

3 word "But" in line ten (10) and inserting in lieu thereof the follow-  
 4 ing: "A test for the purpose of determining the amount and nature  
 5 of extraneous matter in milk or cream shall always be made by the  
 6 grader on the first purchase of milk or cream from a customer. At  
 7 least two (2) tests for extraneous matter shall be made each month on  
 8 the milk or cream sold by each customer."

1 SEC. 6. Section one hundred ninety-five point fourteen (195.14),  
 2 Code 1954, is repealed and the following enacted in lieu thereof:

3 "The secretary of agriculture shall determine and promulgate the  
 4 standards and methods of testing milk or cream for extraneous mat-  
 5 ter. These standards and methods shall be no less than the minimum  
 6 requirements of the United States public health service standards."

1 SEC. 7. Section one hundred ninety-five point twenty-two (195.22),  
 2 Code 1954, is repealed and the following enacted in lieu thereof:

3 "Every vehicle used to transport milk or cream from producers to  
 4 any dairy plant shall be maintained in a sanitary condition. Every  
 5 vehicle so used shall be enclosed to protect the milk or cream from  
 6 extreme heat or cold and from dust or other contamination; provided  
 7 however, that this provision shall not be applied to producers deliv-  
 8 ering their own milk or cream when such milk or cream is otherwise  
 9 protected from extreme heat or cold and from dust or other contam-  
 10 ination."

Approved April 21, 1955.

## CHAPTER 114

### EGGS

S. F. 83

AN ACT to repeal chapter one hundred ninety-six (196), Code 1954, and to enact a substitute therefor, relating to the regulation of the business of buying, selling, receiving, or dealing in eggs.

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

1 Chapter one hundred ninety-six (196), Code 1954, is hereby re-  
 2 pealed and the following enacted in lieu thereof:

1 SECTION 1. **Title.** This act may be cited as the egg candling and  
 2 grading law.

1 SEC. 2. **Enforcement.** The secretary of agriculture shall enforce  
 2 the provisions hereof, and to this end may adopt such rules and regu-  
 3 lations, not inconsistent herewith, as may appear necessary.

1 SEC. 3. **Definitions.** For the purposes of this chapter:

2 "Department" means the department of agriculture.

3 "Secretary" means the secretary of agriculture.

4 "Person" includes individuals, partnerships, corporations, and asso-  
 5 ciations.

6 "Retailer" means a person who sells eggs direct to consumers.

7 "Dealer" means a person who buys, sells, handles, and merchan-  
 8 dises eggs.

9 "Processor" means a person who stores or converts shell eggs to  
10 liquid, frozen or dried form.

11 "Eggs unfit for human food" means any egg deemed unfit for human  
12 food as defined by the United States standards and grades of eggs.

1 SEC. 4. License. Every person engaged in the business of buying,  
2 selling, receiving, or dealing in eggs shall obtain a license.

1 SEC. 5. Producers and hatcheries exempted. Producers who sell  
2 only eggs produced exclusively by their own flocks, and sold direct to  
3 consumers, shall not be required to procure a license.

4 Hatcheries shall obtain a license for eggs purchased over and above  
5 the eggs used for hatching purposes. Eggs to be used for hatching  
6 are exempt from the candling and grading provisions of this Act. All  
7 cases of eggs shall be properly labeled and clearly identified in such  
8 manner as the department of agriculture may prescribe.

1 SEC. 6. Fee. The annual license fee for retailers shall be two  
2 dollars (\$2.00). The annual license fee for dealers and processors  
3 shall be determined on the basis of cases of eggs purchased or handled,  
4 and shall be computed on the number of cases purchased or handled  
5 during the month of April of each year, providing that if said dealer  
6 or processor is not operating during the month of April, the depart-  
7 ment shall estimate the volume of purchases or volume handled, and  
8 may revise the fee after three (3) months of operation. For the  
9 purpose of determining fees, a case shall be one of thirty (30) dozen  
10 capacity.

11 The schedule of fees for dealers and processors shall be as follows:  
12 Less than one hundred twenty-five (125) cases—twelve dollars fifty  
13 cents (\$12.50).

14 More than one hundred twenty-five (125) cases and less than two  
15 hundred fifty (250) cases—twenty-five dollars (\$25.00).

16 More than two hundred fifty (250) cases and less than one thousand  
17 (1,000) cases—thirty-seven dollars fifty cents (\$37.50).

18 More than one thousand (1,000) cases—fifty dollars (\$50.00). Each  
19 license shall expire on April 1 after the date of issue.

1 SEC. 7. Candler's license. All candlers and graders of eggs shall  
2 obtain a license from the department of agriculture. The license fee  
3 for each candler and grader shall be two dollars (\$2.00) per annum.  
4 Before such license is issued, each individual candler and grader shall  
5 demonstrate to the satisfaction of the department his capability as  
6 a candler and grader.

1 SEC. 8. Temporary candlers and graders. With the approval of  
2 the department, candlers and graders may for valid reasons be appoint-  
3 ed for a period not to exceed fourteen (14) days pending licensing by  
4 the department, provided that during this period the employer of said  
5 temporary candler and grader shall be responsible for his work while  
6 acting in the capacity of candler and grader.

1 SEC. 9. Retailers exempted. Retailers who buy direct from deal-  
2 ers licensed under this chapter, and who do not sell in lots greater than  
3 one (1) case, thirty (30) dozen capacity, shall not be required to  
4 furnish bond.

1 SEC. 10. Sale of eggs unfit for human food. No person shall sell,

2 offer or expose for sale, or have in his possession for sale any eggs\*  
3 unfit for human food unless the same is denatured so that it cannot be  
4 used for human food.

1 SEC. 11. **Candling.** The term "candling" as used in this chapter  
2 shall mean the careful examination of the whole egg. The apparatus  
3 and method employed shall be approved by the department.

1 SEC. 12. **Candling and grading required.** Every person buying  
2 eggs from producers for resale shall candle and grade all eggs ac-  
3 cording to the United States standards for quality for individual eggs,  
4 or cause to be candled and graded within the state of Iowa or within  
5 fifty (50) miles outside the state boundary, all eggs offered to him,  
6 and shall refuse to buy all eggs unfit for human food. Such candling  
7 and grading shall be done in the presence of the producer if requested.

1 SEC. 13. **Candling and grading room.** Before a license is issued  
2 to an establishment candling eggs, the department shall make a care-  
3 ful survey of the premises and determined\* that the dealer has proper  
4 facilities for candling and grading.

1 SEC. 14. **Grades.** All eggs for resale or retail must be candled,  
2 graded and labeled, and no eggs shall be sold as "ungraded", "nest  
3 run", "current receipts", or any other name which might be mislead-  
4 ing. Maximum tolerance of twenty per cent (20%) may be allowed  
5 in grading.

6 All eggs sold at retail must be no lower than United States depart-  
7 ment of agriculture consumer grade "B". The secretary is authorized  
8 to establish standards of grade requirements which must comply with  
9 the minimum standards as established by the United States depart-  
10 ment of agriculture as consumer grades. All eggs offered for sale at  
11 retail must be held at a temperature not to exceed sixty (60) degrees  
12 Fahrenheit.

1 SEC. 15. **Records required.** Producer's eggs must not lose their  
2 identity until candled and graded. The person candling the eggs for  
3 the first licensed buyer is required to keep such records as may be  
4 required by the department for a period of six (6) months, which  
5 records shall be furnished to the first licensed buyer and one copy to  
6 the producer.

7 The first licensed buyer shall also keep and maintain such records  
8 as are required by the secretary for a period of six (6) months.

1 SEC. 16. **Certificate.** There shall be placed on the top layer of each  
2 case of candled and graded eggs a certificate showing date of candling  
3 and grading, grade, the name or names of persons doing the candling  
4 and grading, the name of the state, and the license number of the  
5 person for whom the eggs are candled and graded, which certificate  
6 shall be printed on sheets not smaller than three and three-eighths\*  
7 ( $3\frac{3}{8}$ ) by four and one-fourth ( $4\frac{1}{4}$ ) inches, or a proper label or identi-  
8 fication of the owner or shipper on the case that would properly iden-  
9 tify the grade of eggs.

1 SEC. 17. **Deduction to be determined by candling.** No person shall,  
2 in buying or selling eggs, take or give a greater or less deduction for

\*According to enrolled Act.

3 eggs rejected as unfit for food than the actual loss which has been  
4 determined by the careful examination of the same.

1 SEC. 18. Penalty. Any person found guilty of any violation of  
2 this Act shall, upon conviction for the first offense, be fined twenty-  
3 five dollars (\$25.00); for the second offense, he shall be fined one  
4 hundred dollars (\$100.00); and for the third and subsequent offenses,  
5 he shall be fined two hundred dollars (\$200.00). In addition to such  
6 fines, the court for the second offense shall suspend his license for  
7 thirty (30) days; and for the third and any subsequent offense, such  
8 person's license shall be revoked for a period of one year.

1 SEC. 19. The provisions of section one hundred eighty-nine point  
2 twenty-six (189.26), Code 1954, shall not apply to eggs.

1 SEC. 20. Every vehicle used to transport eggs from a producer  
2 to any dealer or processing plant shall be maintained in sanitary  
3 condition and shall be enclosed to protect eggs from extreme heat or  
4 cold; provided, however this provision shall not be applied to producers  
5 delivering their own eggs.

1 SEC. 21. 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 of  
4 this Act are declared to be severable.

Approved May 24, 1955.

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CHAPTER 115  
COMMERCIAL FEED  
H. F. 110

AN ACT to repeal section one hundred ninety-eight point four (198.4), Code 1954, and to enact a substitute therefor, relating to the manufacture of commercial feed containing noxious weed seed.

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

1 SECTION 1. Section one hundred ninety-eight point four (198.4),  
2 Code 1954, is hereby repealed and the following enacted in lieu thereof:  
3 "Screenings and inert matter containing noxious weed seed shall not  
4 be used as an ingredient in the manufacture of commercial feed. Any  
5 grain or forage containing noxious weed seed shall not be used as an  
6 ingredient in the manufacture of commercial feed unless the feed is so  
7 finely ground or otherwise treated so that the weed seed will not ger-  
8minate and any commercial feed containing viable noxious weed seed  
9 shall be prohibited from sale."

Approved April 12, 1955.