

SEC. 7. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately. Effective immediately.

Passed the House February 2, 1933.

Passed the Senate February 8, 1933.

Approved by the Governor February 14, 1933.

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## CHAPTER 17.

[H. B. 117.]

### EGGS AND EGG PRODUCTS.

AN ACT relating to and regulating the sale of eggs and egg products, providing for the classification, labeling and marketing thereof, and providing penalties for the violation of the provisions of this act and repealing chapter 94 of the Laws of 1915 and chapter 120 of the Laws of 1919.

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

SECTION 1. The word "eggs" whenever used in this act shall mean and include eggs in the shell and liquid frozen eggs. Definitions:  
"eggs"

The words "egg products" whenever used in this act shall mean and include egg powder, powdered eggs, dried eggs and any other product, by whatsoever trade name designated, manufactured from eggs or any part thereof. "egg products"

The words "foreign eggs" whenever used in this act shall mean and include eggs produced in any foreign country, and egg products manufactured from eggs produced in any foreign country. "foreign eggs"

The words "cold storage eggs" whenever used in this act shall mean and include eggs that have been in cold storage for a period of ninety days. "cold storage eggs"

The words "incubated eggs" whenever used in this act shall mean and include eggs that have been in the course of incubation for forty-eight hours. "incubated eggs"

Eggs unfit  
for human  
food, when.

SEC. 2. It shall be unlawful for any person to sell, offer or expose for sale, in this state, any eggs or egg products unfit for human food; and for the purpose of this act, an egg shall be deemed unfit for human food when it is addled, putrid, rotten, in whole or in part; when the yolk is stuck to the shell; the inside contains mold, black spots or black rot, heavy blood spots or rings or bloody whites; or an incubated egg as defined in this act; or any material of an unwholesome nature; and egg products shall be deemed unfit for human food when manufactured from eggs unfit for human food.

Sale of  
foreign eggs:

In shell.

Labeling.

SEC. 3. It shall be unlawful for any person to sell, offer or expose for sale in this state any foreign eggs in the shell, without having stamped on each such egg, in legible type and in durable, indelible ink, the words "FROM....." and the name of the country in which such egg is produced.

Out of shell.

Labeling of.

SEC. 4. It shall be unlawful for any person to sell, offer or expose for sale in this state any foreign eggs in any other form than in the shell, or any egg products manufactured from foreign eggs, without having stamped or printed in legible type in letters two inches high, in durable paint or ink on the side and on the cover of each container the words "EGGS FROM.....," followed by the name of the country in which such eggs were produced, or in which the eggs from which such egg products were manufactured were produced.

In restau-  
rants, etc.

SEC. 5. It shall be unlawful for any person owning or operating any restaurant, hotel, cafe, coffee shop, or other place where food is served, or any bakery or confectionery shop where food products are sold, to serve or sell any foreign eggs or egg products manufactured from foreign eggs without posting and maintaining, in a conspicuous

place where the customers entering any such place of business can see it, a placard or sign bearing the words "WE USE FOREIGN EGGS" printed or painted in legible letters not less than two inches high. Labeling.

SEC. 6. It shall be unlawful for any person manufacturing and/or selling any food products containing eggs or egg products, to sell, offer or expose for sale in this state any food products containing foreign eggs, or egg products manufactured from foreign eggs, without having printed on the outside of the wrapper or container of each such food product in legible letters of bold faced type of a size not less than 8-point, the words "FOREIGN EGGS USED IN THIS PRODUCT," or if such products are sold, offered or exposed for sale in bulk without displaying in a conspicuous place at the point where such food products are offered or exposed for sale, a placard or sign printed in letters two inches high, and containing the words "FOREIGN EGGS USED IN THIS PRODUCT." Used in products.  
  
Labeling.

SEC. 7. The director of agriculture is hereby authorized, and it shall be his duty, upon the taking effect of this act and from time to time thereafter, to adopt, establish and promulgate reasonable rules and regulations specifying grades or standards of quality and/or grades of size or weight, governing the sale of eggs for human consumption: *Provided*, That such grades and standards of quality, and grades of size and weight, shall conform as nearly to those established by the United States department of agriculture as local conditions will permit. Classification of eggs.  
  
Standards to conform with those of U. S.

SEC. 8. It shall be unlawful for any person to sell, offer or expose for sale any eggs, for human consumption, other than those of his own production, without notifying the person or persons purchasing or intending to purchase the same, of the Sale of eggs produced by others.

Notice of  
grade, etc.

exact grade or quality and size or weight of such eggs, according to the standards prescribed by the director of agriculture, by stamping or printing on the container of any such eggs such grade or quality and size or weight, or in the case said eggs are offered for sale in bulk, without displaying in a conspicuous place on the container from which such eggs are offered or exposed for sale, a placard or sign printed in letters two inches high, giving such grade, quality, size and weight.

Invoice to  
retailer.

SEC. 9. It shall be the duty of every person selling eggs other than those of his own production to any retailer to furnish said retailer an invoice showing the exact grade or quality and the size or weight of such eggs, according to the standards prescribed by the director of agriculture, and a copy of such invoice shall be kept on file by the person selling and by the retailer at their respective places of business for a period of thirty days, and shall be available for inspection at all reasonable times by the director of agriculture, his assistants, or accredited inspectors: *Provided*, That no retailer shall be deemed guilty of a violation of this section if he can establish a guarantee from the person from whom any eggs were purchased to the effect that said eggs at the time of such purchase conformed to the grade or quality and the size or weight stated in the invoice: *Provided*, That if any such retailer having labeled any such eggs in accordance with the invoice shall keep such eggs for such time after they are purchased as to cause the same to deteriorate to a lower grade or standard, and shall then offer or expose for sale such eggs under the label of the invoiced grade or standard, he shall be deemed guilty of a violation of the provisions of this section.

Inspection.

Guarantee of  
wholesaler.

Deterioration,  
change  
of label.

SEC. 10. Any person who violates or fails to comply with any of the provisions of this act shall

be guilty of a misdemeanor; and for a second and each subsequent conviction of a violation or failure to comply with the same provisions shall be deemed guilty of a gross misdemeanor. Violation.

SEC. 11. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. Partial invalidity.

SEC. 12. That chapter 94 of the Laws of 1915 and chapter 120 of the Laws of 1919 are hereby repealed. Repeals ch. 94, Laws of 1915; ch. 120, Laws of 1919.

Passed the House January 30, 1933.

Passed the Senate February 8, 1933.

Approved by the Governor February 14, 1933.

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## CHAPTER 18.

[S. B. 5.]

### LIABILITY OF MOTOR VEHICLE OPERATORS.

AN ACT releasing owners of motor vehicles from responsibility for injuries to passengers therein.

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

SECTION 1. No person transported by the owner or operator of a motor vehicle as an invited guest or licensee without payment for such transportation shall have a cause of action for damages against such owner or operator for injuries, death or loss, in case of accident, unless such accident shall have been intentional on the part of said owner or operator. Invitee or licensee has no action vs. car owner.

SEC. 2. This act shall not relieve any owner or operator of a motor vehicle from liability while the Not applicable to prospective purchaser.