

act shall apply to sales of limestone, or limestone products or marl, when such sales are made at the quarry or pit in bulk, and delivered to the wagons or trucks of the users, who are presumed to be acquainted with the qualities of the local products, *if such deliveries do not exceed one hundred tons in any one year.*

Limited sales at pit or quarry excepted.

APPROVED—The 22d day of May, A. D. 1933.

GIFFORD PINCHOT

No. 158

AN ACT

To amend clause five of section three of the act, approved the thirteenth day of May, one thousand nine hundred and nine (Pamphlet Laws, five hundred twenty), entitled "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," as amended, permitting the use of harmless colors in fruits used in fruit cake, and further regulating the use of sulphur dioxide in the preparation of dried fruits and molasses.

Section 1. Be it enacted, &c., That clause five of section three of the act, approved the thirteenth day of May, one thousand nine hundred and nine (Pamphlet Laws, five hundred twenty), entitled "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," which was last amended by the act approved the twenty-sixth day of April, one thousand nine hundred and twenty-three (Pamphlet Laws, eighty-eight), is hereby further amended to read as follows:

Fifth. If it contains any added sulphurous acid, sulphur dioxide, or sulphites, [benzoate] benzoic acid or benzoates, except as hereafter provided; or if it contains any added boric acid or borates, salicylic acid or salicylates, formaldehyde, hydrofluoric acid or florides, fluorborates, fluosilicates, or other fluorine compounds, dulcin, glucin, saccharin, alum, compounds of copper, betanaphthol, hydronaphthol, abrastol, asaprol, pyroligneous acid, or other added ingredients deleterious to health; or if, in the case of confectionery, it contains any of the substances mentioned in this paragraph, or

Public health.

Clause 5, section 3, act of May 13, 1909 (P. L. 520), as last amended by act of April 26, 1923 (P. L. 88), further amended.

Adulterations.

any mineral substances, or injurious color or flavor, alcoholic liquor, or any other ingredient, not herein mentioned, deleterious to health: Providing, That this act shall not be construed to prohibit the use of harmless colors of any kind, in confectionery or in fruits used in fruit cake, when used for coloring, and not for any fraudulent purpose: And provided further, That nothing in this act shall be construed to prohibit the use of common salt, sugar, pure corn syrup, pure glucose, wine vinegar, cider vinegar, malt vinegar, sugar vinegar, glucose vinegar, distilled vinegar, spices or their essential oils, alcohol (except in confectionery), edible oils, edible fats, wood smoke applied directly as generated, or proper refrigeration: And provided further, That in the manufacture of confectionery the use of alcohol shall be permitted as it may be found in customary alcoholic tinctures or extracts used for flavoring purposes only, and as a solvent for glazes, and that oil of sweet birch, or methyl-salicylic ester, may be used as a substitute for oil of wintergreen as a flavor: And provided further, That in the preparation of dried fruits and molasses, sulphur dioxide, either free or in simple combination, may be used in the proportion of not in excess of twenty-five hundred (2500) parts a million, and [in such quantities as will not render said dried fruits or molasses deleterious to health] that when any dried fruits and molasses are used in any foods or food products or contain as a part of or as an ingredient in any food, the sulphur dioxide in such dried fruits and molasses shall not exceed the proportion of fifty (50) parts a million; and that sodium [benzoates] benzoate may be used in the preparation of those articles of food in which it has heretofore been generally used in quantities not exceeding one-tenth ($\frac{1}{10}$) of one per centum, or benzoic acid equivalent thereto: And provided further, That when any quantity of sodium benzoate is used in any article of food, [or any quantity of sulphur dioxide is used in the preparation of dried fruits or molasses] the fact that sodium benzoates [or sulphur dioxide] has been used in the preparation thereof shall be plainly stated on each package of such food.

Proviso.

Harmless colors in fruits used in fruit cake.

Salt, sugar, etc.

Alcohol.

Proportions of sulphur dioxide in fruits and molasses.

Sodium benzoate.

Proviso.

Use to be stated on package.

APPROVED—The 22d day of May, A. D. 1933.

GIFFORD PINCHOT

No. 159

AN ACT

To amend section seven hundred five of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred fifty-nine), entitled "An act concerning game and other wild birds and wild