

intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Act of May 9,
1949, P. L. 1050,
repealed.

Inconsistent acts
repealed.

Act effective
immediately.

Section 21. The act, approved the ninth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1050) and all acts and parts of acts inconsistent with this act are hereby repealed.

Section 22. This act shall become effective immediately upon its final enactment.

APPROVED—The 27th day of September, A. D. 1951.

JOHN S. FINE

No. 349

AN ACT

To amend sections one and two of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1511), entitled "An act defining cold storage; requiring licenses to operate cold storage warehouses and locker plants; requiring records, reports, marking, wrapping, protecting, limiting time of storage, disposition, sale, return or transfer of foods in cold storage; conferring powers on the Department of Agriculture, including adoption of rules and regulations, special permits for storage of feeding stuffs for animal use, and providing penalties for violation of this act," by redefining the term "Cold Storage Warehouse" and reducing the license fee.

Cold storage
warehouses.

Section 1, act of
May 20, 1949,
P. L. 1511,
amended.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section one of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1511), entitled "An act defining cold storage; requiring licenses to operate cold storage warehouses and locker plants; requiring records, reports, marking, wrapping, protecting, limiting time of storage, disposition, sale, return or transfer of foods in cold storage; conferring powers on the Department of Agriculture, including adoption of rules and regulations, special permits for storage of feeding stuffs for animal use, and providing penalties for violation of this act," is hereby amended to read as follows:

Section 1. Definitions.—For the purpose of this act the following terms and words shall mean as follows:

"Cold Storage" shall mean the storage or keeping of articles of food at/or below a temperature of forty-five (45) degrees Fahrenheit in a cold storage warehouse or locker plant.

"Cold Storage Warehouse" shall mean any place *artificially or mechanically cooled to/or below a temperature of forty-five (45) degrees Fahrenheit in which articles of food, except fresh unprocessed fruits and vegetables, are placed and held for **thirty (30) days

* "artificial" in original.

** "thirty" in original.

or more, except a restaurant, [store,] home, or eating club, using its cold storage space exclusively for *club or club members' purposes only* [or a place or structure used exclusively for the storage of articles of food for the occupant, owner, or maintainer thereof, which storage place or space is not principally used for renting, sale or profit].

“Locker Plant” shall mean any cold storage warehouse or portion thereof which provides separate individual lockers, cabinets, boxes, baskets, or other receptacles, for the storage of food products for home or personal use only and not for purpose of sale.

“Department” shall mean the Department of Agriculture and its employes or agents.

*“Licensee” shall mean the owner or operator of a cold storage warehouse and/or locker plant.

Section 2. Section two of said act is hereby amended to read as follows:

Section 2, said act, amended.

Section 2. Licenses; Application; Investigation; Fee.—No person, firm or corporation shall maintain or operate a cold storage warehouse or locker plant without a license so to do issued by the Department of Agriculture. Any person, firm or corporation desiring such a license shall make written application to the department for that purpose or purposes, stating the location of the cold storage warehouse and/or locker plant.

The department thereupon shall cause an examination to be made of said cold storage warehouse or locker plant and if it be found to be in a proper, sanitary condition and otherwise properly equipped for its intended use, the department shall issue a license authorizing the applicant to operate the same as a cold storage warehouse or locker plant during one (1) year. The license shall be issued upon payment by the applicant of a license fee of [fifty dollars (\$50)] *twenty-five dollars (\$25)* to the department and shall thereafter be paid by the department into the State Treasury, through the Department of Revenue, for the use of the Commonwealth: Provided, That all licenses now in effect shall continue in full force for the period for which the license was paid if the licensee complies with all of the other provisions of this act.

Section 3. This act shall become effective immediately upon final enactment.

Act effective immediately.

APPROVED—The 26th day of September, A. D. 1951.

JOHN S. FINE

* “Licensees” in original.