

Validation.
Pending proceed-
ings.

the said act, be deemed and taken to be valid and effectual for all purposes. This act shall not affect any proceeding now pending.

APPROVED—The 20th day of March, A. D. 1923.

GIFFORD PINCHOT.

No. 20.

AN ACT

For the prevention of fraud and the protection of the public health; relating to milk, cream, or skimmed milk, whether or not condensed, evaporated, concentrated, dried, powdered, or desiccated; prohibiting the introduction of foreign fats into them; regulating the sale of and defining condensed, concentrated, and evaporated milk; stipulating penalties for the infraction thereof, and providing for the enforcement thereof.

Filled milk.

Definitions.

Standard.

Tolerances allowed

Minimum standard

Must conform to
standard.

Sealed cans to be
labeled.

Blended or com-
pounded with other
than milk fats, un-
lawful.

Section 1. Be it enacted, &c., That for the purpose of this act the definitions of condensed milk, evaporated milk, concentrated milk, is the product resulting from the evaporation of a considerable portion of the water from milk, or from milk, with adjustment, if necessary, of the ratio of fat to non-fat solids by the addition or by the abstraction of cream it contains, all tolerances being allowed for not less than seven and eight-tenths per cent of milk fat, nor less than twenty-five and five-tenths per cent of total milk solids: Provided, however, That the sum of the percentages of milk fat and total milk solids be not less than thirty-three and seven-tenths per cent.

Section 2. It shall be unlawful for any person, firm, or body corporate, by himself, herself, itself, or themselves, or by his, her, its, or their agents, servants, or employes, to manufacture, sell, or exchange, or have in possession with intent to sell or exchange, any condensed, evaporated, or concentrated milk which shall not conform at least to the minimum standards set forth respectfully in section one hereof, and, when contained in hermetically sealed cans, does not bear stamped or labeled thereon the name and address of the manufacturers or distributors thereof.

Section 3. It shall be unlawful for any person, firm, or body corporate, by itself, herself, itself, or themselves, or by his, her, its, or their agents, servants, or employes, to manufacture, sell, or exchange, or have in possession with intent to sell or exchange, any milk, cream, or skimmed milk, whether or not condensed, evaporated, concentrated, powdered, dried, or desiccated, to or with which has been added, blended, or compounded any fats or oils, other than

milk fats, either under the name of said products or articles or the derivatives thereof, or if labeled under any fictitious, coined, or trade names whatsoever: Provided, however, That nothing in this act shall be construed as prohibiting the use of chocolate as a flavor.

Chocolate.

Section 4. Any violation of the provisions of this act is hereby declared to be a misdemeanor, and any person, whether individually or as a member of a partnership or as a responsible agent or officer of an incorporate body, who shall be convicted of such violation, either on his own behalf or in the interest of a corporate body, shall be sentenced to undergo an imprisonment of not less than thirty (30) days nor more than sixty (60) days, or to pay a fine of not less than fifty (\$50) dollars nor more than one hundred dollars (\$100), or both.

Violation of act a misdemeanor.

Penalty.

Section 5. The Director of the Bureau of Foods shall be charged with the enforcement of the provisions of this act.

Enforcement of act.

Section 6. All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Director of the Bureau of Foods or his agent, and, when so collected and paid, shall thereafter be, by the Director of the Bureau of Foods, paid into the State Treasury for the use of the Commonwealth.

Fines and penalties disposal of.

Section 7. Nothing in this act shall be construed to prohibit the shipment into this Commonwealth from a foreign state and the first sale thereof in this Commonwealth in the original package, intact and unbroken, of any of the products or articles the manufacture, sale, or exchange of which, or possession of which with intent to sell or exchange, is prohibited hereby.

Sale of shipments from foreign states.

Section 8. Should any section or any part of a section or sections hereof become or be declared to be inoperative or void for any cause or reason whatsoever, the remainder of the section or of such sections shall be and remain in full force and effect.

If part of act is declared void remainder shall remain in force.

Section 9. This act shall become effective ninety days after its passage.

When effective.

Section 10. All acts or parts of acts inconsistent herewith are hereby repealed.

Repeal.

APPROVED—The 21st day of March A. D. 1923.

GIFFORD PINCHOT.