

CHAPTER 114—H.F.No.439

[Coded in Part]

An act relating to agriculture; regulating the use of the name "Minnesota Farmstead Cheese"; amending Minnesota Statutes 1976, Section 28A.08.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [32.486] AGRICULTURE; MINNESOTA FARMSTEAD CHEESE. Subdivision 1. DEFINITION. "Minnesota farmstead cheese" means cheese manufactured within the state of Minnesota on the same farm on which the milk is produced that is used in the manufacture. The milk used to manufacture Minnesota farmstead cheese must be less than 48 hours old when used.

Subd. 2. USE OF NAME RESTRICTED. No cheese or packaged cheese that is sold, offered, or exposed for sale or held in possession with intent to sell at either retail or wholesale within this state may be labelled or described as "Minnesota farmstead cheese" unless it meets the criteria set forth in subdivision 1, and the manufacturer has obtained a written permit to use the name from the commissioner of agriculture, or his designate.

Subd. 3. PERMIT. The commissioner or his designate shall issue a permit authorizing the use of the name "Minnesota farmstead cheese" upon application made therefor on forms furnished by the commissioner, if the commissioner or his designate is satisfied that the cheese manufactured by the applicant meets the requirements prescribed by subdivision 1. The commissioner or his designated agents shall inspect the farm at reasonable times to insure compliance with subdivision 1. The permit may be suspended or revoked by the commissioner if he finds that the permittee is not in compliance with subdivision 1.

Sec. 2. Minnesota Statutes 1976, Section 28A.08, is amended to read:

28A.08 LICENSE FEES; PENALTIES. The fees for licenses and the penalties for late renewal thereof prescribed herein shall apply to the sections named except as provided under section 28A.09. Except as specified herein, bonds and assessments based on number of units operated or volume handled or processed which are provided for in said laws shall not be affected, nor shall any penalties for late payment of said assessments, nor shall inspection fees, be affected by this chapter.

Type of food handler	License Fee	Penalty
1. Retail food handler		
(a) Having gross sales of less than \$250,000 for the immediately previous license or fiscal year	\$15	\$5
(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or		

Changes or additions indicated by underline deletions by strikeout

	<i>fiscal year</i>	\$30	\$10
	(c) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year	\$50	\$15
2.	Wholesale food handler	\$30	\$10
3.	Food broker	\$15	\$5
4.	(a) Wholesale food processor or manufacturer	\$100	\$30
	(b) Wholesale food processor of meat or poultry products under supervision of the U.S. Department of Agriculture	\$50	\$15
	<u>(c) Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota farmstead cheese</u>	<u>\$25</u>	<u>\$10</u>

Approved May 19, 1977.

#### CHAPTER 115—H.F.No.525

*An act relating to drainage; providing for transfer by county boards of certain surplus ditch funds to another governing body taking over the drainage system; amending Minnesota Statutes 1976, Section 106.471, Subdivision 6.*

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 106.471, Subdivision 6, is amended to read:

Subd. 6. **DRAINAGE; TRANSFER OF SYSTEM RESPONSIBILITY; CREATION OF FUND.** For the purpose of creating a fund to the credit of any drainage system to be used for repairs exclusively, the county board is authorized to apportion and assess the amount of ~~such~~ the fund against all the parcels of land, corporations and municipalities theretofore assessed for benefits in proceedings for the construction of the ditch system, including lands not originally assessed therefor but subsequently found to be benefited according to law. ~~Such~~ The assessment shall be made pro rata according to benefits determined. The fund so created shall not exceed 20 percent of the original cost of construction of the ditch system. ~~Whenever such~~ the fund to the credit of one ditch system shall exceed 20 percent of the total-original cost of the ditch, no further assessment for the purpose of creating ~~such~~ the fund shall be made until ~~such~~ the fund shall have fallen below that percentage. Assessments shall be collected as provided in subdivision 5.

~~Such~~ The assessment, if ~~so~~ provided in the order, may be made payable in equal annual instalments. Thereupon the county auditor shall file for record in the office of the county recorder a tabular statement as hereinbefore provided.

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