

on complaint of any freeholder or resident of such county to forthwith prosecute the owner of such stock found running at large for such misdemeanor.

Passed the House February 20, 1905.

Passed the Senate March 1, 1905.

Approved by the Governor March 8, 1905.

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## CHAPTER 92.

(H. B. No. 157)

### AMENDING ACT RELATIVE TO MANUFACTURE AND SALE OF DAIRY PRODUCTS.

AN ACT relating to the sale and manufacture of dairy products, amending Section nine, and amending said act by adding Sections thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty and forty-one of an act entitled, "An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same, or imitation thereof, providing for the appointment of a Dairy Commissioner and defining his duties, creating a State Board of Dairy Commissioners and defining their duties, imposing certain duties upon a chemist of State institutions, providing penalties for violation of this law, making an appropriation."

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

SECTION 1. That section nine of an act entitled "An act regulating the manufacture of dairy products, prevent deception or fraud in the sale of the same, or imitation thereof, providing for the appointment of a Dairy Commissioner and defining his duties, imposing certain duties upon a Chemist of State institutions, providing penalties for violation of this law, making an appropriation," approved March 7, 1899, be and the same is hereby amended to read as follows: Section 9. Said Dairy Commissioner may appoint one or more deputies whenever he is unable to perform all the duties of his office without assistance. They shall hold office at the pleasure of the Dairy Commissioner who may summarily remove any such deputy whenever in his judgment the public service calls for such removal.

Deputies—  
term of.

SEC. 2. That section thirty-three be added to said act which shall read as follows: Section 33. The Commissioner is hereby authorized and directed to cancel all State brands issued to creameries where the butter manufactured does not score ninety points.

Cancellation  
of state  
brands.

SEC. 3. That section thirty-four be added to said act which shall read as follows: Section 34. The Commissioner or Instructor shall have the power to score the butter and the score made by them shall be final.

Butter scores.

SEC. 4. That section thirty-five be added to said act which shall read as follows: Section 35. It shall be the duty of the Commissioner or Instructor to give instructions in the care of milk and cream, and in the manufacture of butter and cheese.

Care of milk  
and cream and  
manufacturing  
of cheese  
and butter.

SEC. 5. That section thirty-six shall be added to said act which shall read as follows: Section 36. It shall be the duty of the Commissioner or Instructor to inspect dairy barns, butter and cheese factories and condensories, and he shall have the power to condemn the same where the sanitary conditions are not conducive to a high quality of milk and cream, and to the manufacture of a high grade of butter. He may conduct the test of any creamery where he has reason to believe that the cream or milk is not tested accurately and shall condemn milk or cream arriving on the market at a temperature above seventy degrees Fahrenheit or that which is too old or in such condition as to be detrimental to the production of high grade goods.

Inspection  
of dairy  
barns, etc.

SEC. 6. That section thirty-seven shall be added to said act which shall read as follows: Section 37. All apparatus used for the purpose of testing milk or cream furnished to any creamery shall be inspected and tested by the Dairy Commissioner, or his deputies, and any found to be faulty or defective, to be replaced through the Dairy Commissioner at cost to the user.

Inspection of  
apparatus.

SEC. 7. That section thirty-eight shall be added to said act which shall read as follows: Section 38. It shall be unlawful for the owner, manufacturer, agent or any employe of a butter or cheese factory or condensory to under or over-read the Babcock test, or to manipulate for the purpose of deception any other contrivance used for determining the quality or value of milk or cream.

Babcock test.

State dairy  
instructor—  
salary of.

SEC. 8. That section thirty-nine shall be added to said act which shall read as follows: Section 39. The Commissioner shall appoint one of his deputies who shall be known as State Dairy Instructor. He shall be a graduate of a recognized dairy school or shall have completed a course in dairying in a college where such instruction is given; he shall receive as compensation for his services one hundred dollars (\$100.00) per month.

Violation—  
penalty.

SEC. 9. That section forty shall be added to said act which shall read as follows: Section 40. Any person who shall violate any of the provisions of this act or who shall obstruct the Commissioner or Instructor in the performance of their duties under this act, by refusing him entrance to any place enumerated in the preceding sections, or by refusing to deliver to him any dairy products or imitations thereof upon demand, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or by imprisonment for not less than one month or more than six months, or by both such fine and imprisonment.

Appropriation.

SEC. 10. That section forty-one be added to said act which shall read as follows: Section 41. To carry out the provisions of this act there is hereby appropriated out of the general fund, not otherwise appropriated the sum of two thousand dollars (\$2,000.00).

Passed the House February 20, 1905.

Passed the Senate March 1, 1905.

Approved by the Governor March 6, 1905.