

not exceed fifty dollars (\$50), and in the case of the probation officers an annual membership subscription not exceeding six dollars (\$6) per member shall be paid by the county, and shall be in lieu of the expenses hereinbefore in this section provided for other county officers.

APPROVED—The 1st day of September, A. D. 1967.

RAYMOND P. SHAFER

No. 121

AN ACT

SB 567

Amending the act of May 13, 1909 (P. L. 520), entitled "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," authorizing the use of sulphur dioxide in certain food items.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Clause fifth of subsection (a) of section 3, act of May 13, 1909 (P. L. 520), entitled "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," amended December 15, 1965 (P. L. 1111), is amended to read:

Section 3. (a) That for the purpose of this act, an article of food shall be deemed to be adulterated—

* * *

Fifth. If it contains any added sulphurous acid, sulphur dioxide, or sulphites, benzoic acid or benzoates, or other preservatives, except as hereafter provided, or if it contains any added boric acid or borates, salicylic acid or salicylates, formaldehyde, hydrofluoric acid or fluorides, fluoborates, fluosilicates, or other fluorine compounds, saccharin, or other artificial sweetening agents, except as hereafter provided, metallic salts, betanaphthol, hydronaphthal, abrastol, asaprol, pyroligeneous acid, or other ingredients deleterious to health; or if, in the case of confectionery, it contains any of the substances mentioned in this paragraph, or any mineral substance, or injurious color

or flavor, alcoholic liquor, or any other ingredients, not herein mentioned, deleterious to health: Providing, That this act shall not be construed to prohibit the use of harmless colors of any kind, in confectionery or in fruits used in fruit cake, when used for coloring, and not for any fraudulent purpose: And provided further, That nothing in this act shall be construed to prohibit the use of common salt, sugar, pure corn syrup, pure glucose, wine vinegar, cider vinegar, malt vinegar, sugar vinegar, glucose vinegar, distilled vinegar, spices or their essential oils, alcohol (except in confectionery), edible oils, edible fats, wood smoke applied directly as generated, or proper refrigeration: And provided further, That in the manufacture of confectionery the use of alcohol shall be permitted as it may be found in customary alcoholic tinctures or extracts used for flavoring purposes only, and as a solvent for glazes, and that oil of sweet birch, or methylsalicylic ester, may be used as a substitute for oil of wintergreen as a flavor: And provided further, That in the preparation of certain specific food items hereinafter designated, sulphur dioxide, either free or in simple combination, may be present not in excess of twenty-five hundred (2500) parts per million in dried fruits or molasses, three hundred (300) parts per million in precooked, dehydrated or dried potatoes, two hundred (200) parts per million in grape, lemon or lime juice or sauerkraut and in fresh or frozen apples, apricots, peaches, pears, or potatoes, if peeled, sliced or cut, one hundred fifty (150) parts per million in "maraschino" cherries, glazed or decorative fruits, all tolerances being allowed for: And provided further, That when any dried fruit or molasses is used in any foods or food products or is contained as a part of or as an ingredient in any food, the sulphur dioxide in such dried fruits or molasses shall not exceed the proportion of two hundred (200) parts per million; and that sodium benzoate may be used in the preparation of those articles of food in which it has heretofore been generally used in quantities not exceeding one-tenth (1-10) of one per centum, or benzoic acid equivalent thereto: And provided further, That when any quantity of sulphur dioxide or sodium benzoate is used in any article of food, the fact that sulphur dioxide or sodium benzoate has been used in the preparation thereof shall be plainly stated on each package of such food: And provided further, That any article of food containing saccharin or any artificial sweetening agent may be manufactured, transported or sold if a reference to the name of the artificial sweetening agent as prescribed by the department is placed upon the label. Said label shall also contain such appropriate warning statement as shall be prescribed by the Department of Agriculture.

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APPROVED—The 1st day of September, A. D. 1967.

RAYMOND P. SHAFER