

Petition to court
of common pleas.

Section 3. Upon presentation of such petition, the court shall fix a day, not more than ten days thereafter, for a hearing thereon. At least five days' notice of such hearing shall be given to all the taxing authorities having tax claims against such real estate.

If, after hearing,
court is satisfied
as to the advan-
tage of such sale,
it shall approve
the sale.

Section 4. If, after such hearing, the court is satisfied that the proposed compromise or private sale is proper and to the advantage of all the taxing authorities interested, it shall enter a decree approving such compromise, settlement, private sale or such other settlement as the court may find to be proper, and directing a conveyance of such property to the person or persons with whom the agreement has been made, upon the payment of the agreement amount or such amount as the court may approve, and all costs of the proceeding. The proceeds of such compromise or private sale shall be distributed to the respective taxing authorities in proportion to their tax claims. The title conveyed shall be free and clear of all tax liens, but shall not discharge any other liens not discharged by the tax sale.

Inconsistent
acts repealed.

Section 5. All acts and parts of acts inconsistent herewith are hereby repealed.

When effective.

Section 6. The provisions of this act shall become effective immediately upon its final enactment.

APPROVED—The 21st day of May, A. D. 1937.

GEORGE H. EARLE

No. 214

AN ACT

For the protection of the public health, and the prevention of fraud and deception, requiring clean, sanitary establishments for the manufacture, preparation or bottling of nonalcoholic drinks and liquid foods, including clean, sanitary ingredients and containers; regulating the maintenance and operation of such establishments, and the use of containers; prescribing penalties; and providing for injunctions in certain cases.

Nonalcoholic
drinks and
liquid foods.
Definitions.

Section 1. Be it enacted, &c., That the following words and phrases, unless the context clearly indicates otherwise, shall have the meaning ascribed to them in this section:

“Bottling establishment” includes all buildings, rooms, basements, cellars, lofts or other premises, or parts thereof, used, occupied or maintained in this Commonwealth for the purpose of manufacturing, preparing, keeping, storing, handling or distributing in any manner non-alcoholic drinks or liquid foods in bottles, cans, or other containers, for sale.

“Department” means the Department of Agriculture of this Commonwealth.

“Liquid foods” includes not only every liquid article used for food by man, but also every liquid article used for, or entering into the composition of, or intended for use as, an ingredient in the preparation of food for men.

“Nonalcoholic drinks” includes all nonalcoholic drinks, whether simple, mixed or compound, and all substances and ingredients used in the preparation thereof.

“Person” includes any partnership, association or corporation as well as a natural person.

Section 2. It shall be unlawful for any person to manufacture, prepare or bottle nonalcoholic drinks or liquid foods in an unclean, unsanitary establishment or under unclean, unsanitary conditions, or to use unsanitary ingredients, bottles, receptacles or utensils.

Section 3. Every bottling establishment bottling non-alcoholic drinks, subject to the provisions of this act, shall be maintained and operated with strict regard for the purity and wholesomeness of the nonalcoholic drinks and liquid foods therein produced or distributed. In order to protect the public health such establishments shall be maintained and operated pursuant to the following general requirements:

Bottling establishments.

Sanitary requirements.

(a) The entire bottling establishment and its immediate appertaining premises, including the fixtures and furnishings, the machinery, apparatus, implements, utensils, and receptacles used in the production, keeping, storing, handling or distributing of the nonalcoholic drinks or liquid foods or of the materials used therein, shall be maintained and operated in a clean, sanitary manner.

Premises, apparatus.

(b) The nonalcoholic drinks or liquid foods, and the materials used therein, shall be clean, wholesome and protected from any foreign and injurious contamination which may tend to render said nonalcoholic drinks and liquid foods unfit for human consumption.

Drinks and materials.

(c) The clothing, habits and conduct of the employes shall be conducive to and promote cleanliness and sanitation.

Employees.

(d) There shall be proper, suitable, and adequate toilets and lavatories constructed, maintained, and operated in a clean and sanitary manner.

Lavatories.

Section 4. It shall be unlawful for any person to manufacture, prepare or bottle nonalcoholic drinks or liquid foods in bottles, cans or other containers upon the label or crown of which is printed the name of another bottler or manufacturer, or on which is blown or imprinted or stamped the name of another bottler or manufacturer.

Bottles.

Section 5. The Department of Agriculture shall enforce and adopt rules and regulations to carry out the provisions of this act.

Rules and regulations.

Section 6. The department, through its duly authorized officers, inspectors, agents or other assistants, shall

Inspection by Department of Agriculture.

be permitted, at all reasonable times, to inspect any bottling establishment, or part thereof, together with its operation. Any person refusing or interfering with such inspection shall, upon conviction, be punished as provided in this act.

Section 7. All bottles used for bottling liquid foods or nonalcoholic drinks before being filled shall be cleansed by soaking in a hot caustic solution of not less than one hundred and ten degrees Fahrenheit that shall contain not less than three per centum of caustic or alkali expressed in terms of sodium hydrate, or its equivalent in cleansing and germicidal effectiveness, for a period of not less than five minutes, then thoroughly rinsed in pure water. The cleansing solution shall be changed frequently so as to prevent its becoming foul and unsanitary.

Violations.

Section 8. Any person who shall violate any of the provisions of this act or any rule, regulation or order of the department made pursuant to this act, shall for the first or second offense, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) and costs of prosecution, and in default of such fine and costs, shall be sentenced to undergo imprisonment in the county jail for not less than thirty days nor more than sixty days, and for a third or subsequent offense shall be guilty of a misdemeanor, and shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1000), or to undergo imprisonment not exceeding one year, or both, in the discretion of the court.

Attorney General.

Section 9. The Attorney General at the request of the department may, in the name of the Commonwealth, institute proceedings in the court of common pleas of Dauphin County for the purpose of enjoining any person, violating any of the provisions of this act, from bottling any nonalcoholic drinks and liquid foods in this Commonwealth, and for such purpose jurisdiction is hereby conferred upon said court. In such cases the Attorney General shall not be required to give bond.

Fines to be paid into General Fund.

Section 10. All fines and penalties imposed and recovered for the violation of any of the provisions of this act, shall be paid into the State Treasury, through the Department of Revenue, and credited to the General Fund.

Act of May 10, 1921 (P. L. 468), repealed.

Section 11. The act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred sixty-eight), entitled "An act for the protection of the public health by providing clean, sanitary establishments for bottling nonalcoholic drinks, including clean, sanitary ingredients, bottles, receptacles,

and utensils; and providing penalties for the enforcement thereof," is hereby repealed.

APPROVED—The 21st day of May, A. D. 1937.

GEORGE H. EARLE

No. 215

A SUPPLEMENT

To the act approved the fifth day of May, one thousand nine hundred and eleven (Pamphlet Laws, one hundred ninety-eight), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," increasing the powers now exercised by the judges of said court; and making the judges of the county court in and for the county of Allegheny available for use in other courts in the same judicial district.

Section 1. Be it enacted, &c., (a) That, in addition to the powers now possessed and exercised by the judges of the county court in and for the county of Allegheny, said judges shall, when called upon by the president judge of the court of common pleas of the same judicial district as hereinafter provided, have power to hear and determine, when certified according to the provisions of clause (b) of this section, all pleas or criminal issues, and all issues and other matters in the court of oyer and terminer and general jail delivery and the court of quarter sessions of the peace for said judicial district, so fully and effectually and to dispose thereof in the same manner as may be done by the judges of the court of common pleas sitting in said courts.

County court of Allegheny.

Judges of county court empowered to hear criminal cases.

(b) Nothing in this section shall be construed to make it compulsory upon the judges of said county court to render the services aforesaid, but when the proper dispatch of business requires it, and an arrangement can be made with the president judge of said county court in and for the county of Allegheny for the services of a judge or judges of said county court in and for the county of Allegheny, the president judge of the court of common pleas of the same judicial district may certify all matters or issues to be heard and determined by such judge or judges of the county court in and for the county of Allegheny specially serving as aforesaid,

(c) Whenever either of the president judges of the court of common pleas or of the county court in and for the county of Allegheny shall be absent from the district or disabled by sickness, and occasion shall occur, it shall be competent for the judge oldest in commission in either of said courts, being then in the district and able to act, to arrange for the services herein