

A BILL

FOR AN ACT TO REPEAL CHAPTER 50 OF THE TWENTY-FOURTH GENERAL ASSEMBLY, AND PROVIDE A SUBSTITUTE THEREFOR, AND TO ENLARGE THE DUTIES AND POWERS OF THE STATE DAIRY COMMISSIONER AND PROVIDE AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SECTION 1. That chapter 50 of the Twenty-fourth General Assembly of 1892 is hereby
2 repealed, and the following is enacted in lieu thereof: For the purposes of this act,
3 milk which is proved by any reliable method or test, or analysis, to contain less than three
4 pounds of butter fat to the one hundred pounds of milk, shall be regarded as skim milk; and
5 cows more than eight months, and sows and ewes more than fourteen weeks pregnant, shall
6 be considered as advanced in pregnancy; and those that have given birth to young less than
7 ten days before time of slaughter, shall be considered as having recently given birth to young;
8 and furnishing milk to the public, no matter how delivered, from one or more cows, to be used
9 as food or drink, shall be deemed a dairy; and selling milk, meats, or meat products, to others
10 to be retailed in the ordinary course of business shall be deemed wholesaling.

SEC. 2. If any person or corporation shall sell or exchange, or expose for sale or exchange,
2 deliver, or bring to another for domestic use, or to be converted into any product of human
3 food whatsoever, any unclean, impure, unhealthy, adulterated or unwholesome milk, or milk
4 from which has been held back what is commonly known as strippings, or milk taken from an
5 animal having disease, sickness, ulcers, abscesses, or any running sore, or was taken from an
6 animal less than thirty days before or less than five days after parturition, or should sell, or
7 offer for sale, any diseased or unwholesome meats, or where the flesh of one specie of animal
8 has been substituted for that of another; or from animals in advanced stages of pregnancy, or
9 which have recently given birth to young, shall, upon conviction thereof, be fined not less than
10 \$25 nor more than \$100, and be liable in double the amount of damages to the person or per-
11 sons upon which such fraud shall be committed; provided that the provisions of this act shall
12 not apply to skimmed milk, when sold as such.

SEC. 3. It is hereby made the duty of the state dairy commissioner to enforce the pro-
2 visions of the foregoing sections.

SEC. 4. The state dairy commissioner shall, with the approval of the state board of health, after this act goes into effect, as soon as practicable, and biennially thereafter, on March first, appoint, in each city within the state having 5,000 or over inhabitants, a regularly graduated veterinarian, who shall act as local dairy and meat inspector for a period of two years, or until his successor has been lawfully appointed. Like inspectors may be likewise appointed in cities and towns having less than 5,000 inhabitants on the application of municipal authorities to the state dairy commissioner.

SEC. 5. It shall be the duty of said inspectors to personally inspect each dairy at least once a month, and examine into the sanitary condition of the barns, milk rooms and utensils, food and water supply, and make a critical examination of the health of each cow in dairy, and make the necessary milk tests. He shall also, personally and at frequent intervals, inspect and examine into the sanitary condition of each slaughter house, meat market, stall, shop, storeroom, warehouse, and their contents, in or about which any milk, meats, fish, oysters in bulk, birds or fowls are kept, held, or offered for sale as human food.

SEC. 6. It shall be the duty of said inspectors, upon discovering any un-sanitary condition of the barns, milk room, meat market, stall, shop, warehouses or storehouse, utensils or vehicles, used to store, draw or deliver any milk, meats, fish, fresh oysters, birds or fowls, to order same to be put into a sanitary condition within twenty-four hours, or as soon thereafter as practicable; or, should he discover any diseased, adulterated, unwholesome or impure milk, or any diseased or unwholesome meat, fish, fresh oysters, birds or fowls, he shall, at once, notify the person or persons in whose possession said articles are found to at once remove the same to such place as said inspector shall designate for its destruction as human food; or, should any inspector find any cow or cows at a dairy so diseased as to affect the milk, thereby rendering it unwholesome, he shall at once quarantine said animal or animals, as far as the use of the milk is concerned.

SEC. 7. Local inspectors shall receive, as full compensation for their services, salaries as follows:

In cities having from 5,000 to 10,000 inhabitants.....	\$ 480 per annum.
In cities having from 10,000 to 15,000 inhabitants.....	\$ 600 per annum.
In cities having from 15,000 to 25,000 inhabitants.....	\$ 900 per annum.
In cities having from 25,000 to 50,000 inhabitants.....	\$1,300 per annum.
In cities having from 50,000 to 75,000 inhabitants.....	\$1,500 per annum.

Payable monthly. And before entering upon the duties of his office each inspector shall, in addition to the oath of office, or affirmation, required by law, execute a bond to the state of Iowa in the penal sum of \$1,000 for every \$500, or fraction thereof, he shall receive in salary.

SEC. 8. Each person, firm or corporation conducting a dairy, milk depot, or meat market or stall, shall procure a permit from the state dairy commissioner, through the local inspector,

3 and shall pay such inspection fee as hereinafter prescribed. A dairy inspection fee shall be
4 fifty cents per head for each cow used in said dairy. Milk depot, wholesaling, \$10; and for
5 retailing, \$5. Each meat market wholesaling or jobbing meats shall pay an inspection fee of
6 \$50; and each retailer of meats shall pay a license fee of \$25.

7 Each milk permit shall terminate, on May 31st of each year, and meat market permits
8 shall terminate on September 30th.

9 All fees collected by the local inspector shall be turned over to the state dairy commis-
10 sioner and by him to the state treasurer.

SEC. 9. Any person or persons who shall violate, disobey, omit, neglect, or refuse to com-
2 ply with, or who resists any of the provisions of this act, or who omits, neglects, or refuses to
3 comply with the orders of said inspector, or who resists said inspector in carrying out any
4 of the requirements of this act, shall, upon conviction thereof, be fined not less than \$25 nor
5 more than \$200, or be imprisoned not less than thirty nor more than one hundred and twenty
6 days, or both, at the discretion of the court.

7 Any person or firm convicted of violating any of the provisions of this act shall, in addi-
8 tion to the prescribed fine, forfeit their license for the current term.

SEC. 10. The state dairy commissioner, with the concurrence of the state board of health,
2 is hereby authorized to make rules and regulations for the enforcement and carrying out of
3 the purposes and intents of this act.

SEC. 11. There is hereby appropriated, out of any of the state funds not otherwise appro-
2 priated, the sum of \$50,000 for the carrying out of this act for the next biennial period,
3 provided, not more than one-half of the same shall be used before March 31, 1897.