

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

7 (1) of inspecting such factory, warehouse, establishment, or ve-
8 hicle to determine if any of the provisions of this Act are being
9 violated; and

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

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

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

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

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

1 SEC. 20. If any provision of this Act is declared unconstitutional
2 or the applicability thereof to any person or circumstance is held
3 invalid, the constitutionality of the remainder of the Act and appli-
4 cability thereof to other persons and circumstances shall not be
5 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:

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

3 stances and preparations intended for use as the cooling medium, or
4 to be added to the cooling liquid, in the cooling system of internal com-
5 bustion engines to prevent freezing of the cooling liquid or to lower its
6 freezing point; and (2) "person" shall include individuals, partner-
7 ships, corporations, companies and associations.

1 SEC. 2. An anti-freeze shall be deemed to be adulterated: (1) If
2 it consists in whole or in part of any substance which will render it
3 injurious to the cooling system of an internal combustion engine or
4 will make the operation of the engine dangerous to the user; or (2) if
5 its strength, quality, or purity falls below the standard of strength,
6 quality, or purity under which it is sold.

1 SEC. 3. An anti-freeze shall be deemed to be misbranded; (1) If
2 its labeling is false or misleading in any particular; or (2) if in pack-
3 age form it does not bear a label containing the name and place of busi-
4 ness of the manufacturer, packer, seller or distributor and an accurate
5 statement of the quantity of the contents in terms of weight or measure
6 on the outside of the package.

1 SEC. 4. Before any anti-freeze shall be sold, exposed for sale, or
2 held with intent to sell within this state, a sample thereof must be
3 inspected by the Department of Agriculture. Upon application of the
4 manufacturer, packer, seller or distributor and the payment of
5 a fee of twenty dollars (\$20.00) for each brand of anti-freeze sub-
6 mitted, the department shall inspect the anti-freeze submitted. If
7 the anti-freeze is not adulterated or misbranded, if it meets the stand-
8 ards of the department, and is not in violation of this act, the de-
9 partment shall give the applicant a written permit authorizing the sale
10 of such anti-freeze in this state until the formula or labeling of the
11 anti-freeze is changed in any manner.

12 If the department shall at a later date find that the product to be
13 sold, exposed for sale or held with intent to sell has been materially
14 altered or adulterated, a change has been made in the name, brand or
15 trade-mark under which the anti-freeze is sold, or it violates the
16 provisions of this act, the department shall notify the applicant and
17 the permit shall be cancelled forthwith.

1 SEC. 5. The Department of Agriculture shall enforce the provi-
2 sions of this act by inspections, chemical analysis, or any other ap-
3 propriate methods. All samples for inspection or analysis shall be
4 taken from stocks in the state or intended for sale in the state or
5 the department through its agents may call upon the manufacturer or
6 distributor applying for an inspection of an anti-freeze to supply
7 such samples thereof for analysis. The department, through its
8 agents, shall have free access by legal means during business hours
9 to all places of business, buildings, vehicles, cars and vessels used in
10 the manufacture, transportation, sale or storage of any anti-freeze,
11 and it may open by legal means any box, carton, parcel, or package,
12 containing or supposed to contain any anti-freeze and may take there-
13 from samples for analysis.

1 SEC. 6. The Department of Agriculture shall have authority to
2 promulgate such rules and regulations as are necessary to promptly
3 and effectively enforce the provisions of this act.

1 SEC. 7. The Department of Agriculture may furnish upon request
2 a list of the brands and trade-marks of anti-freeze inspected by the
3 department during the calendar year which have been found to be
4 in accord with this act.

1 SEC. 8. No advertising literature relating to any anti-freeze sold
2 or to be sold in this state shall contain any statement that the anti-
3 freeze advertised for sale has met the requirements of the department
4 of agriculture until such anti-freeze has been given the laboratory
5 test and inspection of the department, and found to meet all the
6 standard requirements and not to be in violation of this act. Then
7 such statement may be contained in any advertising literature where
8 such brand or trademark of anti-freeze is being advertised for sale,
9 and such statement may be used on all regular containers of such
10 anti-freeze.

1 SEC. 9. Whenever the Department of Agriculture shall discover
2 any anti-freeze is being sold or has been sold in violation of this act,
3 the facts shall be furnished to the Attorney General who shall insti-
4 tute proper proceedings.

1 SEC. 10. All fees provided for in this act shall be collected by the
2 Secretary of the Department of Agriculture and remitted to the state
3 treasury.

1 SEC. 11. If any person, partnership, corporation, or association
2 shall violate the provisions of this act, such person, partnership, cor-
3 poration or association shall be deemed guilty of a misdemeanor and,
4 upon conviction thereof, shall be punished according to the general
5 provisions of title ten (10), Code 1946, and the department may
6 after due hearing cancel registration.

1 SEC. 12. This act may be cited as the "Iowa Anti-Freeze Act."

1 SEC. 13. This Act being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Advocate-Republican, a newspaper published at Audubon, Iowa,
4 and The Guthrie Center Times, a newspaper published at Guthrie
5 Center, Iowa.

Approved March 22, 1949.

I hereby certify that the foregoing act was published in the Advocate-Republican,
April 7, 1949, and in The Guthrie Center Times, April 7, 1949.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 92

SOYBEANS

S. F. 28

AN ACT fixing the standard weight per bushel for soybeans.

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

1 SECTION 1. Section two hundred ten point ten (210.10), Code
2 1946, is amended by adding thereto the following:
3 "Soybeans60".

Approved April 7, 1949.