

## A BILL

FOR AN ACT TO REGULATE THE SALE OF IMITATION BUTTER AND CHEESE,  
AND IMPOSING PENALTIES FOR THE VIOLATION THEREOF.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. Every person who shall manufacture for sale, or who shall offer or expose for  
2 sale by the tub, firkin, box or package, or any greater quantity, any article or substance in  
3 the semblance of butter or cheese, not produced wholly from milk or cream with salt, but  
4 into which any oil, lard or fat not, produced from milk or cream, enters as a component  
5 part, shall distinctly and durably stamp, brand, or mark upon the side of every cheese, and  
6 also upon the top and side of every such tub, firkin, box or package of such article or sub-  
7 stance the words: "Oleomargarine Butter," or if containing cheese, the words: "Imitation  
8 Cheese," where it can be plainly seen, in heavy Roman letters, which shall be burned in or  
9 painted thereon with dark, permanent paint, in a straight line, and said letters not to be  
10 less than three-quarters of an inch in length; and in case of retail sales of such articles or  
11 substances in parcels, the seller shall, in all cases, sell or offer, or expose the same for sale  
12 from a tub, firkin, box or package so branded or marked as herein stated, and shall also de-  
13 liver therewith to the purchaser a printed label, bearing the plainly printed words "Oleo-  
14 margarine Butter," or if cheese, the words "Imitation Cheese," in Roman letters, not less  
15 than one-half inch in length.

SEC. 2. Every person engaged in the manufacture of imitation butter or cheese; and all  
2 persons engaged in the sale of the same, shall make on the last Saturday of every month a  
3 return in writing to the county treasurer, verified by affidavit, showing the number of  
4 pounds of imitation butter or cheese manufactured or sold by him during that month, and  
5 with said return shall pay to the county treasurer, as a county tax, the sum of ten cents  
6 per pound for every pound of imitation butter or cheese manufactured or sold by him.

SEC. 3. Any person failing or neglecting, or refusing to report and pay said tax for any  
2 one month shall forfeit and pay the sum of one hundred dollars for each and every month  
3 that he so fails, neglects or refuses to report and pay said tax, which shall be recoverable  
4 with costs by any person sueing in the name of the State, as debts of like amount are by  
5 law recoverable, one-fourth of which sum, when so recovered, shall be paid to the person or  
6 persons instituting the suit, and the remaining sum shall be paid into the treasury of the  
7 county for the use of the county.

SEC. 4. Whoever by himself, agent or clerk shall knowingly violate any of the provisions  
2 "of section 1" herein shall, for every tub, firkin, box or package, or any other quantity sold  
3 or exposed for sale otherwise than provided for in "section 1" hereof, shall forfeit and pay  
4 a fine of fifty dollars and costs of prosecution, and shall stand committed to the county jail  
5 until such fines and costs are paid, and for each subsequent offense a fine of not less than  
6 one hundred dollars nor more than one thousand dollars and costs of prosecution, and shall  
7 stand committed to the county jail until such fines and costs are paid; and upon every trial  
8 of every indictment or information for violations of this act, proof of the finding of any imi-  
9 tation butter or cheese not marked or branded as provided in "section 1" hereof, in the  
10 regular place of business of the accused, or the proof of the selling or offering to sell by re-  
11 tail any parcel of imitation butter or cheese without complying with "section 1" hereof,  
12 shall be received and acted upon by the court as presumptive evidence that such imitation  
13 butter or cheese was being sold or exposed for sale knowingly, contrary to the provisions of  
14 this act, and one-half of the fine recovered shall go to the informer, and one-half to the  
15 school fund of the county.

SEC. 5. Any employe, clerk, or agent violating any of the provisions of this act shall be  
2 deemed equally guilty with his employer or principal, and shall be punished upon convic-  
3 tion as provided in "section 4" hereof.

SEC. 6. The complainant in any action brought under the provisions of this act may  
2 cause specimens of suspected butter or cheese to be analyzed or otherwise satisfactorily  
3 tested by a practical chemist as to its ingredients, and a certificate of the analysis, sworn to  
4 by the analyzer, shall be admitted as evidence in all prosecutions under this act; the ex-  
5 pense of such analysis or test not exceeding twenty-five dollars in any one case, may be in-  
6 cluded in the costs of prosecution in all cases prosecuted under this act.