

terms of this act in order that said new central office building may be built eventually in the vicinity of the State Capitol and harmonize with the development of the State Capitol grounds and related public buildings.

Sec. 4. Subd. 4. Payment for trunk highway fund. The cost of carrying out the terms of this act shall be paid from the trunk highway fund and so much thereof as is necessary therefor is hereby apportioned therefrom.

Sec. 5. Repealer. Laws 1943, Chapter 560, is hereby repealed.

Approved April 26, 1947.

CHAPTER 558—S. F. No. 1044

[Section 2 Coded as Section 31.311; Section 4 as Section 31.391; Section 5 as Section 31.392]

An act relating to commercial canners; providing for their supervision and the sanitary conditions thereof; amending Minnesota Statutes 1945, Section 31.31 and 31.39.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1945, Section 31.31, is amended to read as follows:

31.31. Commercial canneries; supervision; sanitary conditions. All commercial vegetable and fruit canneries, located within this state, shall be under the supervision and regulation of the commissioner. For the purpose of Sections 31.02 to 31.17 and 31.28 to 31.43, a commercial cannery is defined to be a place or building where vegetables, fruits, fish or other food products, except meat products processed in canneries which are inspected by the United States bureau of animal industry, are packed in hermetically sealed containers, where sterilization by heat is used, and the products placed on the market for general consumption as human food; but shall not include private homes where farmers or others may pack or preserve vegetables, fruits, fish or other food products for their own use. At such times as the commissioner may deem proper, he shall cause all commercial canneries to be inspected, and shall require the correction of all unsanitary conditions or practices found therein, and may search and enter all cupboards, closets, or any other places in such can-

neries for the purpose of discovering any chemical preservatives or adulterants which he has reason to believe are used or intended to be used in the canning or preserving of vegetables, fruits, fish or other food products, except meat products processed in canneries which are inspected by the United States bureau of animal industry, and for enforcing the provisions thereof.

[31.311] **Inspection under supervision of bacteriologist.**
Sec. 2. The inspection of commercial canneries shall be under the immediate supervision of the bacteriologist of the department of agriculture, dairy and food. The bacteriologist shall visit and inspect commercial canneries as often as is necessary and may conduct bacteriological surveys, make sanitary inspections, and assist the canning industry. All commercial canneries shall comply with all food laws, and with all sanitary laws, rules and regulations; shall use only proper raw materials and ingredients in the preparation of food products; and shall apply the requisite sterilization by heat in the packing and preservation of food products. In making inspections of commercial canneries the bacteriologist shall examine the quality of any raw materials or ingredients used in canning, packing, or preserving food products, and shall condemn any raw materials or other ingredients thereof unfit for use in the packaging, canning, or preservation of food products. The bacteriologist may employ such assistants, aides, and technicians as are needed in making bacteriological surveys and conducting special studies while commercial canneries are in operation. No such assistant, aide, or technician shall be employed for a period of more than five months in any year. All such assistants, aides, and technicians shall be subject to the provisions of Minnesota Statutes 1945, Chapter 43.

Sec. 3. Minnesota Statutes 1945, Section 31.39, is amended to read as follows:

31.39. Assessments for inspections and services; commercial canneries inspection accounts; penalty for non-payment. The commissioner is hereby authorized and directed to collect from each commercial cannery an assessment for inspection and services furnished, and for maintaining a bacteriological laboratory and employing a bacteriologist and such assistants as he may deem necessary. The assessment to be made on each commercial cannery, for each and every packing season, shall not exceed one-half cent per case on all foods packed, canned, or preserved therein, nor shall the assessment in any one calendar year to any one cannery exceed \$1,000, and the

minimum assessment to any cannery in any one calendar year shall be \$50. The commissioner may, when he deems it advisable, graduate and reduce the assessment to such sum as is required to furnish the inspection and laboratory services rendered. The assessment made and the sums so collected shall be deposited in the state treasury, as other departmental receipts are deposited, but shall constitute a separate account to be known as the commercial canneries inspection account, which is hereby created, and together with moneys now remaining in said account, set aside, and appropriated as a revolving fund, to meet the expense of special inspection, laboratory and other services rendered, as provided in Sections 31.02 to 31.17 and 31.28 to 31.43. The amount of such assessment shall be due and payable on or before December 31, of each year, and, if not paid on or before February 15 following, shall bear interest after that date at the rate of seven per cent per annum, and a penalty of ten per cent on the amount of the assessment shall also be added and collected.

[31.391] **Concrete floors.** Sec. 4. *All floors of commercial canneries hereafter shall be constructed of concrete or other water-impervious material and shall be so constructed as to permit proper washing and cleansing, and shall have sufficient slope for good drainage and a sufficient number of floor drains or gutters to insure proper and prompt removal of water and waste liquids.*

[31.392] **Canning in dwelling or basement forbidden.** Sec. 5. *No commercial canning of any food products shall be permitted in a house or dwelling or in the basement of any building.*

Sec. 6. **Repealer.** Sections 31.34 and 31.35, Minnesota Statutes 1945, are repealed.

Approved April 26, 1947.

CHAPTER 559—S. F. No. 1146

An act relating to Commercial fishing in Lake Superior, licensing and fixing open seasons thereof; and amending Minnesota Statutes 1945, Section 98.46, Subdivision 22, (a), (b) and (c); and amending Minnesota Statutes 1945, Section 102.28.

Be it enacted by the Legislature of the State of Minnesota :