

resides and it shall be the duty of such prosecuting attorney to file an information and to prosecute the same against such accused.

Passed the Senate January 31, 1919.

Passed the House March 10, 1919.

Approved by the Governor March 13, 1919.

CHAPTER 101.

[S. B. 9.]

CONCENTRATED COMMERCIAL FEEDING STUFFS.

AN ACT to provide for registration and guarantee of composition of concentrated commercial feeding stuffs, providing against the adulteration of such feeding stuffs, declaring violation of its provisions to be a misdemeanor and providing a penalty therefor, and requiring the attorney general and prosecuting attorneys to prosecute violations thereof.

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

SECTION 1. The term "concentrated commercial feeding stuffs" as used in this act shall include linseed meals, cocoanut meats, gluten feeds, sugar feeds, dried brewer's or distiller's grains, malt sprouts, feeds made from ground cereals or by-products therefrom, including slaughter-house waste products when sold as feeds, mixed feeds, and mixed meals made from seeds or grains, and all materials of similar nature used for food for domestic animals, condimental feeds, stock feeds, and all patented proprietary or trade stock and poultry feeds for which nutritive value is claimed, but it shall not include hay or whole seeds, or unmixed meals made from entire grains of wheat, rye, barley, oats, corn, or other cereals, nor wheat flour or other flours.

SEC. 2. Before any concentrated commercial feeding stuff is sold, offered or exposed for sale in

Washington, the manufacturer, importer, dealer, agent, or person who causes it to be sold or offered for sale, by sample or otherwise, within this state, shall file with the Commissioner of Agriculture a statement that he desires to offer such concentrated commercial feeding stuff for sale in this state, and also a certificate, the execution of which shall be sworn to before a notary public, or other proper official, for registration, stating the name, brand or trade-mark under which the concentrated commercial feeding stuff will be sold, and the minimum percentage of crude fat and crude protein and maximum per cent of crude fibre (allowing 1 per centum nitrogen to equal 6.25 per centum of protein) which the manufacturer or person offering the concentrated commercial feeding stuff for sale guarantees it to contain, these constituents to be determined by the methods recommended by the association of official agricultural chemists of the United States.

Statement
of brand
and con-
stituents.

SEC. 3. Any person, company, corporation or agent, that shall sell, offer or expose for sale, any concentrated commercial feeding stuff in this state shall state in the invoice of every bulk shipment, shall affix or cause to be affixed to every package or sample of such concentrated commercial feeding stuff, in a conspicuous place on the outside thereof, a tag or label, which shall be accepted as a guarantee of the manufacturer, importer, dealer, or agent, and which shall have plainly printed thereon, in the English language, the number of net pounds of concentrated commercial feeding stuff in the package or bulk shipment, the name, brand or trade-mark under which the concentrated commercial feeding stuff is sold, the name and address of the manufacturer, importer, dealer or agent, the guaranteed analysis stating the minimum percentage of

Packages to
be labeled
showing
amount and
analysis.

crude fat and crude protein and maximum per cent of crude fibre, which shall not exceed ten per cent (10%), determined as described in section 2, and the ingredients from which the concentrated commercial feeding stuff is compounded. The agency distributing to users of such feed in less than car-load lots shall deliver to the purchaser of each lot regardless of quantity sold a bill showing current analysis of such feeding stuffs.

Violations
of act.

SEC. 4. Any person, company, corporation, or agent, that shall offer or expose for sale, or sell, any package or sample or any quantity of any concentrated commercial feeding stuff which has not been registered with the Commissioner of Agriculture, as required by section 2, or which does not have affixed to it the tag or label required by section 3, or which is found by analysis made by or under the direction of the chemist of Washington Agricultural Experiment Station to contain a smaller percentage of crude fat or protein or larger percentage of crude fibre than stated in the guarantee, or who shall affix a tag or label which is false or inaccurate in any respect, or who shall adulterate any concentrated commercial feeding stuff, or who shall adulterate with any substance injurious to the health of domestic animals, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in the sum of one hundred dollars (\$100.00) for the first offense, and in the sum of five hundred dollars (\$500.00) for each subsequent offense. In all litigation arising from the purchase or sale of any concentrated commercial feeding stuff, in which the composition of the same may be involved, a certified copy of the official analysis, signed by the chemist of the Washington Agricultural Experiment Station, shall be accepted as *prima facie* evidence of the composition of such con-

Penalty.

Official
analysis as
prima facie
evidence.

concentrated commercial feeding stuff: *Provided*, that nothing in this act shall be construed to restrict or prohibit the sale of concentrated commercial feeding stuff in bulk to each other by importers, manufacturers or manipulators who mix concentrated commercial feeding stuffs for sale, or as preventing the unrestricted shipment of these articles in bulk to manufacturers or manipulators concentrated commercial feeding stuffs for sale, or to prevent the State Experiment Station, or any person or persons authorized by the State Experiment Station, from making experiments with concentrated commercial feeding stuffs for the advancement of science in agriculture.

Parties
excepted
from act.

SEC. 5. It shall be unlawful to sell, offer or expose for sale in this state, any corn, barley, oats or any other grain from which the heart, or any of the food value has been extracted, without such statement being shown on each package or bulk shipment, and on the invoice covering such grain.

Depleted
food values
to be shown.

SEC. 6. It shall be unlawful to include in any concentrated commercial feeding stuff, any buckwheat hulls, rice hulls, cottonseed hulls, peanut hulls, oat hulls, peanut shells, corn cobs, cocoanut shells, ground or shredded straw, sawdust, cellulose, dirt, damaged or decayed feed, mill, elevator or other sweepings or dust, marble dust, or any injurious, deleterious, or, for feeding purposes, worthless or damaged ingredient.

Deleterious
substances
prohibited.

SEC. 7. The Commissioner of Agriculture, or any person deputized by him, is hereby empowered to procure from any lot, parcel or package of concentrated commercial feeding stuff offered for sale or found in Washington, a sample quantity thereof, not to exceed two pounds, the sample to be divided in two approximately equal parts, each to be sealed, and one part to be delivered promptly to the manu-

Samples
of feeds
offered
for sale.

facturer: *Provided*, that such sample shall be drawn during reasonable business hours, or in the presence of the owner of the concentrated commercial feeding stuff, or some person claiming to represent the owner.

Interference with procurement of samples.

SEC. 8. Any person who shall prevent, or strive to prevent, the Commissioner of Agriculture, or any person deputized by him, from inspecting and obtaining samples of concentrated commercial feeding stuffs, as provided for in the preceding section, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in the sum of one hundred dollars (\$100.00) for the first offense, and in the sum of five hundred dollars (\$500.00) for each subsequent offense.

Penalty.

Rules and regulations.

SEC. 9. The Commissioner of Agriculture is hereby empowered to prescribe and enforce such rules and regulations relating to concentrated commercial feeding stuffs as he may deem necessary to carry into effect the full intent and meaning of this act, and to refuse the registration of any feeding stuff under a name which would be misleading as to the materials of which it is made, or when the percentage of crude fat or crude protein is below or the percentage of crude fibre is above the standards adopted for concentrated commercial feeding stuffs.

Assistance by public law officers.

SEC. 10. It shall be the duty of the state attorney general or the prosecuting attorneys of the several counties of this state, to cause proceedings to be commenced against any person or persons whom the Commissioner of Agriculture shall report to have violated any section of this act, and to prosecute the same in the manner required by law.

Repealing clause.

SEC. 11. All acts and parts of acts in conflict with the provisions hereof are hereby repealed.

SEC. 12. In case any section or portion of this act shall be held to be unconstitutional, or invalid, it shall not affect the remainder of this act. Partial
invalidity.

Passed the Senate February 10, 1919.

Passed the House March 8, 1919.

Approved by the Governor March 13, 1919.

CHAPTER 102.

[S. B. 166.]

REGULATION OF CRANBERRY SALES.

AN ACT regulating the sale of cranberries, fixing standard packages thereof, and providing penalties for violation thereof.

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

SECTION 1. A standard package or container for cranberries in this state shall contain one thousand nine hundred forty-two (1,942) cubic inches and be equivalent to one-third of a United States cranberry barrel, and need have no statement of its cubical contents but shall be marked in plain letters, not less than one-quarter inch in height, "ONE-THIRD UNITED STATES CRANBERRY BARREL", or the net weight of the contents thereof. Standard
containers.

SEC. 2. All cranberries offered for sale at wholesale in this state, in packages or containers, the cubical contents of which are less than the standard above defined, shall be marked in plain letters and figures, not less than one-quarter inch in height, with the cubical contents in inches or the net weight of the contents. Marking
less than
standard
packages at
wholesale.

SEC. 3. Cranberries sold at retail shall be sold by dry measure quarts containing sixty-seven and two tenths (67.2) cubic inches, or dry measure pints containing thirty-three and six tenths (33.6) cubic inches or by weight. Standard
for retail
sales.