

Officers of corporation cannot be found.

7. When the action is against any corporation, whether private or municipal, organized under the laws of the state, and the proper officers on whom to make service do not exist or cannot be found;

Action to determine conflicting claims to property.

8. When the action is brought under sections 199 and 200 of Remington's Compiled Statutes to determine conflicting claims to property in this state.

Passed the House February 9, 1929.

Passed the Senate February 27, 1929.

Approved by the Governor March 7, 1929.

CHAPTER 82.

[H. B. 197.]

SALE OF CAUSTIC OR CORROSIVE SUBSTANCES.

AN ACT relating to the disposition and sale of caustic or corrosive substances and providing penalties for violation thereof.

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

SECTION 1. That in this act, unless the context or subject matter otherwise requires,

Definitions.

A. The term "dangerous caustic or corrosive substance" means each and all of the acids, alkalis, and substances named below: (a) Hydrochloric acid and any preparation containing free or chemically unneutralized hydrochloric acid (HCl) in a concentration of ten per centum or more; (b) Sulphuric acid and any preparation containing free or chemically unneutralized sulphuric acid (H₂SO₄) in a concentration of ten per centum or more; (c) Nitric acid or any preparation containing free or chemically unneutralized nitric acid (HNO₃) in a concentration of five per centum or more; (d) Carbohc acid (C₆H₅OH), otherwise known as phenol, and any preparation containing carbohc acid in a

concentration of five per centum or more; (e) Oxalic acid and any preparation containing free or chemically unneutralized oxalic acid ($H_2C_2O_4$) in a concentration of ten per centum or more; (f) Any salt of oxalic acid and any preparation containing any such salt in a concentration of ten per centum or more; (g) Acetic acid or any preparation containing free or chemically unneutralized acetic acid ($HC_2H_3O_2$) in a concentration of twenty per centum or more; (h) Hypochlorous acid, either free or combined, and any preparation containing the same in a concentration so as to yield ten per centum or more by weight of available chlorine, excluding calx chlorinata, bleaching powder, and chloride of lime; (i) Potassium hydroxide and any preparation containing free or chemically unneutralized potassium hydroxide (KOH), including caustic potash and Vienna paste, in a concentration of ten per centum or more; (j) Sodium hydroxide and any preparation containing free or chemically unneutralized sodium hydroxide (NaOH), including caustic soda and lye, in a concentration of ten per centum or more; (k) Silver nitrate, sometimes known as lunar caustic, and any preparation containing silver nitrate ($AgNO_3$) in a concentration of five per centum or more, and (l) Ammonia water and any preparation yielding free or chemically uncombined ammonia (NH_3), including ammonium hydroxide and "hartshorn," in a concentration of five per centum or more.

B. The term "misbranded parcel, package, or container" means a retail parcel, package, or container of any dangerous caustic or corrosive substance for household use, not bearing a conspicuous, easily legible label or sticker, containing (a) the name of the article; (b) the name and place of business of the manufacturer, packer, seller, or distributor; (c) the word "POISON," running parallel

Misbranded packages.

Label or sticker on packages.

with the main body of reading matter on said label or sticker, on a clear, plain background of a distinctly contrasting color, in uncondensed gothic capital letters, the letters to be not less than 24 point size, unless there is on said label or sticker no other type so large, in which event the type shall be not smaller than the largest type on the label or sticker, and (d) directions for treatment in case of accidental personal injury by the dangerous caustic or corrosive substance; *Provided*, That such directions need not appear on labels or stickers on parcels, packages or containers at the time of shipment or of delivery for shipment by manufacturers or wholesalers for other than household use. *Provided further*, That this act is not to be construed as applying to any substance subject to the act, sold at wholesale or retail for use by a retail druggist in filling prescriptions or in dispensing, in pursuance of a prescription by a physician, dentist, or veterinarian; or for use by or under the direction of a physician, dentist, or veterinarian; or for use by a chemist in the practice or teaching of his profession; or for any industrial or professional use, or for use in any of the arts and sciences.

Directions
for treat-
ment.

Wholesale or
retail sale to
druggist not
included.

Sale in mis-
branded
package.

SEC. 2. No person shall sell, barter, or exchange, or receive, hold, pack, display, or offer for sale, barter, or exchange, in this state any dangerous caustic or corrosive substance in a misbranded parcel, package, or container, said parcel, package, or container being designed for household use; *Provided*, That household products for cleaning and washing purposes, subject to this act and labeled in accordance therewith, may be sold, offered for sale, held for sale and distributed in this state by any dealer, wholesale or retail; *Provided further*, That no person shall be liable to prosecution and conviction under this act when he establishes a guaranty bearing the signature and address of a vendor

residing in the United States from whom he purchased the dangerous caustic or corrosive substance, to the effect that such substance is not misbranded within the meaning of this act. No person in this state shall give any such guaranty when such dangerous caustic or corrosive substance is in fact misbranded within the meaning of this act.

SEC. 3. Any dangerous caustic or corrosive substance in a misbranded parcel, package, or container suitable for household use, that is being sold, bartered, or exchanged, or held, displayed, or offered for sale, barter, or exchange, shall be liable to be proceeded against in any superior court within the jurisdiction of which the same is found and seized for confiscation, and if such substance is condemned as misbranded, by said court, it shall be disposed of by destruction or sale, as the court may direct; and if sold, the proceeds, less the actual costs and charges, shall be paid over to the state treasurer; but such substance shall not be sold contrary to the laws of the state: *Provided, however,* That upon the payment of the costs of such proceedings and the execution and delivery of a good and sufficient bond to the effect that such substance will not be unlawfully sold or otherwise disposed of, the court may by order direct that such substance be delivered to the owner thereof. Such condemnation proceedings shall conform as near as may be to proceedings in the seizure, and condemnation of substances unfit for human consumption.

Misbranded packages subject to condemnation by courts.

Sale or destruction.

SEC. 4. Any person violating the provisions of this act shall be guilty of a misdemeanor.

Penalty for violation.

SEC. 5. The director of agriculture shall enforce the provisions of this act, and he is hereby authorized and empowered to approve and register such brands and labels intended for use under the provisions of this act as may be submitted to him for

Director of Agriculture to enforce.

that purpose and as may in his judgment conform to the requirements of this statute: *Provided, however,* That in any prosecution under this act the fact that any brand or label involved in said prosecution has not been submitted to said director for approval, or if submitted, has not been approved by him, shall be immaterial.

SEC. 6. Every prosecuting attorney to whom there is presented, or who in any way procures, satisfactory evidence of any violation of the provisions of this act shall cause appropriate proceedings to be commenced and prosecuted in the proper courts, without delay, for the enforcement of the penalties as in such cases herein provided.

SEC. 7. This act may be cited as the Washington Caustic Poison Act of 1929.

SEC. 8. This act shall take effect on the first day of January, 1930.

Passed the House February 14, 1929.

Passed the Senate February 27, 1929.

Approved by the Governor March 7, 1929.

CHAPTER 83.

[H. B. 199.]

STATE PARKS AND PARKWAYS.

AN ACT relating to and authorizing the improvement of state parks and parkways, and lands under the care, charge, control, and supervision of the state parks committee.

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

SECTION 1. The state parks committee shall have the power to grant permits to improvement clubs or voluntary associations, or committees representing such clubs or associations, to improve, without expense to the state, any state park or park-

Prosecuting attorney to prosecute violations of act.

Cited as Washington Caustic Poison Act of 1929.

Effective January 1, 1930.

State Parks Committee has power to grant permits for improvement.