

engaged in work upon the roadway of a highway, but shall apply to such persons and vehicles when traveling to or from such work.

Street cars and trackless trolley cars, except where otherwise specifically provided, shall be governed by the same rules and regulations as provided in this chapter for vehicles and motor vehicles, only insofar as such regulations apply to speed, stopping at through streets and railroad tracks, and obeying signals of traffic-control devices and rights of way, and shall be entitled to the same rights and benefits of this chapter, as to warning, turning and stopping signals and rights of way, as any vehicle or motor vehicle in the streets and highways of this state.

Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a roadway shall be subject to the provisions of this chapter applicable to the driver of a vehicle, except those provisions which by their nature can have no application.

The provisions of this chapter shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein, and no local authority shall enact or enforce any rule or regulation in conflict with the provisions of this chapter unless expressly authorized herein. Local authorities may adopt traffic regulations which are not in conflict with the provisions of this chapter, *provided, that when any local ordinance regulating traffic covers the same subject for which a penalty is provided for in this chapter, then the penalty provided for violation of said local ordinance shall be identical with the penalty provided for in this chapter for the same offense.*

Sec. 2. *This act shall take effect and be in force from and after 90 days after its passage.*

Approved April 18, 1945.

CHAPTER 384—S. F. No. 761

An act relating to milk, cream, and liquid milk products; defining milk, pasteurization and pasteurized; regulating the pasteurization, sale, possession, advertising, labeling, and dealing in milk, cream, and liquid milk products; establishing grades of milk; and providing penalty for violation thereof.

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

Section 1. Milk defined. Milk is defined as the whole, fresh, clean lacteal secretion obtained by the complete milking of one or more healthy cows, excluding that obtained within 15 days before and five days after calving, or such longer period as may be necessary to render the milk practically colostrum free, and which contains not less than 3.25 per cent of milk fat. The name "milk" unqualified mean cow's milk.

Sec. 2. Pasteurized defined. The terms "pasteurization," "pasteurized," and similar terms shall be taken to refer (a) to the process of heating every particle of milk or milk products to a temperature of at least 143 degrees Fahrenheit and holding such temperature for at least 30 minutes and then immediately cooling to a temperature of at least 50 degrees Fahrenheit in properly operated equipment approved by the Commissioner of Agriculture, Dairy and Food, or (b) to the process of heating every particle of milk or milk products to a temperature of at least 160 degrees Fahrenheit and holding such temperature for at least 15 seconds and then immediately cooling to a temperature of at least 50 degrees Fahrenheit in properly operated equipment approved by said Commissioner. Nothing contained in this definition shall be construed as excluding any other process which has been demonstrated to be equally efficient and is approved by said Commissioner.

Sec. 3. Approval of plant required. No pasteurized milk, cream or liquid milk products may be sold, advertised, offered, or exposed for sale or held in possession for sale in this state unless the plant, equipment, water supply and plumbing system connected with such plant shall have been approved by the Commissioner of Agriculture, Dairy and Food and a permit issued to operate such plant. All construction or alteration of such plants shall be made only with the approval of said Commissioner and duplicate plans for such construction or alteration shall be submitted to him for approval.

Sec. 4. Limitations on sale. Subdivision 1. No milk, cream or liquid milk products labeled or otherwise designated as pasteurized or as having been treated by any heating process shall be sold, advertised, offered or exposed for sale or held in possession for sale in this state unless the same has been pasteurized as defined herein.

Subd. 2. All milk, cream or liquid milk products not pasteurized as defined herein shall be labeled or otherwise designated as raw milk, raw cream or other raw liquid milk products.

Sec. 5. **Grade A.** Subdivision 1. Grade A pasteurized milk is milk which has been pasteurized, cooled and bottled in a plant approved by the Commissioner of Agriculture, Dairy and Food, the bacterial count of which at no time after pasteurization and until delivery exceeds 30,000 bacteria per milliliter, standard plate count, as determined by the logarithmic averages of four consecutive tests of milk samples taken on separate days.

Subd. 2. Grade A raw milk is milk the bacterial count of which does not exceed 50,000 bacteria per milliliter, standard plate count, as determined by the logarithmic averages of four consecutive tests of milk samples taken on separate days.

Subd. 3. The Commissioner of Agriculture, Dairy and Food shall by regulation promulgate production standards for Grade A pasteurized milk and Grade A raw milk.

Subd. 4. Nothing in this section shall be construed to mean compulsory grading of milk; such grades shall apply only to pasteurized and raw milk on which the grade is declared on the label.

Sec. 6. **Other than Grade A.** Pasteurized milk, other than Grade A, is milk which has been pasteurized, cooled and bottled in a plant approved by the Commissioner of Agriculture, Dairy and Food, the bacterial count of which at no time after pasteurization and until delivery, exceeds 50,000 bacteria per milliliter, standard plate count, as determined by the logarithmic averages of four consecutive tests of milk samples taken on separate days.

Sec. 7. **Grade A raw milk.** Subdivision 1. Grade A raw milk for pasteurization purposes is raw milk the bacterial count of which does not exceed 200,000 bacteria per milliliter, standard plate count or direct microscopic count, as determined by the logarithmic averages of four consecutive tests of milk samples taken on separate days.

Subd. 2. Raw milk for pasteurization purposes, other than Grade A, is raw milk, the bacterial count of which does not exceed 500,000 bacteria per milliliter, standard plate count or direct microscopic count, as determined by the logarithmic averages of four consecutive tests of milk samples taken on separate days.

Sec. 8. **Enforcement.** The Commissioner of Agriculture, Dairy and Food shall enforce the provisions of this act and in so doing shall have all the power and authority granted him under Chapter 495, Laws of 1921, as amended.

Sec. 9. **Minimum standards.** The standards herein set forth shall be considered as minimum standards only. Nothing in this act shall be construed to prevent any municipality from providing by ordinance more stringent or comprehensive standards than are contained herein.

Sec. 10. **Violations and penalties.** Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor.

Approved April 18, 1945.

CHAPTER 385—S. F. No. 898

An act relating to the bond of the State Treasurer.

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

Section 1. **State treasurer; bond as trustee.** When the District Court appoints the State Treasurer as trustee of a charitable trust, however created, the bond of the State Treasurer for the faithful discharge of his official duties shall stand as his bond as such trustee and no other or further bond shall be required.

Approved April 18, 1945.

CHAPTER 386—S. F. No. 1023

An act to amend Minnesota Statutes 1941, Section 168.06, Subdivision 11, relating to the taxation of motor vehicles.

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

Section 1. Minnesota Statutes 1941, Section 168.06, Subdivision 11, is hereby amended so as to read as follows: