

On Calendar.

Senate File No. 111.

November 28, 1933.

By COMMITTEE ON AGRICULTURE.

*✓ Livestock
✓ Agriculture
✓ Stock remedies*

A BILL FOR

An Act to define Live Stock Remedies, provide for their registration and require an inspection fee; to amend sections thirty-one hundred thirteen (3113) and thirty-one hundred fifteen (3115), Code, 1931, and to repeal section thirty-one hundred nineteen (3119) Code, 1931.

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

1 Section 1. The term "live stock remedy" shall be held
2 to include all codimental feeds, medicated stock foods,
3 medicinal stock foods, stock-food tonics, stock powders,
4 condition powders, conditioners, animal regulators,
5 proprietary medicines, or any preparations of like nature
6 in either solid or liquid form used for any animal except
7 man, and administered internally for their stimulating,
8 invigorating, curative, or similar powers.

1 Sec. 2. Before any manufacturer, importer, jobber,
2 firm, association, corporation or person shall sell, offer
3 or expose for sale, or distribute, or take orders for, or
4 contract for the sale or distribution in Iowa of any live
5 stock remedy, such manufacturer, importer, jobber, firm,
6 association, corporation or person shall file with the
7 secretary of agriculture a registration, sworn to before a
8 Notary Public, which registration shall state the name of
9 the live stock remedy he desires to sell in Iowa, the English
10 name of each drug present, the actual per cent of any
11 mineral acids, the elements or salts of copper, arsenic,

12 mercury, antimony, and santonica. Also that when common
13 salt, charcoal, humus, water or any inert material are used
14 the actual per cent must be stated. The application for
15 registration must be accompanied by a label and a copy of
16 such advertising as is proposed for the live stock remedy
17 for which registration is applied.

1 **Sec. 3.** If such application, label and advertising
2 appear to meet the requirements of, and to be not in violation
3 of any provision of this act, the secretary of agriculture
4 shall cause such live stock remedy to be registered, and a
5 certificate of registration to be issued to such applicant.
6 Such certificate of registration shall not be held to imply
7 any recommendation or approval of the remedy so registered.
8 There shall be furnished by the applicant for such registration,
9 when the secretary of agriculture or his authorized agent
10 shall so request, a sealed package of such live stock remedy,
11 with the label and advertising matter pertaining thereto, and
12 an affidavit that the said sample is representative and a true
13 sample of such live stock remedy.

1 **Sec. 4.** Every sack, box, carton, bottle or other package
2 of live stock remedy sold, offered or exposed for sale, or
3 distributed within this state shall have a label affixed thereto
4 in a conspicuous place on the outside thereof bearing a
5 legible and plainly printed statement in the English language
6 clearly and truly certifying:

7 First, the name and principal address of the manufacturer

8 or person responsible for placing such live stock remedy on
9 the market;

10 Second, the name, brand, or trade-mark under which the
11 live stock remedy is sold;

12 Third, the minimum net contents of the sack, box, carton,
13 bottle or other package; and

14 Fourth, the English name of each ingredient used in the
15 manufacture of the livestock remedy contained therein and
16 the per cent of certain other ingredients, according to the
17 manner required in the certificate as provided in section 2.

18 The United State pharmacopoeia shall be the authority as to
19 terms or standards.

1 Sec. 5. Each and every manufacturer, importer, jobber,
2 firm, association, corporation, or person manufacturing,
3 selling or distributing any live stock remedy as defined in
4 section one of this act shall pay to the secretary of agriculture
5 an annual inspection fee of \$6.00 for each live stock remedy
6 he desires to sell in Iowa. All registrations shall expire
7 on July 15th of each year.

1 Sec. 6. The secretary of agriculture, or his authorized
2 agent, shall have free access to all places of business, mills,
3 factories, buildings, vehicles, cars, vessels and parcels of
4 whatsoever kind used in the manufacture, transportation,
5 importation, sale or storage of any live stock remedy and shall
6 have the power and authority to open any parcel containing, or
7 supposed to contain, any live stock remedy, and take therefrom

8 a representative sample for analysis. He shall tender therefor
9 the retail price of the sample, or samples, procured.

1 Sec. 7. The secretary of agriculture shall have power
2 to refuse to register any live stock remedy under a name,
3 brand or trademark which would be misleading or deceptive,
4 or which would tend to mislead or deceive as to the materials
5 of which it is composed, or when the package, label or the
6 advertising thereof shall bear or contain any statement,
7 design or device regarding the curative or therapeutic action
8 thereof which is false or misleading, or when the English
9 name of each ingredient used in its manufacture with the
10 percentages as required by section two of this act is not
11 stated. He shall also have the power to refuse to register
12 more than one live stock remedy under the same name or brand
13 when offered by the same manufacturer, importer, jobber,
14 firm, association, corporation or person. Should it be
15 established to the satisfaction of the secretary of agriculture
16 that any brand or brands of live stock remedy have been
17 registered in error, or that any false or misleading statement,
18 design or device are on, or contained in the package, label
19 or advertising thereof, or have been sold in violation of
20 any of the provisions of this act, the secretary of agriculture
21 shall have power to cancel the registration of such brand or
22 brands of live stock remedy.

1 Sec. 8. The secretary of agriculture is hereby empowered
2 to enforce the provisions of this act, to prescribe and

3 enforce such rules and regulations relating to the sale of
4 live stock remedies as he may deem necessary to carry into
5 effect the full intent and meaning of this act.

1 Sec. 9. It shall be deemed a violation of this act for
2 any manufacturer, importer, jobber, firm, association,
3 corporation or person to sell, offer or expose for sale, or
4 distribute, or to take or receive any order for, or to
5 directly or indirectly contract for the sale of any live stock
6 remedy which has not been registered as herein provided for,
7 or which when delivered in Iowa by common carrier or otherwise,
8 is without the labels required by the provisions of this act,
9 or when the container or label thereof or the advertising
10 matter pertaining thereto bears or contains any false or
11 misleading statement, design or device regarding the curative
12 or therapeutic effects of such live stock remedy, or of any
13 of the ingredients or substances contained therein, or to
14 fail to state or to falsely state in the application, or on
15 the label the English name of each and every ingredient used
16 in its manufacture, with the percentages as required by section
17 two of this act, or to impede, obstruct, hinder or otherwise
18 prevent, or attempt to prevent, said secretary of agriculture
19 or his authorized agent in the performance of his duty in
20 connections with the provisions of this act.

1 Sec. 10. Any manufacturer, importer, jobber, firm,
2 association, corporation or person, who shall violate any
3 provision, or fail or neglect to comply with any requirement

4 of this act shall be deemed guilty of a misdemeanor, and upon
5 conviction thereof shall be punished by a fine of not more than
6 \$100 for each offense.

1 Sec. 11. Should it be decided upon final judicial
2 hearing that any section or clause of this act is invalid
3 such decision shall only apply to the section or clause
4 so found to be invalid and shall not invalidate the entire
5 act.

1 Sec. 12. Section thirty-one hundred thirteen (3113),
2 Code, 1931, is amended by striking therefrom paragraph two (2).

1 Sec. 13. Section thirty-one hundred fifteen (3115)
2 Code, 1931, is amended by striking therefrom the first
3 paragraph.

1 Sec. 14. Section thirty-one hundred nineteen (3119)
2 Code, 1931, is hereby repealed.