CHAPTER 90

IOWA DRUG AND COSMETIC ACT

S. F. 339

AN ACT relating to drugs, devices, and cosmetics, and to prohibit the movement in commerce of adulterated, misbranded drugs, devices, and cosmetics, and to provide for the enforcement thereof, and penalties for violations of the provisions of the Act.

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

SECTION 1. This Act may be cited as the Iowa Drug and Cosmetic Act. The Legislative intent is hereby declared to be the enactment of a law which, in its essential provisions, shall be uniform with the Federal Drug and Cosmetic Act and the laws of those states which make similar enactments, and which, through the adoption of regulations conforming to those from time to time promulgated under the said federal Act, will maintain uniformity therewith and insure coordination of the enforcement hereof with that of the said federal Act.

SEC. 2. For the purpose of this Act—

1. The term "board" means the board of pharmacy examiners provided for in chapter one hundred forty-seven (147), Code 1946.

2. The term "person" includes individual, partnership, corporation, and association.

3. The term "drug" means (1) articles recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; and (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man; and (3) articles (other than food) intended to affect the structure or any function of the body of man; and (4) articles intended for use as a component of any articles specified in clause (1), (2), or (3); but does not include devices or their components, parts, or accessories.

4. The term "device" (except when used in paragraph ten of this section and section three paragraph seven, and section ten paragraph two, and section thirteen paragraph three* means instruments, apparatus and contrivances, including their components, parts and accessories, intended (1) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man; or (2) to affect the structure or any function of the body of man.

5. The term "cosmetic" means (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) articles intended for use as a component of any such articles, except that such term shall not include soap.

6. The term "official compendium" means the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, official National Formulary, or any supplement to any of them.

7. The term "label" means a display of written, printed or

*According to enrolled Act.

graphic matter upon the immediate container of any article; and a requirement made by or under authority of this Act that any word, statement, or other information appear on the label shall not be considered to be complied with unless such word, statement, or other information also appears on the outside container or wrapper, if any there be, of the retail package of such article, or is easily legible through the outside container or wrapper.

8. The term "immediate container" does not include package liners.

9. The term "labeling" means all labels and other written, printed, or graphic matter (1) upon an article or any of its containers or wrappers, or (2) accompanying such article.

10. If an article is alleged to be misbranded because the labeling is misleading, or if an advertisement is alleged to be false because it is misleading, then in determining whether the labeling or advertisement is misleading, there shall be taken into account (among other things,* not only representations made or suggested by statement, words, design, device, sound, or in any combination thereof, but also the extent to which the labeling or advertisement fails to reveal facts material in the light of such representations or material with respect to consequences which may result from the use of the article to which the labeling or advertisement relates under the conditions of use prescribed in the labeling or advertisement thereof or under such conditions of use as are customary or usual.

11. The term "advertisement" means all representations disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or which are likely to induce, directly or indirectly, the purchase of drugs, devices, or cosmetics.

12. The representation of a drug, in its labeling or advertisement, as an antiseptic shall be considered to be a representation that it is a germicide, except in the case of a drug purporting to be, or represented as, an antiseptic for inhibitory use as a wet dressing, ointment, dusting powder, or such other use as involved prolonged contact with the body.

13. The term "new drug" means (1) any drug the composition of which is such that such drug is not generally recognized among experts qualified by scientific training and experience to evaluate the safety of drugs, as safe for use under the conditions prescribed, recommended, or suggested in the labeling thereof; or (2) any drug the composition of which is such that such drug, as a result of investigations to determine its safety for use under such conditions, has become so recognized, but which has not otherwise than in such investigations, been used to a material extent or for a material time under such conditions.

14. The term "contaminated with filth" applies to any drug, device, or cosmetic not securely protected from dust, dirt, and as far as may be necessary by all reasonable means, from all foreign or injurious contaminations.

15. The provisions of this Act regarding the selling of drugs, devices, or cosmetics, shall be considered to include the manufacture,

*According to enrolled Act.

production, processing, packing, exposure, offer, possession, and holding of any such articles in the conduct of any drug, or cosmetic establishment.

16. The term "federal Act" means the Federal Food, Drug and Cosmetic Act (Title 21 U.S.C. 301 et seq; 52 Stat. 1040 et seq.)

SEC. 3. The following acts and the causing thereof within the State of Iowa are hereby prohibited:

1. The manufacture, sale, or delivery, holding or offering for sale of any drug, device, or cosmetic that is adulterated or misbranded.

2. The adulteration or misbranding of any drug, device, or cosmetic.

3. The receipt in commerce of any drug, device, or cosmetic that is adulterated or misbranded, and the delivery or proffered delivery thereof for pay or otherwise.

4. The sale, delivery for sale, holding for sale, or offering for sale of any article in violation of section eleven.

5. The dissemination of any false advertisement.

6. The refusal to permit entry or inspection, or to permit the taking of a sample, as authorized by section sixteen.

7. The giving of a guaranty or undertaking which guaranty or undertaking is false, except by a person who relied on a guaranty or undertaking to the same effect signed by, and containing the name and address of the person residing in the State of Iowa from whom he received in good faith the drug, device, or cosmetic.

8. The removal or disposal of a detained or embargoed article in violation of section six.

9. The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the labeling, of or the doing of any other act with respect to a drug, device, or cosmetic, if such act is done while such article is held for sale and results in such article being misbranded.

10. Forging, counterfeiting, simulating, or falsely representing, or without proper authority using any mark, stamp, tag, label, or other identification device authorized or required by regulations promulgated under the provisions of this Act.

11. The using, on the labeling of any drug or in any advertisement relating to such drug, of any representation or suggestion that an application with respect to such drug is effective under section eleven, or that such drug complies with the provisions of such section.

SEC. 4. In addition to the remedies hereinafter provided the board is hereby authorized to apply to the court for, and such court shall have jurisdiction upon hearing and for cause shown, to grant a temporary or permanent injunction restraining any person from violating any provisions of this Act; irrespective of whether or not there exists an adequate remedy at law.

SEC. 5. 1. Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than six months in the county jail or a fine of not more than five hundred dollars, or both

such imprisonment and fine; but if the violations* is committed after a conviction of such person under this section has become final, such person shall be subject to imprisonment for not more than one year in the county jail, or a fine of not more than one thousand dollars, or both such imprisonment and fine.

2. No person shall be subject to the penalties of subsection one of this section, for having violated provisions of this Act if he establishes a guaranty or undertaking signed by, and containing the name and address of the person residing in the State of Iowa from whom he received in good faith the article, to the effect that such article is not adulterated or misbranded within the meaning of this Act, designating this Act.

3. No publisher, radio-broadcast licensee, or agency or medium for the dissemination of an advertisement, except the manufacturer, packer, distributor, or seller of the article to which a false advertisement relates, shall be liable under this section by reason of the dissemination by him of such false advertisement, unless he has refused, on the request of the board to furnish the board the name and postoffice address of the manufacturer, packer, distributor. seller, or advertising agency, residing in the State of Iowa, who cause him to disseminate such advertisement.

SEC. 6. 1. Whenever a duly authorized agent of the board finds or has probable cause to believe, that any drug, device, or cosmetic is adulterated, or so misbranded as to be dangerous or fraudulent, within the meaning of this Act, he shall affix to such article a tag or other appropriate marking, giving notice that such article is, or is suspected of being adulterated or misbranded and has been detained or embargoed, and warning all persons not to remove or dispose of such article by sale or otherwise until permission for removal or disposal is given by such agent or the court. It shall be unlawful for any person to remove or dispose of such detained or embargoed article by sale or otherwise without such permission.

2. When an article detained or embargoed under subsection one has been found by such agent to be adulterated or misbranded, he shall petition the judge of the municipal, or district court in whose jurisdiction the article is detained or embargoed for a libel for condemnation of such article. When such agent has found that an article so detained or embargoed is not adulterated or misbranded, he shall remove the tag or other marking.

3. If the court finds that a detained or embargoed article is adulterated or misbranded, such article shall, after entry of the decree, be destroyed at the expense of the claimant thereof, under the supervision of such agent, and all court costs and fees, and storage and other proper expenses, shall be taxed against the claimant of such article or his agent; provided, that when the adulteration or misbranding can be corrected by proper labeling, or processing of the article, the court, after entry of the decree and after such costs, fees, and expenses have been paid and a good and sufficient bond, conditioned that such article shall be so labeled or processed, has

*According to enrolled Act.

been executed, may by order direct that such article be delivered to the claimant thereof for such labeling or processing under the supervision of an agent of the board. The expense of such supervision shall be paid by the claimant. Such bond shall be returned to the claimant of the article on representation to the court by the board that the article is no longer in violation of this Act, and that the expenses of such supervision have been paid.

SEC. 7. It shall be the duty of each attorney general, or county attorney to whom the board reports any violation of this Act, to cause appropriate proceedings to be instituted in the proper courts without delay and to be prosecuted in the manner required by law. Before any violation of this Act is reported to any such attorney for the institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given appropriate notice and an opportunity to present his views before the board or its designated agent, either orally or in writing, in person, or by attorney, with regard to such contemplated proceeding.

SEC. 8. Nothing in this Act shall be construed as requiring the board to report for the institution of proceedings under this Act, minor violations of this Act, whenever the board believes that the public interest will be adequately served in the circumstances by a suitable written notice or warning.

SEC. 9. A drug or device shall be deemed to be adulterated—

1. (1) If it consists in whole or in part of any filthy, putrid, or decomposed substance; or (2) if it has been produced, prepared, packed, or held under insanitary conditions whereby it may have been contaminated with filth, or whereby it may have been rendered injurious to health; or (3) if it is a drug and its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health; or (4) if it is a drug and it bears or contains, for the purposes of coloring only, a coal-tar color other than one from a batch certified under the authority of the federal Act.

2. If it purports to be or is represented as a drug the name of which is recognized in an official compendium, and its strength differs from, or its quality or purity falls below, the standard set forth in such compendium. Such determination as to strength, quality, or purity shall be made in accordance with the tests or methods of assay set forth in such compendium, or in the absence of or inadequacy of such tests or methods of assay, those prescribed under authority of the federal Act. No drug defined in an official compendium shall be deemed to be adulterated under this paragraph because it differs from the standard of strength, quality, or purity thereof set forth in such compendium if its difference in strength, quality, or purity from such standard is plainly stated on its label. Whenever a drug is recognized in both the United States Pharmacopoeia and the Homeopathic Pharmacopoeia of the United States it will be subject to the requirements of the United States Pharmacopoeia unless it is labeled and offered for sale as a homeopathic drug, in which case it shall be subject to the provisions of the Homeopathic Pharmaco-

poeia of the United States and not to those of the United States Pharmacopoeia.

3. If it is not subject to the provisions of paragraph two of this section and its strength differs from, or its purity or quality falls below, that which it purports or is represented to possess.

4. If it is a drug and any substance has been (1) mixed or packed therewith so as to reduce its quality or strength; or (2) substituted wholly or in part therefor.

SEC. 10. A drug or device shall be deemed to be misbranded—

1. If its labeling is false or misleading in any particular.

2. If in package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; provided, that under clause (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the board.

3. If any word, statement, or other information required by or under authority of this Act to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

4. If it is for use by man and contains any quantity of the narcotic or hypnotic substance alpha-eucaine, barbituric acid, beta-eucaine, bromal, cannabis, carbromal, chloral, coca, cocaine, codeine, heroin, marihuana, morphine, opium, paraldehyde, peyote, or sulphonmethane, or any chemical derivative of such substance, which derivative has been by the board after investigation, found to be, and by regulations under this Act, designated as, habit forming, unless its label bears the name and quantity or proportion of such substance or derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

5. If it is a drug and is not designated solely by a name recognized in an official compendium unless its label bears (1) the common or usual name of the drug, if such there be; and (2) in case it is fabricated from two or more ingredients, the common or usual name of each active ingredient, including the kind and quantity or proportion of any alcohol, and also including, whether active or not, the name and quantity or proportion of any bromides, ether, chloroform, acetanilid, acetphenetidin, amidopyrine, antipyrine, atropine, hyoscine, hyoscyamine, arsenic, digitalis and digitalis glycosides, mercury, ouabain, strophanthin, strychnine, thyroid, or any derivative or preparation of any such substances, contained therein: provided, that to the extent that compliance with the requirements of clause (2) of this paragraph is impracticable, exemptions shall be established by regulations promulgated by the board.

6. Unless its labeling bears (1) adequate directions for use; and (2) such adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or

against unsafe dosage or methods or duration of administration or application in such manner and form, as are necessary for the protection of users: provided that where any requirement of clause (1) of this paragraph, applied to any drug or device, is not necessary for the protection of the public health, the board shall promulgate regulations exempting such drug from such requirements.

7. If it purports to be a drug the name of which is recognized in an official compendium, unless it is packaged and labeled as prescribed therein; provided, that the method of packing may be modified with the consent of the board. Whenever a drug is recognized in both the United States Pharmacopoeia and Homeopathic Pharmacopoeia of the United States, it shall be subject to the requirements of the United States Pharmacopoeia with respect to packaging and labeling unless it is labeled and offered for sale as a homeopathic drug, in which case it shall be subject to the provisions of the Homeopathic Pharmacopoeia of the United States, and not to those of the United States Pharmacopoeia.

8. If it is found by the board to be a drug liable to deterioration, unless it is packaged in such form and manner, and its label bears a statement of such precautions, as the board shall by regulations require as necessary for the protection of public health. No such regulation shall be established for any drug recognized in an official compendium until the board shall have informed the appropriate body charged with the revision of such compendium of the need for such packaging or labeling requirements and such body shall have failed within a reasonable time to prescribe such requirements.

9. (1) If it is a drug and its container is so made, formed, or filled as to be misleading; or (2) if it is an imitation of another drug; or (3) if it is offered for sale under the name of another drug.

10. If it is dangerous to health when used in the dosage, or with the frequency or duration prescribed, recommended, or suggested in the labeling thereof.

11. If (1) it is a drug sold at retail and contains any quantity of aminopyrine, barbituric acid, pituitary, thyroid, or their derivatives, or (2) it is a drug or device sold at retail and its label bears a statement that it is to be dispensed or sold only by or on the prescription of a doctor, dentist or veterinarian; unless it is sold on a written prescription signed by a doctor, dentist or veterinarian who is licensed by law to administer such drug or device, and its label bears the name and place of business of the seller, the serial number and date of such prescription, and the name of the doctor, dentist or veterinarian.

12. A drug sold on a written prescription signed by a doctor, dentist or veterinarian (except a drug sold in the course of the conduct of a business of selling drugs pursuant to diagnosis by mail) shall be exempt from the requirements of this section if—

(1) such doctor, dentist or veterinarian is licensed by law to administer such drug, and

(2) such drug bears a label containing the name and place of business of the seller, the serial number and date of such prescription, and the name of the doctor, dentist or veterinarian.

13. If it is a drug for use by man and contains any quantity of the narcotic or hypnotic substance alpha-eucaine, barbituric acid, beta-eucaine, bromal, cannabis, carbromal, chloral, coca, cocaine, heroin, marihuana, morphine, opium, paraldehyde, peyote, or sulphonmethane, or any chemical derivative of such substances, or such substances as are dangerous and habit forming drugs which derivative or substances have been by the board after investigation found to be and by regulation under this Act designated as dangerous and habit forming drugs, and the sale or dispensation (except on written prescriptions to be filled by pharmacists) of said drugs, derivatives, or substances is made by doctors or dentists incident to their practice, unless the doctor or dentist keeps a dated record of the name, and address of the patient, and amount and name of the drugs, substances or derivatives sold and dispensed each time, and the said sale or dispensation has not been delegated to any person, nurse or attendant.

SEC. 11. 1. No person shall sell, deliver, offer for sale, have for sale or give away any new drug unless (1) an application with respect thereto has become effective under section 505 of the federal Act, or (2) when not subject to the federal act unless such drug has been tested and has not been found to be unsafe for use under the conditions prescribed, recommended, or suggested in the labeling thereof, and prior to selling or offering for sale such drug, there has been filed with the board an application setting forth (a) full reports of investigations which have been made to show whether or not such drug is safe for use; (b) a full list of the articles used as components of such drug; (c) a full statement of the composition of such drug; and (d) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug. The application shall be accompanied by such samples of such drug and of the articles used as components thereof as the board may require, specimens of the labeling proposed to be used for such drug, and a fee of fifty dollars.

2. An application provided for in subsection one part (2) shall become effective on the sixtieth day after the filing thereof, except that if the board finds after due notice to the applicant and giving him an opportunity for a hearing, that the drug is not safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof, it shall, prior to the effective date of the application, issue and order refusing to permit the application to become effective.

3. This section shall not apply—

(1) to a drug intended solely for investigational use by experts qualified by scientific training and experience to investigate the safety in drugs, provided the drug is plainly labeled "For investigational use only"; or

(2) to a drug sold in this State at any time prior to the enactment of this Act or introduced into interstate commerce at any time prior to the enactment of the federal Act; or

(3) to any drug which is licensed under the virus, serum and toxin Act of July 1, 1902 (U.S.C. 1934 ed. title 42, Chap. 4).

4. An order refusing to permit an application under this section to become effective may be revoked by the board.

SEC. 12. A cosmetic shall be deemed to be adulterated—

1. If it bears or contains any poisonous or deleterious substance which may render it injurious to users under the conditions of use prescribed in the labeling or advertisement thereof, or under such conditions of use as are customary or usual; provided, that this provision shall not apply to coal-tar hair dye, the label of which bears the following legend conspicuously displayed thereon: "Caution—This product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness," and the labeling of which bears adequate directions for such preliminary testing. For the purposes of this paragraph and paragraph five the term "hair dye" shall not include eyelash dyes or eyebrow dyes.

2. If it consists in whole or in part of any filthy, putrid, or decomposed substance.

3. If it has been produced, prepared, packed or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered unjurious* to health.

4. If its container is composed, in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

5. If it is not a hair dye and it bears or contains a coal-tar color other than one from a batch which has been certified under authority of the federal Act.

SEC. 13. A cosmetic shall be deemed to be misbranded—

1. If its labeling is false or misleading in any particular.

2. If in package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; provided, that under clause (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established by regulations prescribed by the board.

3. If any word, statement or other information required by or under authority of this Act, to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

4. If its container is so made, formed, or filled as to be misleading.

5. If it contains any poisonous or deleterious substance and is intended to be used in liquid, powdered or paste form and the label or container does not warn that the contents are dangerous to human life if taken internally.

*According to enrolled Act.

SEC. 14. 1. An advertisement of a drug, device, or cosmetic shall be deemed to be false if it is false or misleading in any particular.

2. For the purpose of this Act the advertisement of a drug or device representing it to have any effect in albuminuria, appendicitis, arteriosclerosis, blood poison, bone disease, Bright's disease, cancer, carbuncles, cholecytitis,* diabetis,* diphtheria, dropsy, erysipelas, gallstones, heart and vascular diseases, high blood pressure, mastoiditis, measles, meningitis, mumps, nephritis, otitis media, paralysis, pneumonia, poliomyelitis (infantile paralysis), prostate gland disorders, pyelitis, scarlet fever, sexual impotence, sinus infection, smallpox, tuberculosis, tumors, typhoid, uremia, venereal disease, shall also be deemed to be false, except that no advertisement not in violation of subsection one shall be deemed to be false under this subsection if it is disseminated only to doctors, dentists or veterinarians, or appears only in the scientific periodicals of these professions, or is disseminated only for the purpose of public-health education by persons not commercially interested, directly or indirectly, in the sale of such drugs or devices: provided, that whenever the board determines that an advance in medical science has made any type of self-medication safe as to any of the diseases named above, the board shall by regulation authorize the advertisement of drugs having curative or therapeutic effect for such disease, subject to such conditions and restrictions as the board may deem necessary in the interests of public health: provided, that this subsection shall not be construed as indicating that self-medication for disease other than those named herein is safe or efficacious.

SEC. 15. 1. The authority to promulgate regulations for the efficient enforcement of this Act is hereby vested in the board. The board is hereby authorized to make the regulations promulgated under this Act conform, insofar as practicable, with those promulgated under the federal Act.

2. Hearings authorized or required by this Act shall be conducted by the board or such officer, agent or employee as the board may designate for the purpose.

3. Before promulgating any regulations contemplated by section ten paragraphs two, four, five, six, seven, eight, eleven and thirteen, or section fourteen paragraph two, the board shall give appropriate notice of the proposal and of the time and place for a hearing. The regulation so promulgated shall become effective on a date fixed by the board (which date shall not be prior to thirty days after its promulgation). Such regulation may be amended or repealed in the same manner as is provided for its adoption, except that in the case of a regulation amending or repealing any such regulation the board, to such an extent as it deems necessary in order to prevent undue hardship, may disregard the foregoing provisions regarding notice, hearing or effective date.

SEC. 16. The board or its duly authorized agent shall have free access at all reasonable hours to any factory, warehouse, or establishment, in which drugs, devices, or cosmetics are manufactured,

*According to enrolled Act.

processed, packed, or held for introduction into commerce, or to enter any vehicle being used to transport or hold such drugs, devices, or cosmetics in commerce, for the purpose:

(1) of inspecting such factory, warehouse, establishment, or vehicle to determine if any of the provisions of this Act are being violated; and

(2) to secure samples of any drug, device, or cosmetic after paying or offering to pay for such sample. It shall be the duty of the board to make or cause to be made examinations of samples secured under the provisions of this section to determine whether or not any provision of this Act is being violated.

SEC. 17. 1. The board may cause to be published from time to time reports summarizing all judgments, decrees, and court orders which have been rendered under this Act, including the nature of the charge and the disposition thereof.

2. The board may also cause to be disseminated such information regarding drugs, devices, and cosmetics as the board deems necessary in the interest of the public health and the protection of the consumer against fraud. Nothing in this section shall be construed to prohibit the board from collecting, reporting, and illustrating the results of the investigations of the board.

SEC. 18. Any analysis of drugs, devices, or cosmetics deemed necessary by the board in the enforcement of this Act shall be made by the state chemist when requested by said board.

SEC. 19. The provisions of this act shall not apply to any person, firm or corporation subject to the federal food, drug and cosmetics act.

SEC. 20. If any provision of this Act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the Act and applicability thereof to other persons and circumstances shall not be affected thereby.

Approved May 5, 1949.

CHAPTER 91

ANTIFREEZE FOR MOTOR VEHICLES

S. F. 147

AN ACT relating to anti-freeze; to provide that no anti-freeze shall be sold, exposed for sale, or held with intent to sell within this state until inspected by the department of agriculture and found to comply with the provisions of this Act; to provide inspection fees and distribution of the same; to provide that the department shall be authorized to make rules and regulations; to prohibit certain matters in advertising; to define terms; to provide how this Act may be cited; and to provide penalties.

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

SECTION 1. As used in this act, unless the context or subject matter otherwise requires: (1) "Anti-freeze" shall include all sub-