

## A BILL

FOR AN ACT TO PREVENT DECEPTION AND FRAUD IN THE MANUFACTURE AND SALE OF BUTTER AND CHEESE IMITATIONS, AND TO PRESERVE THE PUBLIC HEALTH.

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

SECTION 1. No person or persons shall mix, prepare, compound, or manufacture out of  
2 any substance other than pure cow's milk, or cream from the same, any butter or cheese or  
3 any article for human food designed to be a substitute for, or an imitation of butter and  
4 cheese with intent to sell the same, unless the tubs, firkins, boxes or packages containing  
5 the same shall be permanently, clearly and legibly branded or labeled in letters not less  
6 than one inch long by three-quarters of an inch wide on the top, sides and bottom of each  
7 and every tub, firkin, box or other package, with the true name and character of the mix-  
8 ture, compound or preparation designed to take the place of butter and cheese. Each tub,  
9 firkin, box or other package containing any article, mixture, compound or preparation for  
10 human food designed to be a substitute for, or an imitation of butter and cheese, must be  
11 branded or labeled in a permanent, clear and legible manner, so as to indicate or set forth  
12 the formula, receipt, process, plan or patent under or by which such article, mixture or com-  
13 pound has been prepared and also the name and place of business of the manufacturer  
14 thereof.

SEC. 2. No person or persons shall ship, forward or consign by any boat, wagon or rail-  
2 road car, or by any public or private conveyance to any other person or persons any butter  
3 and cheese substitutes or imitations thereof with intent to sell the same, or have the same  
4 sold or offered for sale; and the possession by any transportation company private or public,  
5 shall be *prima facie* evidence that it is to be sold or offered for sale, unless the tubs, firkins,  
6 boxes or packages containing the same, shall be plainly, clearly, legibly and permanently  
7 branded or labeled as provided for in section one of this act.

SEC. 3. No person or persons in this State shall sell or offer for sale any mixture, com-  
2 pound or preparation designed as an imitation of and a substitute for butter and cheese  
3 made from the pure milk of the cow, or the cream from the same, unless there shall be de-  
4 livered to the purchaser of such imitation butter and cheese a printed or written statement

5 informing such purchaser of the true nature and character of said imitation, setting forth  
6 in substance the recipe, process, plan or patent under or by which such article, mixture or  
7 compound has been prepared, together with the name and place of business of the manu-  
8 facturer thereof. Any hotel or public boarding house or restaurant, shall use on the table  
9 substitute butter or cheese unless a sign or signs, oleomargerine or butterine used here.  
10 The salting and coloring with annate or other harmless ingredients, of pure dairy products  
11 must not be construed as being hereby forbidden.

SEC. 4. Any one violating any of the provisions of this act shall be deemed guilty of a  
2 misdemeanor, and shall be punished by a fine for the first offense not exceeding the sum of  
3 two hundred dollars, and the confiscation of all the product thus illegally offered for sale.  
4 Each subsequent offense shall be punished by a fine not exceeding the sum of five hundred  
5 dollars, or by imprisonment for a period of time not exceeding one year. In all prosecu-  
6 tions under this act where guilt shall be proven, the fine collected shall be equally divided  
7 into two parts, one-half to be paid to the complainant or informer, and one-half to be paid  
8 into the State Treasury.

SEC. 5. The Governor shall appoint a commissioner who shall be known as the State  
2 Dairy Commissioner, who shall have practical experience in the manufacture of dairy pro-  
3 ducts, and who shall be a citizen of this State. He shall hold his office for the term of two  
4 years, or until his successor is appointed, and shall receive a salary of \$2,000 per annum and  
5 his necessary expenses incurred in the discharge of his duties under this act. Said commis-  
6 sioner shall be appointed within ten days after the passage of this act, and shall be charged  
7 under the direction of the Governor with the enforcement of the provisions thereof. Said  
8 commissioner may be removed from office at the pleasure of the Governor, and his successor  
9 appointed as above provided for. The said commissioner shall have a room set apart for his  
10 use in the capitol by the Governor, and is hereby authorized and empowered to employ a  
11 clerk whose salary shall not exceed \$1,000 per annum. He is hereby further authorized to  
12 employ such experts, chemists or counsel as may be deemed by him necessary for the proper  
13 enforcement of this law, their compensation for services actually rendered to be fixed by  
14 the commissioner. The sum of \$25,000 annually, is hereby appropriated to be paid for such  
15 purposes out of any moneys in the treasury not otherwise appropriated. All charges, ac-  
16 counts and expenses authorized by this act shall be paid by the Treasurer of the State upon  
17 the warrant of the State Auditor. The entire expenses, including the salary of the said  
18 commissioner, shall not exceed the sum appropriated for the purposes of this act. The said  
19 commissioner shall make annual reports to the Governor not later than the 15th day of Jan-  
20 uary, of his proceedings, and shall report in detail the names and number of such experts,  
21 chemists, and counsel, as may have been employed by him, together with their expenses,  
22 and the total sum expended to enforce the provisions of this act.

SEC. 6. The said commissioner and such experts, chemists and counsel as he may employ,  
2 shall have access to, and the right to examine all places of business, factories, farms, build-  
3 ings, carriages, cars, vessels and cans used in the manufacture and sale of any dairy pro-  
4 ducts or any imitations thereof. They shall also have power and authority to open any  
5 package, car or vessel containing such articles which may be sold, or exposed for sale, in  
6 violation of the provisions of this act, and may inspect the contents therein, and may take  
7 therefrom samples for analysis.