

phosphoric acid shall be stated on the basis of the results of any analysis by the Wagner method, so-called, until such time as the Association of Official Agricultural Chemists of North America shall adopt an official method of analysis for basic slag, after which the available phosphoric acid shall be stated on the basis of an analysis by the method of such association.

Section 7. The term "commercial fertilizers," as used in this act, shall be construed to mean any and every substance imported, manufactured, prepared, or sold for fertilizing or manuring purposes, except the dung of domestic animals, marl, lime, and wood ashes, and not exempt by the provisions of section one of this act. No commercial fertilizer containing less than one per centum of nitrogen or one per centum of available phosphoric acid ( $P_2O_5$ ) or one per centum water soluble potash ( $K_2O$ ); nor any mixed fertilizer or mixture composed of two or more ingredients containing less than [fourteen] sixteen per centum of total plant food, namely,—not less than one per centum of nitrogen or one per centum of available phosphoric acid ( $P_2O_5$ ) or one per centum of water soluble potash ( $K_2O$ ),—shall be sold, offered for sale, or exposed for sale in this Commonwealth. No commercial fertilizer having the word "tobacco" as part of its brand or trade name, shall contain muriate of potash, manure salts, kainit, or any other commercial potash combined with chlorine as chloride of potash.

"Commercial fertilizers" defined.

Sale of certain fertilizers forbidden.

Tobacco fertilizer.

Section 2. This act shall become effective on the first day of January, one thousand nine hundred and thirty-four.

Effective date.

APPROVED—The 29th day of March, A. D. 1933.

GIFFORD PINCHOT

No. 17

AN ACT

To amend sections two, and four of the act, approved the third day of May, one thousand nine hundred and nine (Pamphlet Laws, three hundred ninety-five), entitled "An act regulating the sale of concentrated commercial feeding-stuffs, also of condimental stock and poultry-food, and patented, proprietary or trade-mark stock and poultry-food, possessing nutritive value combined with medicinal properties; defining concentrated commercial feeding-stuffs; prohibiting the adulteration of any feeding-stuff, sold, offered, or exposed for sale, in this State, with oat hulls, ground corn cobs, flax plant refuse, elevator chaff, cotton-seed hulls, ground corn stalks, rice hulls, peanut hulls, weed seeds, or other similar adulterants; providing for the collection of samples and analysis thereof by the Department of Agriculture, and the publication of information concerning the same; providing also for the expenses of the enforcement of the law, fixing penalties for its violation, and repealing act number two hundred and eleven (Pamphlet Laws, one thousand nine

hundred seven, page two hundred seventy-three), entitled 'An act regulating the sale of wheat-rye-corn- and buckwheat-bran and middlings, or any admixture thereof;' et cetera, approved the twenty-eighth day of May, one thousand nine hundred and seven," as amended, further defining commercial feeding-stuffs, and changing annual and other registration fees.

Commercial  
feeding stuffs.

Section 2, act of  
May 3, 1909  
(P. L. 395), as  
amended by  
act of May 11,  
1921 (P. L.  
499), further  
amended.

Section 1. Be it enacted, &c., That section two of the act, approved the third day of May, one thousand nine hundred and nine (Pamphlet Laws, three hundred ninety-five), entitled "An act regulating the sale of concentrated commercial feeding-stuffs, also of condimental stock and poultry-food, and patented, proprietary or trade-mark stock and poultry-food, possessing nutritive value combined with medicinal properties; defining concentrated commercial feeding-stuffs; prohibiting the adulteration of any feeding-stuff, sold, offered, or exposed for sale, in this State, with oat hulls, ground corn cobs, flax plant refuse, elevator chaff, cotton-seed hulls, ground corn stalks, rice hulls, peanut hulls, weed seeds, or other similar adulterants; providing for the collection of samples and analysis thereof by the Department of Agriculture, and the publication of information concerning the same; providing also for the expenses of the enforcement of the law, fixing penalties for its violation, and repealing act number two hundred and eleven (Pamphlet Laws, one thousand nine hundred seven, page two hundred seventy-three), entitled 'An act regulating the sale of wheat-, rye-, corn-, and buckwheat-bran, and middlings, or any admixture thereof,' et cetera, approved the twenty-eighth day of May, one thousand nine hundred and seven," which was amended by section one of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred ninety), is hereby further amended to read as follows:

"Concentrated  
commercial  
feeding stuffs"  
defined.

Section 2. The term "concentrated commercial feeding-stuffs," as used in this act, shall include cottonseed meals, cottonseed feeds, linseed meals, linseed oil meals, cocoanut oil meals, peanut meals, corn oil meals, corn gluten feeds, corn gluten meals, corn bran, maize feeds, starch feeds, barley middlings, barley feeds, pea meals, bean meals, sugar feeds, dried distillers' grains, dried brewers' grains, malt sprouts, dried malt grains, dried vinegar grains, wheat bran, wheat middlings, wheat mixed feeds, rye bran, rye middlings, rye mixed feeds, buckwheat brans, buckwheat middlings, buckwheat feeds, hominy feeds, cerealine feeds, maize-line feeds, rice meals, dried beet pulp, dried molasses beet pulp, feed molasses, molasses grains, molasses feeds, clover meal, alfalfa meal and feeds, semi-solid or dried buttermilk, *semi-solid or dried skimmed milk*, ground beef scraps, ground fish scrap, oil meals or residues from extracted seeds and grains, mixtures of whole grains, and all other mixtures bearing distinctive brand or trade names, and all *mate-*

*rials, products, and other mixtures of similar nature used for feeding domestic animals, including poultry; conditional stock- and poultry-foods, and patented, proprietary or trade-mark stock- and poultry-foods, possessing nutritive value combined with medicinal properties, and all mixed feeds other than pure grains which are not sold as mixtures bearing distinctive names, but which are sold as pure grains. It shall not include hays, straws and corn stover, ensilage, whole grains, nor the unmixed meals made directly from the entire grains of wheat, rye, barley, oats, Indian corn, ear corn, Kaffir corn, broom corn, sugar cane, sorghum, rice, buckwheat, and flaxseed, not mixed with other substances, but sold separately as distinct articles of commerce; nor pure grains mixed together, not being mixed with any other substance, nor having distinctive brand or trade names, but sold as mixtures of pure whole grains. The Secretary of Agriculture, by himself or his agents, is fully empowered to take samples of these articles when found, and if, upon analysis, they prove to be adulterated or misbranded, the vender shall be in all respects subject to the penalties hereinafter set forth for the adulteration or misbranding of concentrated commercial feeding-stuffs.*

Samples and analysis.

Section 2. That section four of said act, which was amended by the act approved the nineteenth day of March, one thousand nine hundred and twenty-three (Pamphlet Laws, twelve), is hereby further amended to read as follows:

Section 4, as amended by act of March 19, 1923 (P. L. 12), further amended.

Section 4. Each and every manufacturer or importer [agent, person, corporation, or firm] of *concentrated commercial feeding-stuffs*, on or before the first day of January of each year, or before selling, offering, or exposing for sale, in this Commonwealth, any concentrated commercial feeding-stuffs, [as defined in section two of this act] shall register and file annually with the [Secretary] *Department of Agriculture* a certified statement of the names and number of each kind or brand of such concentrated commercial feeding-stuffs that he shall offer for sale during the next ensuing year, and a copy of the analysis of each one of such brands as required by section one of this act. [and he or they shall pay to the Secretary of Agriculture the sum of twenty-five dollars for each and every brand of such concentrated commercial feeding-stuffs to be sold or offered for sale within the Commonwealth,]

Reports of sellers to Department of Agriculture.

*Before offering any new brand of concentrated commercial feeding-stuffs for sale, which was not included in the annual certified statement as above provided, the manufacturer or importer shall file a similar special certified statement for such new brand with the Department of Agriculture. For every new brand of feeding-stuffs offered for sale, whether included in the annual or a special certified statement, the manufacturer or im-*

New brands to be certified and filed with the Department of Agriculture.

porter shall pay to the Department of Agriculture, at the time the certified statement is filed, an original registration fee of five dollars (\$5.00) for the use of the Commonwealth.

Affidavit to be filed annually.

Registration fees.

Every manufacturer or importer of concentrated commercial feeding-stuffs also shall file, annually, with the Department of Agriculture an affidavit, showing the amount by tons of each brand of such feeding-stuffs sold within the Commonwealth during the last preceding calendar year, and at the same time pay to the Department of Agriculture, for the use of the Commonwealth, the following annual registration fees for each brand of such feeding-stuffs so sold: One hundred and fifty (150) tons and less, five dollars (\$5.00); more than one hundred and fifty (150) tons and not more than three hundred (300) tons, ten dollars (\$10.00); more than three hundred (300) tons and not more than five hundred (500) tons, fifteen dollars (\$15.00); more than five hundred (500) tons, twenty-five (\$25.00), except for brands of (a) pure wheat bran, (b) pure wheat middlings, (c) pure wheat mixed feed, (d) pure rye bran, (e) pure rye middlings, (f) pure rye mixed feed, (g) pure buckwheat bran, (h) pure buckwheat middlings, (i) pure buckwheat feed, being by-products resulting from the milling of pure wheat, rye, and buckwheat in the manufacture of wheat, rye, and buckwheat-flour; and (j) pure corn meal made by grinding and bolting corn; and (k) pure corn and oats chop made by grinding together, or by grinding separately and mixing together, pure corn and oats; standards for which brands shall be fixed by the [Secretary] Department of Agriculture; in which cases he shall pay to the [Secretary] Department of Agriculture the sum of [six] five dollars [(\$6.00)] (\$5.00) instead of the amounts hereinbefore specified [twenty-five dollars] for each and every such brand to be sold or offered for sale within the Commonwealth. All moneys so received shall be immediately paid by the [Secretary] Department of Agriculture, [to] through the Department of Revenue, into the State Treasury for the use of the Commonwealth: *Provided, however, That any manufacturer or importer who shall voluntarily pay to the Department of Agriculture, on or before the first day of January of any year, the sum of twenty-five dollars (\$25.00) for each kind or brand of concentrated commercial feeding-stuffs, registered as aforesaid with the department, shall not be required to file an affidavit showing the amount of tons of such feeding-stuffs sold within the Commonwealth during the preceding year as hereinbefore provided.*

Disposition of fees.

Proviso.

APPROVED—The 29th day of March, A. D. 1933.

GIFFORD PINCHOT