

1. A minister, commissioner or charge d'affairs of the United States, resident and accredited in the country where the proof or acknowledgment is made; or
2. A secretary of legation, consul, vice consul or consular agent of the United States resident in the country where the proof or acknowledgment is made; or
3. A judge, clerk, register or commissioner of a court of record of the country where the proof or acknowledgment is made; or
4. A notary public of such country; or
5. An officer authorized by the laws of the country where the proof or acknowledgment is taken, to take proof or acknowledgments; or
6. When any of the officers mentioned in this article are authorized by law to appoint a deputy, the acknowledgment or proof may be taken by such deputy in the name of his principal.
7. All proofs or acknowledgments taken according to the provisions of this chapter prior to the enactment of this amendment are hereby declared to be sufficiently authenticated and to be entitled to record, and all such records hereafter made shall be notice of the contents of the instruments so recorded.

§ 2. EMERGENCY.] Whereas, an emergency exists because of the unsettled condition of many titles throughout the state by reason of defective acknowledgments, therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 6, 1901.

---

## ADULTERATION OF FOOD.

---

### CHAPTER 4.

[H. B. 103.]

#### ADULTERATION AND MISBRANDING OF FOODS AND DRINKS.

AN ACT to Prevent the Adulteration, Misbranding and Selling of Adulterated and Unwholesome Foods and Beverages, Prescribing a Penalty for the Violation, and Charging the State's Attorney With the Enforcement Hereof.

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

§ 1. ADULTERATING AND MISBRANDING FOODS AND BEVERAGES.] It shall be unlawful for any person, his servant or agent, or while acting as the servant or agent of any other person or corporation, to manufacture for sale or offer for sale any article of food or beverage which is unwholesome or adulterated within the meaning of this act.

§ 2. WHAT CONSTITUTES ADULTERATION.] Any article of food or beverage shall be considered as unwholesome or adulterated within the meaning of this act:

First. If it contains any form of aniline dye or other coal tar dye.

Second. If it contains formaldehyde, benzoic acid, sulphites, sulphurous acid or salicylic acid.

Third. If any substance or substances have been mixed with it so as to reduce or lower or injuriously effect its quality or strength, so that such article of food or beverage when offered for sale, shall deceive or tend to deceive the purchaser.

Fourth. If any inferior or cheaper substance or substances have been substituted wholly or in part for the article, so that the product, when sold, shall deceive or tend to deceive the purchaser.

Fifth. If any necessary or valuable constituent of the article has been in whole or in part abstracted.

Sixth. If it be an imitation of or offered for sale under the specific name of another article.

Seventh. If it be labeled or branded so as to deceive or mislead the purchaser.

Eighth. If it consists wholly or in part of a diseased, decomposed, filthy or putrid animal or vegetable substance.

Provided, that an article of food or beverage shall not be deemed adulterated in the following cases:

First. If it be a compound or mixture of recognized food products and not included in definition sixth of this section.

Second. In the case of candies and chocolates if they contain no terra alba, barytes, talc, chrome yellow or other mineral substances, or aniline dyes or other poisonous colors or flavors detrimental to health.

Third. If in the case of baking powders or any mixture or compound intended for use as a baking powder they have affixed to each and every box, can or package containing such powder or like mixture or compound, a light colored label upon the outside and face of which there is distinctly printed with black ink and in clear, legible type the name and address of the manufacturers, the true and correct analysis of each and all the constituents or ingredients contained in or contributing a part of such baking powders, or mixture or compound intended for use as a baking powder.

§ 3. PENALTY FOR SO DOING.] Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and shall for each offense be punished by a fine of not less than twenty-five (\$25) dollars or more than one hundred (\$100) dollars, and all necessary costs, including the expense of analyzing such adulterated articles when said person has been found guilty under this act.

§ 4. DUTY OF STATE'S ATTORNEY.] It shall be the duty of the state's attorney to prosecute all persons violating any of the provisions of this act.

§ 5. REPEAL.] All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

§ 6. DATE OF TAKING EFFECT.] This act shall take effect January 1st, 1902.

Approved March 8, 1901.