

# FOODS, DRUGS, OILS AND COMPOUNDS

## CHAPTER 151

S. B. No. 153  
(Geelan and Stucke)

### PROHIBITING MANUFACTURE, SALE, ETC., OF CANDY PRODUCTS IMITATING OR RESEMBLING CIGARETTES; PENALTIES

#### AN ACT

To prevent confusion and deception in connection with the sale of candy or confectionery products, and the packaging and labeling thereof which are designed and manufactured to imitate and resemble cigarettes; to prohibit the manufacture, sale, exchange, or to knowingly transport, possess, display, or the offering for sale or exchange of such candy or confectionery products; and to prescribe penalties for violation.

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

§ 1. DECLARATION OF POLICY.) Candy or confectionery products which are designed and manufactured to imitate and resemble cigarettes or other tobacco products, and the packaging and labeling thereof which are designed and manufactured to imitate and resemble the packages of cigarettes or other tobacco products, create a condition which, if permitted to exist, tends to undermine and interfere with the well-being of the people of this state. The manufacture, sale, exchange, transportation, possession, display, or offer for sale or exchange of such candy or confectionery products and the purchase and use thereof by minors readily create a desire on the part of such minors to purchase and use genuine cigarettes or other tobacco products. It is hereby declared to be the purpose of this Act to correct and eliminate the condition above referred to; to protect the public from confusion and deception; and to prevent inducement to minors toward the use of cigarettes or other tobacco products.

§ 2. PROHIBITED ACTS.) It shall be unlawful for any person to manufacture, sell, exchange, or knowingly transport, possess, display, or offer for sale or exchange any candy or confectionery product packaged to imitate and resemble cigarettes or the packaging and labeling thereof which are designed and manufactured to imitate and resemble the packages of cigarettes.

§ 3. PENALTIES.) Any person who shall violate any of the provisions of this Act, shall, upon conviction thereof, be subject

to a fine of not more than one thousand dollars, or to imprisonment for not more than ninety days, or to both such fine and imprisonment.

Approved March 14, 1953.

---

CHAPTER 152

S. B. No. 88  
(Foss and Stucke)

---

DEFINING "NARCOTICS"

AN ACT

To amend and reenact subsection 13 of section 19-0301 of the 1949 Supplement to the North Dakota Revised Code of 1943 dealing with narcotics and definitions declaring an emergency.

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

§ 1. AMENDMENT.) Subsection 13 of section 19-0301 of the 1949 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

13. "Narcotic drugs" means coco leaves, opium, cannabis, isonipecaine, amidone, isoamidone, keto-bemidone, and every other substance neither chemically nor physically distinguishable from them; any other drugs to which the Federal laws relating to narcotic drugs may now apply; and any drug found by the state laboratories department, after reasonable notice and opportunity for hearing, to have addiction-forming or addiction-sustaining liability similar to morphine or cocaine, from the date of publication of such finding by said state laboratories department;

§ 2.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 6, 1953.

## CHAPTER 153

S. B. No. 69  
(Troxel)

## OLEOMARGARINE TAX AND STAMPS

## AN ACT

To amend and reenact section 19-0508 of the 1949 Supplement to the North Dakota Revised Code of 1943, relating to tax stamps on oleomargarine.

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

§ 1. AMENDMENT.) Section 19-0508 of the 1949 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

19-0508. TAX ON OLEOMARGARINE; CONTAINERS FOR SALE; TAX STAMPS TO BE AFFIXED.) The state treasurer shall collect a tax of ten cents per pound upon all oleomargarine sold to consumers in this state. An additional tax of ten cents per pound shall be collected upon all oleomargarine which is yellow in color sold to consumers in this state. Oleomargarine shall not be sold in this state in packages containing less than one pound nor more than thirty pounds. Before a box, carton or other container of oleomargarine is sold or distributed by a wholesaler he shall attach to each package a stamp denoting the payment of the tax upon the oleomargarine therein contained. Such stamps shall be cancelled in the manner required by the state treasurer. All wholesalers selling or distributing oleomargarine in the state shall make such reports to the state treasurer as he may prescribe. Oleomargarine shall be held to be yellow in color when it has a tint or shade containing more than one and six-tenths degree of yellow or of yellow and red collectively but an excess of yellow over red, measured in the terms of the lovibond tintometer scale or its equivalent.

Approved March 4, 1953.

## CHAPTER 154

H. B. No. 690  
(Dahlund, Hegge and Saugstad)

## LABELING OF PETROLEUM PRODUCTS

## AN ACT

To amend and reenact sections 19-1004, 19-1006, 19-1007 and 19-1008 of the North Dakota Revised Code of 1943 dealing with labeling of petroleum products.

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

§ 1. AMENDMENT.) Sections 19-1004, 19-1006, 19-1007 and 19-1008 of the North Dakota Revised Code of 1943 are hereby amended and reenacted to read as follows:

19-1004. LABELING GASOLINE CONTAINERS: GASOLINE PIPE LINE.) Every package, barrel, filling station pump, and every tank wagon, truck, or car containing gasoline for sale or consignment or held with intent to sell or consign the same within this state or to transport it into this state, shall be clearly and distinctly stamped, labeled, or tagged with the word "gasoline". Every oil station pipe line for gasoline must be painted red. The fittings upon such lines, however, may be painted other colors to designate grades. Pipe lines for gasoline shall be entirely separate from lines for kerosene or for any other high flash product. Every can, bucket, barrel, or other container of less than sixty gallons capacity used for storage or delivery of gasoline, benzine or benzine products, unless the same is made of glass, shall be painted bright red, and such containers shall not be used for the storage or delivery of kerosene. In the case of glass containers, the contents shall be designated by a red label securely pasted on or attached to the containers bearing the name of the product.

19-1006. LABELING TRACTOR FUEL.) Every package, barrel, pump, and every truck, tank wagon, or car containing tractor fuel oil, other than gasoline or kerosene, for sale or consignment, when held within this state or when being transported into this state, shall be clearly and distinctly tagged, marked, and labeled with the legend "Tractor fuel oil, not for illuminating purposes nor wick burners". Every oil station pipe line for tractor fuel shall be painted yellow and shall be entirely separate from lines for kerosene or other high flash product.

19-1007. LABELING HEATING OIL.) Every package, barrel, pump, and every tank wagon, truck, or car containing heating oil for sale or consignment, when held within this state or when being transported into this state, shall be clearly and distinctly tagged, marked, or labeled with the designation of grade established by the department. Every oil station pipe line for heating oil shall be painted green.

19-1008. LABELING: DIESEL FUEL.) Every package, barrel, pump, and every tank wagon, truck, or car containing diesel fuel for sale or consignment, when held within this state or transported into this state, shall be clearly and distinctly tagged, marked, or labeled with the designation "diesel fuel" together with its cetane number and the grade established by the department. Every oil station pipe line for diesel fuel shall be painted green.

Approved March 11, 1953.

---

## CHAPTER 155

H. B. No. 689  
(Dahlund, Hegge, and Saugstad)

---

### COLORING OF GASOLINE

#### AN ACT

To amend and reenact section 19-1017 of the North Dakota Revised Code of 1943 dealing with coloring of gasoline.

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

§ 1. AMENDMENT.) Section 19-1017 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

19-1017. COLORING OF GASOLINE.) Any gasoline that shows antiknock characteristics of not less than octane No. 76 of the knock rating system referred to as research method and approved by the United States bureau of standards, may be colored by the use of any harmless dye except red. Any gasoline that shows antiknock characteristics of not less than octane No. 85 of the same system may be colored by the use of any harmless dye. Any gasoline showing an antiknock standard of less than octane No. 76 as specified above must be sold without the addition of any foreign coloring matter.

Approved March 4, 1953.