

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

HOUSE BILL No. -10-

(By Mr. Brotherton)



PASSED March 2, 1937

In Effect 90 days from Passage

ENROLLED
House Bill No. 10
(BY MR. BROTHERTON)

[Passed March 2, 1937; in effect ninety days from passage.]

AN ACT to amend article seven, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, by adding thereto the following sections, prohibiting the selling, shipping, consigning, offering for sale, or having in possession with intent to sell, as fresh, any meat, poultry, game, fish, or shell fish, which contains any substance or article possessing a preservative or coloring character or action; making the same a misdemeanor; and prescribing the penalties and punishment for violations, and the means and methods of procedure for the enforcement thereof.

Be it enacted by the Legislature of West Virginia:

That article seven, chapter sixteen of the code of West Virginia,

one thousand nine hundred thirty-one, be amended by adding thereto the following sections :

3
(Sec. 7-12)

Section 13. *Selling, etc., of Meats Containing Preservatives;*

2 *Penalties.* If any person shall sell, ship, consign, offer for
3 sale, expose for sale, or have in possession with intent to sell,
4 as fresh, any meat, poultry, game, or shell fish which contains
5 any substance, article or ingredient possessing a preservative
6 character or action, or which contains any coal-tar dye, or
7 any other substance or ingredient possessing a coloring
8 character or action, he shall be deemed guilty of a misde-
9 meanor, and upon conviction thereof shall be fined not more
10 than one hundred dollars and all costs, or shall be imprisoned
11 in the county jail not less than sixty days nor more than
12 ninety days, or both, at the discretion of the court. Upon a
13 second conviction he shall be fined not less than two hundred
14 dollars nor more than four hundred dollars, or be imprisoned
15 not less than sixty days nor more than four months, or both,
16 at the discretion of the court: *Provided*, that nothing in
17 this section shall be construed to prohibit the use of ice
18 as a preservative, or the use of refrigeration.

Sec. 14. *Artificial Coloring of Meat and Meat Products.* All

2 meats, meat products and meat food products, when manu-
3 factured, sold or exposed for sale, for human consumption
4 in this state, shall not be artificially colored with any dye,
5 chemical or other substance, except natural wood smoke,
6 sugar, salt, pepper, saltpeter and borax.

Sec. 3. State Department of Health to Enforce Act; Fund

2 *for Enforcing.* The state department of health shall be
3 charged with the enforcement of all the provisions of this
4 act; and all penalties which may be recovered shall be paid
5 to the treasurer of the state of West Virginia general fund.

Sec. 16. Adulterated Articles to be Forfeited and Destroyed.

2 All articles adulterated in violation of the provisions of this
3 act shall be forfeited by the owner and destroyed by the
4 state department of health.

Sec. 17. Repeal of Acts; Not to Affect Actions Pending.

2 All acts or parts of acts inconsistent with this act, or any
3 part thereof, are hereby repealed, but the repeal of said in-
4 consistent acts shall in no way interfere with or prevent the
5 prosecution to final termination of any action or prosecution
6 now pending, or which may hereafter be commenced for any
7 violation of said act which has already been committed.

← ? 15

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Coat B Galbraith

Chairman Senate Committee

Deeds Tucker

Chairman House Committee

Originated in the.....

Takes effect..... passage.

Thomas M. ...

Clerk of the Senate

Geo Wallace

Clerk of the House of Delegates

Chas. E. Hoops

President of the Senate

James Kay Thomas

Speaker House of Delegates

The within..... this the.....

day of....., 1937.

Governor.

Filed in the office of the Secretary of State
of West Virginia. **MAR 12 1937**

Wm. S. O'BRIEN,
Secretary of State

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

This the 12th day of March, 1937.....


SECRETARY OF STATE

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

This the.....day of....., 19.....

SECRETARY OF STATE