

1 SEC. 9. The provisions of this Act are hereby made a part of
 2 Title 10, Code 1950. It shall be the duty of the secretary of agricul-
 3 ture and his agents to enforce this chapter and of the county attor-
 4 neys and of the attorney general of the state to co-operate with him in
 5 the enforcement of this chapter.

1 SEC. 10. Penalty. Any person violating any provision of section
 2 one hundred ninety-one point three (191.3) of the Code shall upon
 3 conviction or plea of guilty be punished, for the first offense by a fine
 4 of one hundred (100) dollars; for the second offense by a fine of
 5 three hundred (300) dollars; for the third offense by a fine of five
 6 hundred (500) dollars and the suspension for one year of all licenses
 7 issued by the state of Iowa for the public eating place in which said
 8 violation occurred.

1 SEC. 11. If any of the provisions of this Act shall be held invalid
 2 or unconstitutional, such invalidity or unconstitutionality shall not
 3 affect other provisions of this Act, and to these ends the provisions.
 4 of this Act are declared to be severable.

Approved April 15, 1953.

CHAPTER 98

MANUFACTURE OF OLEOMARGARINE

H. F. 513

AN ACT to amend Senate File 2, Acts of the Fifty-fifth General Assembly, relating to the manufacture and sale of oleo, oleomargarine or margarine.

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

1 SECTION 1. Amend Senate File 2, Acts of the Fifty-fifth General
 2 Assembly as follows: In section three (3), line forty-seven (47), insert
 3 after the word "Iowa" the words "for sale in Iowa"; by striking in
 4 lines forty-seven (47) and forty-eight (48) the words "except that"
 5 and inserting in lieu thereof the word "and"; and by inserting after
 6 the word "stored" in line forty-eight (48) the words "in Iowa".

Approved April 22, 1953.

*References are to lines in the enrolled Act. See line 44 of section 3, chapter 97.

CHAPTER 99

ICE MILK

S. F. 30

AN ACT to amend section one hundred ninety point one (190.1), Code 1950, relating to the regulation of the manufacture and sale of ice milk.

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

1 SECTION 1. Section one hundred ninety point one (190.1), Code
 2 1950, is amended by striking all of subsection thirty-six (36) thereof.

1 SEC. 2. Section one hundred ninety point one (190.1), Code 1950,
2 is amended by adding the following:

3 "*Ice milk.* Ice milk is a pure, clean frozen or semifrozen product
4 made from a combination of milk products and one or more of the
5 following ingredients: Sugar, dextrose, glucose, corn syrup in liquid
6 or dry form, with harmless flavoring or coloring or both, either nat-
7 ural or artificial, and with or without wholesome stabilizer; and in the
8 manufacture of which freezing has been accompanied by agitation of
9 the ingredients. It contains not more than one-half of one percent
10 (0.5%) by weight of wholesome stabilizer, and shall contain not less
11 than three and one-fourth percent (3.25%) and not more than six
12 percent (6%) by weight of milk fat; and not less than eleven percent
13 (11%) by weight of total milk solids. In no case shall any ice milk
14 contain less than one and three-tenths (1.3) pounds of total food sol-
15 ids per gallon or weigh less than four and five-tenths (4.5) pounds
16 per gallon. It shall not contain fats other than milk fat. Every par-
17 ticle of mix shall be pasteurized at temperature of not less than one
18 hundred fifty-five (155) degrees F. for not less than thirty (30) min-
19 utes or to a temperature of not less than one hundred seventy-five
20 (175) degrees F. for not less than twenty-five (25) seconds in ap-
21 proved and properly operated equipment. Provided, that nothing con-
22 tained in this definition shall be construed as barring any other proc-
23 ess which has been demonstrated to be equally efficient and is approved
24 by the state department of agriculture. It shall contain not more than
25 fifty thousand (50,000) bacteria per c.c. in the manufacturer's package.

26 "Ice milk sold at retail in the manufacturer's package or wrapper
27 shall be labeled on a contrasting background in plain legible eight
28 point type with the words, 'Ice Milk', provided that: When flavored ex-
29 clusively with fruit it shall be labeled, 'Fruit Ice Milk', preceded by the
30 name of the fruit. When flavored with fruit and fruit juice, or with
31 fruit juice, it shall be labeled, 'Ice Milk', preceded by the name of the
32 fruit. When bearing the name of a fruit or nut flavor but flavored
33 with artificial flavor, it shall be labeled, 'Ice Milk', preceded by the name
34 of the nut or fruit and followed by the words 'artificially flavored' in
35 the same size type. When flavored with cocoa or chocolate, or cocoa
36 and chocolate syrup, maple syrup, or confections, it shall be labeled,
37 'Ice Milk', preceded by the name of the product imparting the flavor.

38 "Notwithstanding any other labeling provision of the Code, ice milk
39 of any flavor may be dispensed into and sold at retail in edible con-
40 tainers subject to the single labeling requirement that such edible con-
41 tainer shall have embossed on the outside thereof the words, 'Ice Milk',
42 in letters not less than five-sixteenths (5/16) of an inch high.

43 "Notwithstanding any other labeling provision of the Code, ice milk
44 of any flavor may be dispensed into and sold at retail as a part of
45 malted milks and milk shakes, subject only to the labeling requirement
46 that the sales container, package or wrapper be labeled on a contrast-
47 ing background in plain legible eight point type with the words, 'Ice
48 Milk'.

49 "Ice milk shall not be dispensed and sold at retail in any form or
50 manner other than as provided herein, unless it is neither flavored
51 with any of the optional ingredients listed herein, nor colored.

52 "A sign shall be posted in every retail establishment where ice milk
53 is sold, on a white card not less than twelve (12) by twenty-two (22)

54 inches in dimensions with letters not less than three (3) inches in
55 height and two (2) inches in width containing the words, 'Ice Milk
56 Sold Here'; such a sign shall at all times be within plain view of, and at
57 an easily readable distance from the customer.

58 "The provisions of section one hundred eighty-nine point eleven
59 (189.11) of the Code shall not be applicable to ice milk.

60 "*Sub-standard frozen dessert.* The minimum standard for sub-
61 standard frozen dessert shall be the same as that of ice milk, except
62 that the milk fat content thereof shall be more than six percent (6%)
63 and less than ten percent (10%).

64 "Sub-standard frozen dessert shall be sold only in the manufactur-
65 er's package or wrapper and shall be labeled on a contrasting back-
66 ground in plain legible eight point type with the words, 'Sub-standard
67 Frozen Dessert'.

68 "The posting provisions as to ice milk shall apply in the case of
69 sub-standard frozen dessert, except that the sign to be posted shall
70 contain the words, 'Sub-standard Frozen Dessert Sold Here'.

71 "*Low fat content ice milk.* The minimum standard for low fat con-
72 tent ice milk shall be the same as that of ice milk, except that the
73 milk fat content thereof shall be less than three point two five per-
74 cent (3.25%).

75 "Low fat content ice milk shall be sold only in the manufacturer's
76 package or wrapper and shall be labeled on a contrasting background
77 in plain legible eight point type with the words, 'Low Fat Content
78 Ice Milk'.

79 "The posting provisions as to ice milk shall apply in the case of
80 low fat content ice milk, except that the sign to be posted shall con-
81 tain the words, 'Low Fat Content Ice Milk Sold Here'."

Approved March 26, 1953.

CHAPTER 100

BUTTERFAT CONTENT OF MILK

S. F. 43

AN ACT to prescribe the minimum butterfat content of milk.

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

- 1 SECTION 1. Section one hundred ninety point one (190.1), subsec-
- 2 tion thirty-nine (39), Code 1950, is hereby amended by inserting in
- 3 line three (3) following the word "three" the words "and twenty-five
- 4 hundredths".

Approved April 29, 1953.