

postmarked within the four months period. The words "gasoline" or "special fuel" as used in this subdivision do not include aviation gasoline or special fuel for aircraft.

Approved April 13, 1959.

CHAPTER 224—S. F. No. 754

An act relating to frozen food locker plants; amending Minnesota Statutes 1957, Section 31.185, Subdivisions 1, 2, 7, 9, 10, and 11.

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

Section 1. Minnesota Statutes 1957, Section 31.185, Subdivision 1, is amended to read:

31.185 Frozen food processing. Subdivision 1. **Definitions.** The term "food" as used herein includes every article used for, or entering into the consumption of, or used or intended for use in the preparation of food, drink, confectionery or condiment for man, whether simple, mixed or compound.

"Frozen food processing plant" means an establishment in which food is processed and frozen for frozen storage.

"Sharp frozen" means freezing of food in a room in which the temperature is zero degrees Fahrenheit or below.

The term "department" as used herein means the department of agriculture, dairy, and food.

"Person" means an individual, partnership, corporation or association.

"Processor" means any person who directly or indirectly, for compensation, cuts, wraps and freezes meat or meat products for frozen storage by the ultimate consumer.

Sec. 2. Minnesota Statutes 1957, Section 31.185, Subdivision 2, is amended to read:

Subd. 2. **Licensing.** Every person engaged in the business of operating a frozen food processing plant, or engaged as a processor, shall apply for a license therefor to the commissioner in such form and shall furnish such information as he may require. Each application shall be accompanied by a fee of \$10. This sum shall constitute the license fee in case license is granted. If the commissioner shall find that the

applicant maintains a proper place for the storage of frozen foods, has proper cooling and freezing facilities, maintains a proper place and equipment for processing meats and meat products, and meets all sanitation requirements, the commissioner shall issue to the applicant a license therefor. Such license shall expire on the thirty-first day of December, following its issue and no license shall be issued for a longer term than one year, and shall not be transferable from one person to another or from the ownership to whom issued to another ownership or from one place to another place or location. The provisions of this subdivision shall not apply to any person, place or establishment operating under or subject to the Federal Meat Inspection Act of March 4, 1907 (34 U.S. Stat. 1260) and amendments thereto.

Sec. 3. Minnesota Statutes 1957, Section 31.185, Subdivision 7, is amended to read:

Subd. 7. **Food not intended for human consumption.** Foods or goods not intended for human consumption shall not be stored in a frozen food *processing* plant, unless it is kept in a separate room with a separate entrance.

Sec. 4. Minnesota Statutes 1957, Section 31.185, Subdivision 9, is amended to read:

Subd. 9. **Warehousemen; application.** Persons who own or operate frozen food *processing* plants shall not be construed to be warehousemen, nor shall receipts or other instruments issued by such persons in the ordinary conduct of their business be construed to be negotiable warehouse receipts.

Sec. 5. Minnesota Statutes 1957, Section 31.185, Subdivision 10, is amended to read:

Subd. 10. **Liens.** Every lessor owning or operating a frozen food *processing* plant or plants shall have a lien upon all property therein for the handling, keeping, and storing of the same.

Sec. 6. Minnesota Statutes 1957, Section 31.185, Subdivision 11, is amended to read:

Subd. 11. **Enforcement of lien.** Such lien may be enforced by any remedy allowed by law for the enforcement of a lien against personal property, and such remedy shall not bar the right to recover so much of the frozen food *processing* plant's claim as shall not be paid by the proceeds of the sale of the property.

Approved April 13, 1959.
