

S. F. No. 201.

CHAPTER 158.

An act to provide for the better enforcement of the laws forbidding, regulating and punishing the sale and use of commodities designed for human consumption which are deleterious to health and not true in name.

Be it enacted by the Legislature of the State of Minnesota:

Enforcement
of laws re-
lating to
sale of
foods, etc.

SECTION 1. For the proper enforcement of the laws of this state, already or hereafter enacted, which may be designed to prevent, regulate or punish the sale or use of commodities for human consumption which are deleterious to health and not true in name, the dairy and food commissioner, by himself, or employes of his department in addition to having the authority and powers otherwise conferred by law is authorized and empowered to have and take access to any and all railroad cars of every sort or nature transported or being within this state, all railroad stations, storage houses, warehouses or express offices, or other places wherein there may at any time be commodities shipped within this state from without designed for human consumption whether such commodities have been sold or given away without the state, *provided* such sale or gift was or is with the intent that such commodities be delivered, had or used within the state, and the dairy and food commissioner by himself or the employes of his department shall have the same power and authority to open any package, can or vessel, so shipped within this state from without, which contains or which he has reason to believe contains any such commodity to inspect the contents thereof and to take samples therefrom for analysis, all after the same manner and with the same procedure as obtains by law in reference to similar commodities manufactured, sold or exposed for sale within the state. If it shall appear that any such commodity or commodities so shipped within this state from without is of a character or composition, the manufacture, sale or exposing for sale of which within the state is forbidden by any laws then in force as deleterious to health and not true in name, the dairy and food commissioner shall have the same rights and remedies, and shall enforce such rights and remedies against such commodity or commodities in the same manner as in the cases of similar commodities when manufactured, sold or exposed for sale within the state. On receiving

Power given
to dairy and
food com-
missioner.

notice from the commissioner, or any authorized employe of his department that he desires to inspect the contents of any such package, can or vessel, containing, as he believes, any such commodity, it shall be the duty of any common carrier, or warehouseman or their employes, or other person having the same in his possession, or under his control to withhold the same from delivery within this state such time as may be reasonably necessary for the inspection and analysis thereof. It is further made the duty of all common carriers and warehousemen and employes thereof to render the commissioner and his employes all the assistance in their power when so required to effectuate the purpose of this act. In case such inspection or analysis of any such commodity shall disclose therein ingredients deleterious to health and not true in name, as defined by any law of this state, such common carrier or warehousemen, or employes thereof, shall on demand disclose to the commissioner the names and addresses of the consignor and consignee of the package, can or vessel containing the same and the commissioner shall, before proceeding further, as against such commodity, notify such consignor and consignee in writing at their respective addresses as so disclosed of the results of such inspection and analysis. Any failure on the part of any common carrier, warehouseman, storage man, or employe thereof, to do or observe the provisions hereof shall be a misdemeanor.

Notice from
commission.

Duty of
common
carriers.

Misde-
meanor.

SEC. 2. This act shall take effect and be in force from and after its passage and approval.

Approved April 12, 1905.

CHAPTER 159.

H. F. No. 7.

An act to provide for a comprehensive system of drainage of swamp and marshy lands owned by the state; to create a commission to carry out the provisions of this act.

Drainage of
swamp and
marshy
lands.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The state drainage commission as soon as is practicable after the approval of this act shall ascertain the number of acres of low wet lands belonging to the state, that it is necessary to drain in order to make them fit for agricultural purposes, and where the same are located, and what ditches and drains should be constructed