

Special tax.

and collect, in each and every year, when necessary, an annual, special tax, in addition to the taxes now allowed by law to be assessed and collected for the general purposes, not exceeding eight mills on each dollar of the assessed valuation of the borough as ascertained for county purposes.

For purpose of lighting streets and highways.

Section 2. The money so raised and collected shall be used and expended, under the direction and authority of the councils of the several boroughs, for the purpose of lighting and illuminating the streets, highways, and other public places, with electric light, gas light, or other illuminant.

APPROVED—The 7th day of April, A. D. 1927.

JOHN S. FISHER

No. 126

AN ACT

To amend sections one, four, and five of an act, approved the sixth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, five hundred and forty-one), entitled "An act providing for the protection of the public health and the prevention of fraud and deception by regulating the weighing, testing, buying, and selling of milk and cream; providing for the examination and appointment of certified testers and the issuing of licenses and making of tests; and providing penalties."

Public health.

Section 1 of act of May 6, 1925 (P. L. 541), amended.

Section 1. Be it enacted, &c., That section one of an act, approved the sixth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, five hundred and forty-one), entitled "An act providing for the protection of the public health and the prevention of fraud and deception by regulating the weighing, testing, buying, and selling of milk and cream; providing for the examination and appointment of certified testers and the issuing of licenses and making of tests; and providing penalties," is hereby amended to read as follows:

Purchase of milk and cream.

Section 1. Be it enacted, &c., That every creamery, shipping station, milk factory, cheese factory ice cream factory, or milk condensary, or person receiving, buying, and paying for milk or cream, regardless of the method of settlement, shall be required to hold a permit for each and every place where milk or cream is received by weight or measure: Provided, however, That nothing in this act shall apply to individuals buying milk or cream for private use, or to producers buying milk in emergencies to make up their regular supply, or to hotels, restaurants, boarding houses, railroad dining cars, retail stores, or drug stores. The permit shall be issued by the Secretary of Agriculture to such creamery, shipping station, milk factory, cheese factory, ice cream factory, or milk condensary, or

Permit.

Proviso.

Fee and filing information for permit.

person, upon the payment of a fee of five dollars (\$5.00) and after filing of such information as may be required by the Secretary of Agriculture. All moneys so collected shall be used to meet the expenses of the Department of Agriculture in the enforcement of this act. The permit shall be valid for a term of one calendar year and may be revoked by the Secretary of Agriculture for any violation of the provisions of this act. This permit issued hereunder shall be posted in plain view in the station for which it is issued.

Section 2. That section four of said act is hereby amended to read as follows:

Section 4. Every person, association, copartnership, corporation, or agent or servant thereof, engaged in the business of receiving or buying milk or cream on the basis of, or in any way with reference to, the amount of butterfat contained therein, as determined by the "Babcock test," shall have the test or tests made only by a licensed tester, who shall be responsible for the same. For the purpose of this act a licensed tester is any person who, having furnished satisfactory evidence of good character and having passed a satisfactory examination in milk and cream testing conducted by the [Dairy Husbandry Department of the Pennsylvania State College] *Pennsylvania Department of Agriculture*, shall have received a certificate of proficiency from the said department. Each applicant for such certificate shall pay a fee of three dollars (\$3.00) to [said department in such manner as its regulations may prescribe to defray the cost of the required examination and of the certificate] *the Secretary of Agriculture or his agents*. The said department shall issue such certificate of proficiency in the name of the approved applicant and under serial number. [and shall maintain a correspondingly numbered register of all such certificates issued under this act. This certificate shall be forwarded by the said department to the Secretary of Agriculture, who shall issue a license to said applicant good for one calendar year on the payment of a fee of three dollars (\$3.00) to the Secretary of Agriculture. This license shall be renewed annually without further examination, at the discretion of the Secretary of Agriculture, upon the payment of three dollars.] *The Secretary of Agriculture, upon the receipt of this certificate of proficiency together with the payment of a fee of three dollars (\$3.00), shall issue a license to said applicant, good for one calendar year. This license shall be renewed annually without further examination, at the discretion of the Secretary of Agriculture, upon the payment of a fee of three dollars (\$3.00). All moneys so collected shall be used to meet the expenses of the Department of Agriculture for the enforcement of this*

Use of moneys.

Term of permit.

Permit must be posted.

Section 4 amended.

Tests to be made only by licensed tester.

Who is licensed tester.

Fee.

Certificate.

License.

Tester shall post license.	act. Each certified tester shall post his license in plain view in the testing room in which he is employed.
Revocation.	The Secretary of Agriculture shall revoke said license for failure to post it, as above required, or for any other just cause.
Section 5 amended.	Section 3. That section five of said act is hereby amended to read as follows:
Sample for testing purposes.	Section 5. Every person, association, copartnership, or corporation engaged in the business of buying milk or cream on the basis of or in any way with reference to the amount of butterfat contained therein shall have the samples taken <i>for testing purposes</i> either by a licensed tester or by a person licensed or certified to weigh and sample milk and cream. For the purpose of this act a
Person certified to weigh and sample milk and cream.	person certified to weigh and sample milk or cream is any person who, having furnished satisfactory evidence of good character and having passed a satisfactory examination and of the certificate.] The said department conducted by the [Dairy Husbandry Department of the Pennsylvania State College] <i>Department of Agriculture</i> , shall have received a certificate of proficiency from said department. Each applicant for such certificate shall pay a fee of one dollar and fifty cents (\$1.50) to said department. [in such manner as its regulations may prescribe, to defray the costs of the required examination and of the certificate.] The said department shall issue such certificate of proficiency in the name of the approved applicant and under serial number. [and shall maintain a correspondingly numbered register of all such certificates issued under this act. This certificate shall be forwarded by the said department to the Secretary of Agriculture, who shall issue a license to said applicant good for one calendar year on the payment of a fee of three dollars (\$3.00) to the Secretary of Agriculture. This license shall be renewed annually without further examination at the discretion of the Secretary of Agriculture, upon the payment of three dollars.] <i>The Secretary of Agriculture, upon receipt of this certificate of proficiency together with the payment of a fee of three dollars (\$3.00), shall issue a license to said applicant, good for one calendar year. This license shall be renewed annually without further examination, at the discretion of the Secretary of Agriculture, upon the payment of three dollars (\$3.00).</i> All moneys so collected shall be used to meet the expenses of the Department of Agriculture in the enforcement of this act. Each licensed weigher and sampler shall post his or her license in plain view in the plant in which he or she is employed. The Secretary of Agriculture may revoke said license for failure to post it, as above mentioned, or for any other just cause.
Fee.	
Certificate.	
License and fee.	
Annual renewal.	
Use of moneys.	
License to be posted.	
Revocation.	

APPROVED—The 7th day of April, A. D. 1927.

JOHN S. FISHER