec. 73-a1. Certification of number of owners in county. For the purpose of determining the number of owners of breeding cattle in the county constituting the percent required by the preceding section, the county auditor of each county which has been enrolled under the county area eradication plan, shall certify to the department after each assessment in the county, the number of owners of breeding cattle in such county as shown by the last assessors' rolls.

Sec. 73-a2. Establishment by vote of people. Whenever any number of electors of the county equal to fifteen per cent (15%) of the voters of the county as shown by the vote for the head of the ticket at the last general election, petition the board of supervisors for the establishment of the accredited area plan and file the same in the office of the county auditor, the board shall, if it finds such petition complies with the requirements of this chapter, submit at the next general election the following proposition: Shall \_\_\_\_\_ county levy a tax of not more than three (3) mills on the taxable value of the property of the county for the purpose of establishing a county tuberculosis eradication fund and entering upon the accredited area plan? If the proposition receives sixty-five per cent (65%) of the votes cast at such election the board shall notify the department, which shall enroll the county under the accredited area plan. When the county is so enrolled the board of supervisors shall cause a notice of such enrollment to be published once in two official newspapers of the county and thereafter every owner of breeding cattle within the county shall cause his cattle to be tested for tuberculosis as provided in this chapter and shall comply with all the requirements for the establishment and maintenance of the tuberculosis-free accredited herd.

Sec. 74. Penalty. Any owner of breeding cattle in any county which has been enrolled under the accredited area plan, as provided in this chapter, who does not apply for and sign an agreement for such test or fails to have his cattle tested as provided therein within a period of ninety (90) days from the publication of the notice of enrollment, shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars. It shall be prima facie evidence that the breeding cattle of any such owner who does not permit said cattle to be tested as herein provided are affected with tuberculosis and may be quarantined by the department until such test is made.

Sec. 75. Notice. Before any action is commenced under the preceding section, the board of supervisors of the county shall cause such owner to be served with a written notice of the provisions of the four preceding sections, at least fifteen (15) days before the commencement of the action.

Sec. 76. Allotment of funds to counties. The department shall allot on or before November first of each year among the counties of the state in proportion to the number of breeding cattle owned in each county, as shown by the last assessors' books, the amount of the state funds estimated to be available for the testing of cattle for tuberculosis. The department shall also attempt to secure a similar allotment each year of the available federal funds by the federal department of agriculture.

Sec. 77. Transfer of funds. The amount of state funds allotted to each county shall be expended therein, but the department, whenever such moneys are not needed in any county, may transfer the same to any other county.

#### CHAPTER 6 HOG CHOLERA VIRUS AND SERUM

Sec. 79. Definitions. When used in this chapter:

1. The words biological products shall include and be deemed to embrace only anti-hog cholera serum and virus.

2. "Manufacturer" includes every person engaged in the preparation, at any stage of the process, of biological products except those engaged in such preparation in the biological laboratory in the Iowa state college of agriculture and mechanic arts, or in any other state or governmental institution.

3. "Dealer" includes every person who, for profit, sells, dispenses, or distributes, or offers to do so, either as principal or agent, biological products, except:

(a) A manufacturer selling direct to any person licensed under this chapter to sell, dispense, or distribute such biological products.

(b) A regularly licensed veterinarian who used such biological products in his professional practice and does not use it for sale or distribution to any other person.

Sec. 80. Power to make rules. The department shall have power to make such rules governing the manufacture, sale and distribution of biological products as it deems necessary to maintain their potency and purity.

Sec. 81. Permit to manufacture or sell. Every person, before engaging as a manufacturer of, or dealer in, biological products shall obtain from the department of agriculture a permit for that purpose.

Sec. 82. Application for permit to manufacture or sell. Every application for such permit shall be made on a form provided by the department, which form shall call for such information as the department shall deem necessary, including the name and place of business of the applicant.

Sec. 83. Application for manufacturer's permit. An application for a permit to manufacture biological products shall be accompanied by evidence satisfactory to the department that the applicant is the holder of a valid, unrevoked, United States department of agriculture license for the manufacture and sale of such biological products.

Sec. 84. Application for dealer's permit. An application for a permit to deal in biological products shall be accompanied by a bond, with sureties to be approved by the department, in the sum of five thousand dollars (\$5,000.00), which bond shall be conditioned:

1. To faithfully comply with all laws governing the warehousing, sale and distribution of biological products, and with all the rules of the department relating to such biological products.

2. To indemnify any person who uses any such biological products sold by the principal and is damaged by the negligence of the principal, or any of his agents, in the warehousing, handling, sale, or distribution of such biological products.

3. To pay to the state all penalties which may be adjudged against the principal.

Sec. 85. Liability of principal on bond. The principal on such bond shall be liable to every person for any damage caused by the negligence of the principal or of his agents, notwithstanding the execution of the bond.

Sec. 86. New or additional bond. When judgment is rendered on such bond, the principal shall immediately execute and file with the department a new or additional bond, conditioned as the original bond, and in an amount to be fixed by the department, which will furnish the same amount of security that was furnished before the original bond was impaired.

Sec. 87. Liability of manufacturer. A manufacturer shall be liable to an injured person for all damages which occur:

1. By reason of the negligence of the manufacturer or his employees in the manufacture, warehousing, handling, or distribution of biological products.

2. By reason of the failure of the manufacturer, or his employees, to discharge any duty imposed by law, or by the rules of the department.

Sec. 88. Fees. Fees for permits shall be paid by the manufacturer or dealer to the department when the application for such permit is made and shall be:

1. In case of a manufacturer, twenty-five dollars (\$25.00) for each plant at which it is proposed to manufacture biological products.

2. In case of a dealer, fifteen dollars (\$15.00) for each warehouse or distributing agency of the dealer.

Sec. 89. Inspection of premises. The premises upon which the business authorized by such permit is carried on shall be subject at all times to inspection by the department. Before issuing an original permit, the department may cause the proposed premises to be inspected, and shall make such requirements regarding the physical conditions and sanitation of said premises as it may deem necessary to secure and maintain the potency and purity of the biological products. If such requirements are not complied with and maintained, the permit shall be refused or revoked as the case may be.

Sec. 90. Duration of manufacturer's or dealer's permit. Every permit issued to a manufacturer or dealer shall expire one (1) year from the date of issuance. A renewal of the same shall be subject to all the conditions, including fees, that are required in the case of an original permit.

Sec. 91. Automatic revocation of manufacturer's or dealer's permit. Such a permit shall be automatically revoked:

1. In case of a dealer, by his failure to execute and file with the department a new and approved bond when required by law.
2. In case of a manufacturer, by his ceasing to be the holder of a United States department of agriculture license for the manufacture and sale of biological products.
3. In case of either a manufacturer or dealer for discrimination in the price at which such biological products are sold, and such permit shall not in such case be renewed for one year.

Sec. 92. Revocation by department. Such permit may also be revoked by the department at any time after a reasonable notice and hearing:

1. For violation of the terms, conditions, and requirements on which it was issued.
2. For violation of any law, or of any rule of the department, relating to the business authorized by such permit.
3. In case of a dealer's permit, when a judgment has been rendered on the bond, or when the security of such bond has become impaired in any other way and no new bond is given as required by the department.

Sec. 93. Prohibited sales. No biological products shall be sold, offered for sale, distributed, or used unless produced at a plant which, at the time of producing, held a United States department of agriculture license for the manufacture of such biological products.

Sec. 94. Sales to permit holders only. No person shall sell, distribute, or offer to sell or distribute, virulent blood or virus from cholera infected hogs except to persons who are holders of valid, unrevoked, written permits to administer the same.

Sec. 95. Permits to administer virus. No person shall administer hog cholera virus unless he is the holder of a permit issued by the department for that purpose or is the holder of a license to practice veterinary medicine.

Sec. 96. County school of instruction. Provision shall be made by the extension division of the state college of agriculture and mechanic arts for instruction in each county in the use of anti-hog cholera serum and virus. Whenever there are ten (10) applicants in any county for such instruction, said division shall make the necessary arrangements, including a sufficient number of competent instructors, at a convenient time and place, which shall be within thirty (30) days after the filing of the requisite number of applications.

Sec. 97. Application for instruction - fee. Applications for such school shall be made to the county agent, or in the event there is no county agent, to some other person appointed by the board of supervisors to receive such applications, accompanied by a fee of three dollars (\$3.00). When there are sufficient applications to authorize a school, said agent, or person, shall forward the applications to the extension division.

Sec. 98. Instruction - examinations. Said school shall consist of necessary instruction in the use and administration of anti-hog cholera serum and virus, and, if reasonably possible, of actual demonstrations. Examinations shall be conducted in such manner as will, in the opinion of the instructor, best test the applicant's understanding of the instructions, and his ability to practically apply them.

Sec. 99. Report by instructor. The instructor shall at once report to the extension division the names and postoffice addresses of those persons who are found by him to be competent to use and administer hog cholera virus. The names and addresses shall then be certified by the extension division to the department of agriculture.

Sec. 100. Issuance of permits. Upon receipt of such names the department shall at once issue and forward to each person a permit to administer hog cholera virus.

Sec. 100-a1. Transmittal and refund of fees. The names of the successful and unsuccessful applicants for a permit from each county shall also be certified by the extension division to the county agent of their respective counties. In the event there is no county agent, such certification shall be made to the person appointed by the board of supervisors to receive the applications and fees for instruction. Upon receipt of such list the county agent, or the person in possession of such fees, shall forthwith forward the fees received from the successful applicants to the extension division and refund the fee received from each unsuccessful applicant to him.

Sec. 101. Duration of virus permit. - revocation. A permit to administer hog cholera virus shall continue in force until revoked by the department on a showing that the holder has become incompetent to administer such virus.

Sec. 102. Right of holder of virus permit. The person to whom a permit to administer hog cholera virus has been issued is authorized only to administer such virus to hogs owned by the holder of the permit, and the permit shall so state.

Sec. 103. Compensation and expenses. The compensation of the instructors and other expenses connected with the instruction of applicants for permits shall be paid as far as possible out of the fees collected from such applicants, and any surplus shall be paid into the state treasury on July first (1st) of each year.

Sec. 104. Schools of instruction at Ames. The state college of agriculture and mechanic arts may hold a school for the purpose of giving instruction in the method of administering anti-hog cholera serum and virus at any time when there are at least ten (10) applicants for such instruction.

Sec. 105. Conducting school - permits. Schools of instruction held at said college shall be conducted substantially in the same manner as county schools. Permits to administer virus shall be issued to all applicants who are found to be competent upon the same condition and in the same manner as those taking instruction in county schools.

Sec. 106. Reports by manufacturers and dealers. A person holding a permit as manufacturer or dealer shall make such written reports to the department relative to biological products as it may from time to time require.

Sec. 107. Reports by virus permit holders. Every holder of a permit to administer hog cholera virus shall, upon request of the department, make a report to the department giving such information as the department may require. Such information shall be on a form furnished by the department.

Sec. 108. Delivery of report. Within ten (10) days after being requested in writing by the department such report shall be delivered or sent by registered mail to the department by the permit holder. The department may suspend the permit of any holder who fails to make such report until he has complied with the preceding section.

Sec. 109. Lists of manufacturers and dealers. The department shall, without additional charge, and when it issues a permit to administer hog cholera virus, inclose with such permit a complete list of every manufacturer and dealer licensed to manufacture or distribute biological products. A similar list shall also be sent to every county agent, and any necessary corrections or changes shall be sent to such agent at least once every three months.

Sec. 110. Lists of virus permit holders. The department shall also upon the request of any manufacturer, dealer, or other person furnish a complete list of the names and addresses of the holders of unrevoked permits to administer virus immediately upon the issuance of such permits. A sufficient charge shall be made for such list as will cover the cost of preparation and distribution.

Sec. 111. Seizure of samples. The department may seize, at any time or place, for examination, samples of biological products manufactured or kept for use or sale within the state.

Sec. 112. Condemnation and destruction. The department shall have power to condemn and destroy any biological products which it deems unsafe.

Sec. 113. Defacing labels. No person shall remove or deface any label upon the bottles or packages containing any biological products or change the contents from the original container except for immediate use.

Sec. 114. Price of virus - rebates prohibited. Persons holding permits, either as manufacturers or dealers, shall sell all biological products at a uniform price to all persons to whom sales are made. No rebate on said price shall be given, either directly or indirectly, in any manner whatsoever.

Sec. 115. Collection of compensation by veterinarian. No licensed veterinarian shall receive, directly or indirectly, any compensation of any kind for the handling, sale, or use of any biological products, other than his charges for administering the same, unless he makes known in writing the amount of such compensation, if requested to do so by the person using biological products. Any veterinarian violating this section shall forfeit his license to practice and the same shall not be renewed for a period of one (1) year.

Sec. 116. Violations - penalty. Any person who violates any provision of this chapter, or any rule of the department, or who shall hinder or attempt to hinder the department or any duly authorized agent or official thereof in the discharge of his duty, shall be fined in a sum of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00).

## CHAPTER 7

### USE AND DISPOSAL OF DEAD ANIMALS

Sec. 117. Scope of chapter. This chapter shall not apply to the disposal of the bodies of animals slaughtered for human food.

Sec. 118. Disposal of dead animals - license. No person shall engage in the business of disposing of the bodies of dead animals without first obtaining a license for that purpose from the department of agriculture.

Sec. 119. Disposing of dead animals defined. Any person who shall receive from any person the body of any dead animal for the purpose of obtaining the hide, skin, or grease from such animal, in any way whatsoever, shall be deemed to be engaged in the business of disposing of the bodies of dead animals.

Sec. 120. Application for license - fee. Application for such license shall be made to the department on forms provided by it, which application shall set forth the name and residence of the applicant, his proposed place of business, and the particular method which he intends to employ in disposing of such bodies, and such other information as the department may require. Said application shall be accompanied by a fee of twenty-five dollars (\$25.00).

Sec. 121. Inspection of place - certificate. On receipt of such application, the secretary of agriculture or some person appointed by him, shall at once inspect the building in which the applicant proposes to conduct such business. If the inspector finds that said building complies with the requirements of this chapter, and with the rules of the department, and that the applicant is a responsible and suitable person, he shall so certify in writing to such specific findings, and forward the same to the department.

Sec. 122. Issuance of license - fee. On the receipt of the foregoing certificate, and the additional payment of twenty-five dollars (\$25.00), the department shall issue a license to the applicant to conduct such business, at the place specified in the application, for one (1) calendar year.

Sec. 123. Record of licenses. The department shall keep a record of all licenses applied for or issued, which shall show the date of application and by whom made, the cause of all rejections, the date of issue, to whom issued, the date of expiration, and the location of the licensed business.

Sec. 124. Inspection revealing unsuitable place. If the inspector find that said building does not comply with the requirements of this chapter or with the rules of the department, he shall notify the applicant wherein the same fails to so comply. If within a reasonable time thereafter, to be fixed by the inspector, the specified defects are remedied, the department shall make a second inspection, and proceed therewith as in case of an original inspection. Not more than two (2) inspections need be made under one (1) application.

Sec. 125. No return of application fee. In case such applicant is refused a license, no part of the fees paid by him shall be refunded.

Sec. 126. Renewal of license. An original license shall be renewed for each subsequent calendar year on the payment of twenty-five dollars (\$25.00), provided the holder, in the opinion of the department, remains responsible and suitable to carry on said business, and the place of business continues to comply with this chapter and the rules of the department, as they then exist.

Sec. 127. Disposal plants - specifications. Each place for the carrying on of said business shall, to the satisfaction of the department, be provided with floors constructed of concrete or some other nonabsorbent material and adequate drainage, be thoroughly sanitary, and adapted to carrying on the business.



Sec. 128. Manner and time of disposing of bodies. The following requirements shall be observed in the disposal of such bodies:

1. Cooking vats or tanks shall be air-tight, except proper escapes for live steam.

2. Steam shall be so disposed of as not to cause unnecessary annoyance or create a nuisance.

3. The skinning and dismembering of bodies shall be done with <sup>in</sup> said building.

4. The building shall be so situated and arranged, and the business therein so conducted, as not to interfere with the comfortable enjoyment of life and property.

5. Such portions of bodies as are not entirely consumed by cooking or burning shall be disposed of by burying as hereafter provided, or in such manner as the department may direct.

6. In case of disposal by burying, the burial shall be to such depth that no part of such body shall be nearer than four (4) feet to the natural surface of the ground, and every part of such body shall be covered with quicklime, and by at least four (4) feet of earth.

7. All bodies shall be disposed of within twenty-four (24) hours after death.

Sec. 129. Rules. The department shall make such reasonable rules for the carrying on and conducting of such business as it may deem advisable, and all persons engaging in such business shall comply therewith.

Sec. 130. Annual inspection - revocation of license. The department shall inspect each place licensed under this chapter at least once each year, and as often as it deems necessary, and shall see that the licensee conducts the business in conformity to this chapter and the rules made by the department. For a failure or refusal by any licensee to obey the provisions of this chapter or said rules, the department shall suspend or revoke the license held by such licensee.

Sec. 131. Transportation of dead animals. Any person holding a license under the provisions of this chapter may haul and transport the carcasses of animals that have died from disease, except those prohibited by the department, in a covered wagon bed or tank which is water-tight, and is so constructed that no dripping or seepings from such carcasses can escape from such wagon bed or tank, and said carcasses shall not be moved from said wagon bed or tank except at the place of final disposal. The department may prescribe additional requirements governing the construction of such vehicles and such transportation not inconsistent with the above.

Sec. 132. Driving upon premises of another. Vehicles when loaded with the carcass of an animal which has died of disease shall be driven directly to the place of disposal, except that the driver in so driving may stop on the highway for other like carcasses, but he shall not drive into the yard or upon the premises of any person unless he first obtains the permission of the person to do so.

Sec. 133. Disinfecting outfit. The driver or owner of a vehicle used in conveying animals which said driver or owner has reason to believe died of disease, shall, immediately after unloading said animals, cause the wagon box, tank, or other vehicle, the wheels thereof, all canvassing and covers, the feet of the animals drawing said conveyance, and the outer clothing of all persons who have handled said carcasses to be disinfected with a solution of at least one (1) part of cresol dip to four (4) parts of water, or with some other equally effective disinfectant.

Sec. 134. Duty to dispose of dead bodies. No person caring for or owning any animal that has died shall allow the carcass to lie about his premises. Such carcass shall be disposed of within twenty-four (24) hours after death by cooking, burying, or burning as provided in this chapter, or by disposing of it, within said time, to a person licensed to so dispose of it, but the carcass of an animal which has not died of a contagious disease may be fed to hogs.

Sec. 135. Penalty. The violation of any of the provisions of this chapter or any rule adopted thereunder by the department shall be punished by a fine of not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) or by imprisonment in the county jail not more than ninety (90) days.

Sec. 136. Appropriation. The expense attending the inspection provided for in this chapter shall be paid from any unappropriated funds in the state treasury.

## CHAPTER 8

### VETERINARY MEDICINE AND SURGERY

Sec. 137. Persons engaged in practice of veterinary medicine. For the purpose of this chapter the following classes of persons shall be deemed to be engaged in the practice of veterinary medicine:

1. Persons practicing veterinary medicine, surgery, or dentistry, or any of the branches thereof.
2. Persons who profess to be veterinarians, or who profess to assume the duties incident to the practice of veterinary medicine.
3. Persons who make a practice of prescribing or who do prescribe and furnish medicine for the ailments of animals.

Sec. 138. Persons not engaged in practice of veterinary medicine. The preceding section shall not be construed to include the following classes of persons:

1. Veterinarians of the United States army, navy, or in the service of the federal department of agriculture, not engaged in private practice.
2. Persons who dehorn cattle or castrate animals.
3. Persons who treat diseased or injured animals gratuitously.

Sec. 139. License required. No person shall engage in the practice of veterinary medicine unless he shall have obtained from the department of agriculture a license for that purpose.

Sec. 140. Form of license. Every license to practice veterinary medicine shall be in the form of a certificate under the seal of the department, and signed by the secretary. The number of the book and page containing the entry of the license in the office of the department shall be noted on the face of the license.

Sec. 141. Display of license. Every person licensed under this chapter shall keep his license displayed in the place in which he maintains an office.

Sec. 142. Renewal of license. Every license issued under this chapter shall expire on the thirtieth day of June following the date of issuance, and shall be renewed annually upon application by the licensee, without examination. Application for such renewal shall be made in writing to the department of agriculture, accompanied by the legal fee, at least thirty (30) days prior to the expiration of such license. The department shall notify each licensee by mail of the expiration of his license. Every renewal shall be displayed in connection with the original license.

Sec. 143. Prima facie evidence. The opening of an office or place of business for the practice of veterinary medicine, the use of a sign, card, device, or advertisement as a practitioner of veterinary medicine or as a person skilled in such practice, shall be prima facie evidence of engaging in the practice of veterinary medicine.

Sec. 145. Unlawful use of degree. No person shall use any veterinary degree or abbreviation for the same unless such degree has been conferred upon him by an institution of learning recognized by the state board of education.

Sec. 146. Requirement for license. Each applicant for a license to practice veterinary medicine, surgery, and dentistry, shall:

1. Present satisfactory evidence that he is at least twenty-one (21) years of age, and of good character.
2. Present a diploma showing that he is a graduate of a recognized school of veterinary medicine.
3. Pass satisfactorily an examination in veterinary medicine, surgery, and dentistry.

Sec. 147. Fees. The following fees shall be collected by the department of agriculture:

1. For a license to practice veterinary medicine, issued upon an examination given by the examining board, twenty-five dollars (\$25.00), which shall be paid in advance to the department of agriculture.
2. For a license to practice veterinary medicine, issued upon the basis of a license issued in another state, fifty dollars (\$50.00).
3. For the renewal of a license to practice veterinary medicine, two dollars and fifty cents (\$2.50).
4. For a certified statement that a license is licensed in this state, five dollars (\$5.00).
5. For the issuance of a duplicate license in case the original has been lost or destroyed, five dollars (\$5.00).

Sec. 148. Reexaminations. In case an applicant fails in his examination, he shall be permitted to take a subsequent examination within any period not exceeding twelve (12) months thereafter without paying any additional fee. After the expiration of twelve (12) months such applicant shall pay the regular fee.

Sec. 149. Record of license - open to public inspection. The name, age, nativity, location, number of the certificate, and the date of registration thereof shall be entered in a book kept in the office of the department of agriculture, to be known as the registry book, and the same shall be open to public inspection.

Sec. 150. Notice of change of residence. When any person licensed to practice under this chapter changes his residence, he shall notify the department of agriculture and such change shall be noted in the registry book.

Sec. 151. Examining board. For the purpose of giving examinations to applicants for license to practice veterinary medicine, the department of agriculture shall appoint a board of three examiners, who shall be licensed veterinarians.

Sec. 152. Term of examiners. The members of the examining board shall be appointed for a term of three (3) years. The term of each examiner shall commence on July first in the year of appointment and the terms of the members of the board shall be rotated in such manner that one (1) examiner shall retire each year and a successor be appointed to take his place.

Sec. 153. Vacancies. Any vacancy in the membership of the examining board caused by death, resignation, removal, or otherwise shall be filled for the period of the unexpired term in the same manner as original appointments.

Sec. 154. Compensation of examiners. Each member of the examining board shall receive ten dollars (\$10.00) a day for each day actually engaged in the discharge of his duties, including compensation for a reasonable number of days for the preparation of examination questions and the reading of papers in addition to the time actually spent in conducting examinations, but if any member of the examining board is in the full-time employ of the department he shall not receive any compensation as a member of such board other than his regular salary. Each member of the board shall also receive five cents (5¢) per mile for the number of miles actually traveled in the discharge of his duties.

Sec. 155. Appropriation. There is hereby annually appropriated out of any funds in the state treasury, not otherwise appropriated, a sum sufficient to pay the compensation and expenses of the members of the examining board.

Sec. 156. Supplies. The department of agriculture shall furnish the examining board with all articles and supplies required for the public use and necessary to enable said board to perform the duties imposed upon it by law. Such articles and supplies shall be obtained by the department in the same manner in which the regular supplies for the department are obtained, and the same shall be considered and accounted for as if obtained for the use of said department.

Sec. 157. Quarters. The executive council shall furnish the examining board with suitable quarters in which to conduct the examinations held by said board.

Sec. 158. Meetings - quorum. The board shall meet at least once a year, and oftener if necessary, at the capital, for the purpose of holding examinations. A majority shall constitute a quorum.

Sec. 159. Representation at national meetings. The department may designate one of the members of the examining board to attend either:

1. The annual meeting of the regular national association or society of the veterinary profession, or
2. The annual meeting of the national organization of state examining boards for such profession.

Sec. 160. Applications for examination. Any person desiring to take the examination for a license to practice veterinary medicine shall make application to the department of agriculture, on a form provided by the department, at least fifteen (15) days before the examination. Such application shall be accompanied by the license fee and such documents and affidavits as are necessary to show the eligibility of the candidate to take such examination. All applications shall be in accordance with the rules of the department and shall be signed and verified by the oath of the applicant.

Sec. 161. List of accredited colleges. The department of agriculture shall prepare and keep up to date a list of accredited colleges in which is taught the science of veterinary medicine, surgery, and dentistry.

Sec. 162. Data relative to professional schools. As a basis for such action on the part of the department the registrar of the state college of agriculture and mechanic arts and the dean of the division of veterinary medicine of said college shall supply such data relative to any veterinary school as the department may request.

Sec. 163. Transmittal of names of eligible candidates. Prior to each examination the department of agriculture shall transmit to the examining board the list of candidates who are eligible to take such examination. In making up such list, the department may call upon the examining board, or any member thereof, for information relative to the eligibility of any applicant.

Sec. 164. Rules relative to examinations. The examining board shall establish rules for:

1. The conducting of examinations.
2. The grading of examination and passing upon the technical qualifications of applicants, as shown by such examinations.

Sec. 165. Examinations in theory. All examinations shall be in writing, and the identity of the person taking the same shall not be disclosed upon the examination papers in such a way as to enable the members of the examining board to know by whom written until after the papers have been passed upon.

Sec. 166. Certification of successful applicants. Every examination shall be passed upon in accordance with the established rules of the examining board and shall be satisfactory to at least a majority of the members of said board. After each examination, the examining board shall certify the names of the successful applicants to the department of agriculture, in the manner prescribed by said department, which shall issue the proper license and make the required entry in the registry book.

Sec. 167. Preservation of records. All matters connected with each examination for license shall be filed with the department of agriculture and preserved for five (5) years as a part of the records of the department, during which time said records shall be open to public inspection.

Sec. 168. Reciprocal agreements. For the purpose of recognizing licenses to practice veterinary medicine which have been issued in other states, the department of agriculture, upon recommendation of the examining board, is authorized to establish reciprocal relations with the duly constituted and proper authorities of such other states.

Sec. 169. Reciprocal disabilities. When the laws of such other states or the rules of such authorities place any requirement or disability upon a person licensed under this chapter or on any person holding a diploma from the division of veterinary medicine of the college of agriculture and mechanic arts of this state which affects the rights of said persons to be licensed or to practice in said other states, then the same requirement or disability shall be placed upon any person licensed in said state or holding a diploma from any veterinary college situated therein, when applying for a license to practice in this state.

Sec. 170. Foreign licenses recognized. After reciprocal relations are entered into, the department may, in lieu of the examination herein provided for, issue a license to practice veterinary medicine, on the basis of a certificate of registration or license issued by the duly constituted and proper authorities of another state with which such reciprocal relations exist, provided such certificate of registration or license has been issued by such other state on requirements substantially equivalent to those required in this state at the time of the issuance of such certificate of registration or license.

Sec. 171. Termination of reciprocal agreements. When the requirements for a license in any state with which this state has a reciprocal agreement are changed by any law or rule of the authorities therein so that such requirements are no longer substantially as high as those existing in this state, then such agreement shall be deemed terminated and licenses issued in such state shall not be recognized as a basis for granting a license in this state until a new agreement has been negotiated. The fact of such change shall be determined by the examining board and certified to the department of agriculture for its guidance in enforcing the provisions of this section.

Sec. 172. Change of residence to another state. Any licensee who is desirous of changing his residence to another state or territory shall, upon application to the department of agriculture and payment of the legal fee, receive a certified statement that he is a duly licensed practitioner in this state.

Sec. 173. Grounds for revocation of license. A license to practice shall be revoked or suspended by the district court in the county in which the licensee resides when the licensee is found guilty of any of the following acts or offenses:

1. Fraud in procuring the license.
2. Incompetency in the practice of the profession.
3. Immoral, unprofessional, or dishonorable conduct.
4. Habitual intoxication or addiction to the use of drugs.
5. Conviction of an offense involving turpitude.
6. Fraud in representations as to skill or ability.
7. Use of untutful or improbable statements in advertisements.
8. Distribution of alcohol or drugs for any other than legitimate purposes.
9. Wilful or repeated violations of this title, the title on "Public Health", or the rules of the department of agriculture.

Sec. 174. Revocation proceedings. All the provisions of sections \_\_\_\_\_ to \_\_\_\_\_, inclusive, relative to the revocation of licenses to practice certain professions, in so far as applicable, shall govern all proceedings for the revocation of licenses issued under this chapter. (The code editor shall fill in the preceding blanks with the proper references when the permanent code is prepared for publication.)

Sec. 175. Secretary to direct bringing of action. The secretary of agriculture shall direct the attorney general to bring the necessary proceedings against any licensee for the revocation or suspension of his license upon his own motion or he may give such direction upon the sworn information of any resident of the state.

Sec. 176. Duty of attorney general and county attorney. The attorney general shall comply with such direction of the secretary of agriculture and prosecute such action on behalf of the state, but the county attorney, at the request of the attorney general, shall appear and prosecute such action when brought in his county.

Sec. 178. Forgeries in procuring licenses. Any person who shall file or attempt to file with the department of agriculture any false or forged diploma, or certificate or affidavit of identification or qualification, shall be guilty of forgery and punished accordingly.

Sec. 179. Fraud in procuring license - penalty. Any person who shall present to the department of agriculture a diploma or certificate of which he is not the rightful owner, for the purpose of procuring a license, or who shall falsely personate anyone to whom a license has been granted by said department, shall be punished as provided in the following section.

Sec. 180. Penalty. Any person who violates any provision of this chapter shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), or imprisoned in the county jail for a period of not exceeding thirty (30) days for each offense.

Sec. 181. Enforcement. The department of agriculture shall enforce the provisions of this chapter and for that purpose shall make necessary investigations relative thereto. Every licensee and member of the examining board shall furnish said department such evidence as he may have relative to any alleged violation which is being investigated.

Sec. 182. Duty of county attorney. The county attorney of the county in which any violation of this chapter occurs shall conduct the necessary prosecution for such violation.

Approved March 5, 1924.

#### CHAPTER 47

#### HOTELS, RESTAURANTS, AND FOOD ESTABLISHMENTS

H. F. 69

AN ACT to amend, revise, and codify chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-a (13-a), of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants.

Be It Enacted by the General Assembly of the State of Iowa:

That chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled Code of Iowa, and chapter thirteen-a (13-a), of title five (5) of the supplement to the compiled Code of Iowa, are amended, revised, and codified to read as follows:

#### CHAPTER 9

#### HOTELS, RESTAURANTS, AND FOOD ESTABLISHMENTS

Section 1. Definitions. For the purpose of this chapter:

1. "Hotel" shall mean any building or structure equipped, used, advertised as, or held out to the public to be an inn, hotel, or public lodging house or place where sleeping accommodations are furnished transient guests for hire, whether with or without meals.
2. "Guest room" shall mean office, parlor, dining room, kitchen, and sleeping apartment of a hotel, whether for transient or permanent guests.
3. "Sleeping apartment" shall mean bedroom or other sleeping quarters in a hotel.
4. "Restaurant" shall mean any building or structure equipped, used, advertised as, or held out to the public to be a restaurant, cafe, cafeteria, dining hall, lunch counter, lunch wagon, or other like place where food is served for pay, except hotels and such places as are used by churches, fraternal societies, and civic organizations which do not regularly engage in the serving of food as a business.
5. "Food" shall include any article used by man for food, drink, confectionary, or condiment, or which enters into the composition of the same, whether simple, blended, mixed, or compound.
6. "Food establishment" shall include any building, room, basement, or other place used as a bakery, confectionery, cannery, packinghouse, slaughterhouse, dairy, creamery, cheese factory, restaurant or hotel kitchen, retail grocery, meat market, or other place in which food is kept, produced, or distributed for commercial purposes.