

PURE FOOD

CHAPTER 236.

[S. B. No. 213—Kennedy]

REGULATING WEIGHT, MEASURE OR COUNT ON FOOD PRODUCTS OR BEVERAGES.

AN ACT to Regulate the Manner of Sale of Food Products and Beverages, and Establishing the Legal Weight for Lard or Lard Substitutes and for Bread, and Providing a Penalty for the Violation Thereof.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. FOOD SOLD BY WEIGHT, MEASURE OR COUNT.] Every article of food or beverage as defined in the statutes of this state shall be sold by weight, measure or numerical count and as now generally recognized by trade custom, and shall be labeled in accordance with the provisions of the food and beverage laws of this state. Only those products shall be sold by numerical count which cannot well be sold by weight or measure. All weights shall be net, excluding the wrapper or container, and shall be stated in terms of pounds, ounces and grains avoirdupois weight, and all measure shall be in terms of gallons of two hundred and thirty-one (231) cubic inches or fractions thereof, as quarts, pints, and ounces. Reasonable variations shall be permitted and tolerations therefor shall be established and promulgated by the food commissioner.

§ 2. WEIGHT OF LARD.] Every lot of lard or of lard compound or of lard substitute, unless sold in bulk, shall be put up in pails or other containers holding one (1), three (3), or five (5) pounds net weight, or some whole multiple of these numbers, and not any fractions thereof. If the container be found deficient in weight additional lard, compound, or substitute, shall be furnished to the purchaser to make up the legal weight. The face label shall show the true name and grade of the product, the true net weight together with the true name and address of the producer or jobber. If other than leaf lard is used then the label shall show the kind, as "Back Lard," or "Intestinal Lard." Every lard substitute or lard compound shall also show in a manner to be prescribed by the food commissioner, the ingredients of which it is composed, and each and every article shall be in conformity with, and further labeled in accordance with the requirements under the food laws of this state.

§ 3. WEIGHT OF BREAD.] A loaf of bread for sale shall be two pounds in weight. Bread, unless composed in chief parts of rye or maize, shall be sold only in whole, half and quarter

loaves and not otherwise. Bread, when sold, shall, upon the request of the buyer, be weighed in his presence and if found deficient in weight additional bread shall be delivered to make up the legal weight, except that this section shall not apply to rolls or to fancy bread weighing less than one-quarter of a pound. Provided, every loaf, half loaf, quarter loaf or other loaf of bread which does not weigh the full legal weight required by this section when plainly labeled with the exact weight thereof, shall not be deemed in violation of the provisions of this act.

§ 4. PENALTY FOR SO DOING.] Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and for the first offense shall be punished by a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) and the necessary costs, and for the second and each subsequent offense he shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00), or ninety (90) days in jail or both at the discretion of the court.

Approved March 3, 1911.

RAILROADS

CHAPTER 237.

[S. B. No. 70—Martin]

SHIPMENT OF LIVE STOCK.

AN ACT Regulating and Governing Contracts Relative to the Shipment of Live Stock, and Giving Notice or Claim for Loss or Damage Thereto.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Any provision, stipulation or condition in any shipping contract, bill of lading or other agreement hereafter made or entered into by or between any common carrier and the owner or shipper of any shipment of live stock, providing that written or verbal notice of loss, injury or damage thereto or of claim therefor, shall be made or given to any common carrier or to any agent or officer of any common carrier or to any other person within any period less than thirty days from the date of the occurrence of any such loss, injury or damage, shall be void and of no effect.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

§ 3. This act shall take effect and be in full force from and after its passage and approval.

Approved February 11, 1911.