

This subsection does not apply to a contract by a bona fide institution that it will provide professional funeral services for persons who may die while inmates of the institution, if such contract is made as a part of its contract for housing, maintaining and caring for its inmates.

Act effective immediately.

Section 3. This act shall become effective immediately upon final enactment.

APPROVED—The 25th day of July, A. D. 1953.

JOHN S. FINE

No. 164

AN ACT

To add subsection (5) to section 2 of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (Pamphlet Laws 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," by providing for the transportation, sale and delivery of manure.

Commodities.

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

Section 2, act of July 24, 1913, P. L. 965, as last amended by act of January 14, 1952, P. L. 1991, further amended by adding, after subsection (4) thereof, a new subsection (5).

Section 1. Section 2 of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (Pamphlet Laws 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," as last amended by the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (Pamphlet Laws 1991), is hereby further amended by adding, after subsection (4) thereof, a new subsection to read as follows:

Section 2. * * * * *

Sale, transportation and delivery of manure regulated.

(5) *No person shall sell, transport over a public highway, deliver or cause to be delivered or to be started out for delivery, in a vehicle or vehicle and trailer, any type of manure, unless said vehicle or vehicle and trailer is accompanied by a certificate of weight. Such manure shall be weighed at the point of origin or at the nearest scale location to the point of origin by a competent person, and on accurate scales suitable for weighing the tare and gross weight of the vehicle or vehicle and trailer transporting the manure and which has been tested and approved for accuracy by an official empowered by law to test such scales. All certificates of weight shall be serially numbered and the copies thereof shall bear the same serial number as the original, and shall show the name and address of the seller, the name and address of purchaser, the license number of the vehicle and trailer, the date and hour when weighed, and the signature of*

Manure to be weighed.

Certificates of weight.

Contents.

the person who weighed the manure and issued the certificate. The certificate of weight shall be made out in ink or indelible pencil and be at least in triplicate form. The original copy shall be delivered to the purchaser of the manure, one copy shall be retained at the place of weighing, and one copy shall be retained by the person making the delivery. Copies retained at the place of weighing shall be subject to inspection by any State, county or city inspector, during business hours, and may be seized for use as evidence. It shall be unlawful to place any foreign matter or use any water on the manure to increase the weight of said manure at any time before weighing and before delivery is consummated to the actual consumer. It shall be unlawful for any person to issue a false or incorrect certificate of weight or for any person to solicit him to do so, or for any person to issue a certificate of weight which purports to bear his signature and which was not in fact signed by him at the time of weighing, or which expresses a gross tare or net weight not ascertained by him. The provisions of this subsection shall not apply (i) where manure is transported between two farms or parcels of land owned by the same person or persons, or (ii) at any time when manure is sold or transported in lots of two ton or less by contract between two persons and used exclusively by the purchaser and not offered for resale, or (iii) at any time when manure is delivered in carload lots to one purchaser and accepted as to weight by the purchaser on the bill of lading or other voucher issued by the carrier.

Number and distribution of such certificates.

Inspection.

Unlawful acts.

Exclusions.

APPROVED—The 25th day of July, A. D. 1953.

JOHN S. FINE

No. 165

AN ACT

To further amend section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (Pamphlet Laws 318), entitled "An act to regulate the sale and possession of penicillium (penicillin), and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions *to said act.

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

Section 1. Section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (Pamphlet Laws 318), entitled "An act to regulate the sale and possession of penicillium (penicillin), and its derivatives, preparations and compounds in

Drugs.

Section 1, act of April 26, 1945, P. L. 318, as last amended by act of June 30, 1951, P. L. 955, further amended.

* "of" in original.