

## CHAPTER 28

## FOODS; COLD STORAGE

**28.01. DEFINITIONS.**

**HISTORY.** 1921 c. 310 s. 1; 1923 c. 233 s. 1; G.S. 1923 s. 6207; M.S. 1927 s. 6207; 1943 c. 232 s. 1.

**OWNERSHIP.** It is immaterial whether foods are owned by and stored for the convenience of the operator or for other persons. If it meets the definition of the statute, either comes within it. 1930 OAG 1.

Where a creamery rents cold storage lockers for storage of game there may be a violation of the provisions of section 97.07. 1936 OAG 80, Dec. 8, 1936 (645b-25).

A cold storage warehouse operated under license is a public utility. OAG April 26, 1944 (645a-8).

**28.02 LICENSES; FEES.**

**HISTORY.** 1921 c. 310 s. 2; 1923 c. 233 s. 2; G.S. 1923 s. 6208; M.S. 1927 s. 6208.

**BACK FEES.** Department of Agriculture cannot recover license fees for the years during which companies have operated without a license. This fee is not in the nature of a tax but is a fee to cover the expenses of inspection and regulation. 1934 OAG 6.

**28.03 LICENSES SUSPENDED OR REVOKED.**

**HISTORY.** 1921 c. 310 s. 3; 1923 c. 233 s. 3; G.S. 1923 s. 6209; M.S. 1927 s. 6209.

**28.04 RECORDS; REPORTS.**

**HISTORY.** 1921 c. 310 s. 4; 1923 c. 233 s. 4; G.S. 1923 s. 6210; M.S. 1927 s. 6210.

**28.05 INSPECTION.**

**HISTORY.** 1921 c. 310 s. 5; 1923 c. 233 s. 5; G.S. 1923 s. 6211; M.S. 1927 s. 6211.

**28.06 FOOD WHICH MAY BE PLACED IN COLD STORAGE.**

**HISTORY.** 1921 c. 310 s. 6; 1923 c. 233 s. 6; G.S. 1923 s. 6212; M.S. 1927 s. 6212.

**28.07 MARKING ARTICLES OF FOOD.**

**HISTORY.** 1921 c. 310 s. 7; 1923 c. 233 s. 7; G.S. 1923 s. 6213; M.S. 1927 s. 6213; 1943 c. 232 s. 2.

**28.08 LENGTH OF STORAGE PERIOD.**

**HISTORY.** 1921 c. 310 s. 8; 1923 c. 233 s. 8; G.S. 1923 s. 6214; M.S. 1927 s. 6214; 1943 c. 232 s. 3.

**RETAIL DEALERS** who store for less than 30 days articles of food obtained by them for retail sale after they have been stored for longer than 30 days in a cold storage warehouse do not continue the storage period of the article so as to bring them within the cold storage act. 1920 OAG 909.

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The license fee imposed is not in the nature of a tax but is a fee to cover expenses of inspection and regulation. No action lies to recover the amount of a license fee for past years, as no license was taken out. 1934 OAG 6, Sept. 11, 1934 (645b-8).

## **28.09 SHORTENING STORAGE PERIOD.**

HISTORY. 1921 c. 310 s. 9; 1923 c. 233 s. 9; G.S. 1923 s. 6215; M.S. 1927 s. 6215.

## **28.12 RETURNING FOOD TO COLD STORAGE; TRANSFER.**

HISTORY. 1921 c. 310 s. 12; 1923 c. 233 s. 12; G.S. 1923 s. 6218; M.S. 1927 s. 6218.

## **28.13 RULES AND REGULATIONS**

HISTORY. 1921 c. 310 s. 13; 1923 c. 233 s. 13; G. S. 1923 s. 6219; M. S. 1927 s. 6219.

## **28.14 FEES AND FINES PAID INTO STATE TREASURY.**

HISTORY. 1921 c. 310 s. 15; 1923 c. 233 s. 15; G. S. 1923 s. 6221; M. S. 1927 s. 6221.

## **28.15 PENALTIES.**

HISTORY. 1921 c. 310 s. 14; 1923 c. 233 s. 14; G. S. 1923 s. 6220; M. S. 1927 s. 6220.