

from the above described tract, except between points 60 feet and 100 feet northwesterly (when measured along the northerly boundary of said tract) from the northeast corner thereof.

Sec. 2. Consideration. The consideration to be paid for the conveyance hereunder shall be in the sum of \$916.73, said sum to be deposited in the trunk highway fund.

Approved March 22, 1949.

CHAPTER 176—S. F. No. 75

[Coded as Sections 32.071 to 32.078]

An act relating to the licensing of milk and cream buyers and testers; repealing Minnesota Statutes 1945, Sections 32.07, 32.40, 32.41, and 32.42; and providing penalties for violations of this act.

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

[32.071] **Section 1. Licensed milk and cream buyer and tester.** No person shall operate a milk or cream testing apparatus for the purpose of determining the percentage of butterfat in milk or cream, and no person shall grade milk or cream either by apparatus or by an organoleptic method for the purpose of purchasing the same either for himself or others without first securing a license from the Commissioner of Agriculture, Dairy and Food as hereinafter provided.

[32.072] **Sec. 2. Application for license.** Any person desiring to secure such license shall make application therefor on forms to be prepared and provided by the commissioner, and before a license is issued the commissioner shall determine that the applicant is competent and qualified to use such testing apparatus and to make accurate tests with them, and to make accurate organoleptic tests. No person who is not a resident of the United States shall be licensed under the provisions of this act.

[32.073] **Sec. 3. Issuance of license by commissioner; qualification.** A grading and testing license shall be issued by the commissioner to a person making application therefor,

after the commissioner has determined that the applicant is competent and qualified to grade and test milk and cream, and that the applicant understands and is familiar with the provisions of sections 32.02 to 32.06, inclusive, and 32.491. No examination for a license shall be required of any person heretofore licensed pursuant to Minnesota Statutes 1945, Sections 32.07, 32.40, 32.41 and 32.42.

[32.074] **Sec. 4. License dairy plant to have licensed person to grade purchases.** Every milk and cream buyer shall maintain at each licensed dairy plant where milk and cream is purchased, a licensed person to grade and test milk and cream.

[32.075] **Sec. 5. Term of License; fee; not transferable.** Every license issued by the commissioner for the year 1949 shall be for the remainder of the year, and all licenses issued for subsequent years shall be for a period ending on the 31st day of December next following, and shall not be transferable. The fee for each such annual license or renewal thereof shall be \$1.00 and shall be paid to the commissioner before any license or renewal thereof is issued. All license fees received by the commissioner shall be paid to the state treasurer and deposited in the general revenue fund.

[32.076] **Sec. 6. Separate offense.** The grading or testing of each lot of milk and cream by any unlicensed person shall constitute a separate offense.

[32.077] **Sec. 7. Penalty.** Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not exceeding \$100, or by imprisonment for not to exceed three months.

[32.078] **Sec. 8. Suspension or cancelation.** The commissioner is empowered to suspend or cancel any license issued pursuant to the provisions of this act after a hearing upon written notice containing the grounds therefor, which notice shall be served personally upon the licensee or his agent at least five days prior to such hearing.

Sec. 9. Effective date. This act shall take effect and be in force from and after June 1, 1949.

Sec. 10. Repeals. Minnesota Statutes 1945, Sections 32.07, 32.40, 32.41, and 32.42 are hereby repealed.

Approved March 24, 1949.