

## A BILL

FOR AN ACT TO PREVENT THE MANUFACTURE AND SALE OF ADULTERATED  
FOOD OR DRUGS.

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

SECTION 1. No person shall, within this State, manufacture, have, offer for sale, or sell  
2 any article of food or drugs which is adulterated within the meaning of this act, and any  
3 person violating this provision shall be deemed guilty of a misdemeanor, and upon conviction  
4 thereof, shall be punished by fine not exceeding fifty dollars for the first offense, and  
5 not exceeding one hundred dollars for each subsequent offense.

SEC. 2. The term "food," as is used in this act, shall include every article used for food  
2 or drink by man. The term "drug," as used in this act, shall include all medicines for  
3 internal and external use.

SEC. 3. An article shall be deemed to be adulterated within the meaning of this act—

2 a. In the case drugs:

3 1. If, when sold under or by a name recognized in the United States Pharmacopœia,  
4 it differs from the standard of strength, quality or purity laid down therein.

5 2. If, when sold under or by a name not recognized in the United States Pharma-  
6 copœia, but which is found in some other pharmacopœia or other standard work on  
7 materia medica, it differs materially from the standard of strength, quality or purity  
8 laid down in such work.

9 3. If its strength or purity fall below the professed standard under which it is sold.

10 b. In the case of food or drink:

11 1. If any substance or substances has or have been mixed with it so as to reduce or  
12 lower or injuriously affect its quality or strength.

13 2. If any inferior or cheaper substance or substances have been substituted wholly  
14 or in part for the article.

15 3. If any valuable constituent of the article has been wholly or in part abstracted.

16 4. If it be an imitation of or to be sold under the name of another article.

17 5. If it consist wholly or in part of diseased or decomposed, or putrid or rotten ani-  
18 mal or vegetable substance, whether manufactured or not, or in the case of milk, if it is  
19 the product of a diseased animal.

20 6. If it be colored, or coated, or polished, or powdered, whereby damage is concealed,  
21 or it is made to appear better than it really is, or of greater value.

22 7. If it contain any added poisonous ingredient, or any ingredient which may render  
23 such article injurious to the health of a person consuming it; *provided*, that the State

24 Board of Health may, with the approval of the Governor, from time to time, declare.  
25 certain articles or preparations to be exempt from the provisions of this act; and, *pro-*  
26 *vided, further*, that the provisions of this act shall not apply to mixtures or compounds  
27 recognized as ordinary articles of food; *provided*, that the same are not injurious to  
28 health, and that the articles are distinctly labeled as a mixture, stating the components  
29 of the mixture.

SEC. 4. It shall be the duty of the State Board of Health to prepare and publish, from  
2 time to time, lists of the articles, mixtures or compounds declared to be exempt from the  
3 provisions of this act, in accordance with the preceding section. The State Board of Health  
4 shall also from time to time fix the limits of variability permissible in any article of food,  
5 or drug, or compound, the standard of which is not established by any national pharma-  
6 copœia.

SEC. 5. The State Board of Health shall take cognizance of the public health as it relates  
2 to the sale of food and drugs and the adulteration of the same, and make all necessary in-  
3 vestigations and inquiries relating thereto. Within thirty days after the passage of this  
4 act, the State Board of Health shall meet and adopt such measures as may seem necessary  
5 to facilitate the enforcement of this act, and prepare rules and regulations with regard  
6 to the proper methods of collecting and examining articles of food and drugs. And when-  
7 ever the services of an inspector or analyst are required for the investigations arising under  
8 this law, the State Board of Health shall call upon a professor of the Agricultural College  
9 to act as an expert in conducting the investigation, whose duty it shall be to make the in-  
10 vestigation, and whose necessary expenses in conducting such investigation shall be audited  
11 and paid from the State treasury.

SEC. 6. Every person selling, or offering, or exposing any article of food or drugs for sale,  
2 or delivering any article to purchasers, shall be bound to serve or supply any analyst or  
3 other agent of the State Board of Health, who shall apply to him for that purpose, and on  
4 his tendering the value of the same, with a sample sufficient for the purpose of analysis of  
5 any article which is included in this act, and which is in possession of the person selling,  
6 under a penalty not exceeding fifty dollars for a first offense, and one hundred dollars for a  
7 second and subsequent offenses.

SEC. 7. Any violation of the provisions of this act shall be treated and punished as a  
2 misdemeanor; and whoever shall impede, obstruct, hinder, or otherwise prevent any analyst,  
3 inspector, or prosecuting officer in the performance of his duty shall be guilty of a misde-  
4 meanor, and shall be liable to indictment and punishment therefor.

SEC. 8. Any acts or parts of acts inconsistent with the provisions of this act are hereby  
2 repealed.