

# Kansas State Agricultural College

## EXPERIMENT STATION.—Circular No. 18

### DIVISION OF FEEDING STUFF REGISTRATION

## The Kansas Feeding Stuffs Law Revision of 1911

### REGULATIONS AND EXPLANATIONS

#### Kansas Feeding Stuffs Law

The Kansas legislature, at the session of 1907, passed a law with reference to the sale of concentrated feeding stuffs. This law was amended at the special session of 1908 and again amended at the regular session of 1911.

The law as amended reads as follows:

SECTION 1. For the purposes of this act concentrated feeding stuffs are declared to be all materials sold, offered for sale or held for sale within the State of Kansas and designed for the nutrition of animals of any species, if such materials have been subjected to any mixing process or subjected to any process whereby the composition of the original material is altered. Condimental feeds, medicated stock foods, medicinal stock foods, stock-food tonics, stock powders, condition powders, conditioners, animal regulators, proprietary feeds, proprietary medicines, or any preparations of like nature, are hereby expressly designated as coming under the provisions of this act, and all forms of animal life except man are included under the term "animals." The term "brand," as used in this act, is to be taken to mean: First, the name, trademark, or other designation under which a concentrated feeding stuff is sold; and second, the feeding stuff itself.

SEC. 2. Every brand of concentrated feeding stuff offered or held for sale within the State of Kansas shall be registered in the office of the director of the Agricultural Experiment Station of the Kansas State Agricultural College, and each sale of any concentrated feeding stuff not so registered shall constitute a separate violation of this act. The manufacturer or seller of any concentrated feeding stuff shall apply to the said director of the Experiment Station for registration and analysis of the feeding stuff, and in his application for such registration and analysis he shall submit a statement of the several ingredients used in preparing the concentrated feeding stuff and the sources from which they were obtained, which information shall be filed for reference, but shall not be disclosed by the said director if none of the ingredients are unwholesome, deleterious, or fraudulent. If the feeding stuff, as described by the manufacturer or seller, is found to consist of wholesome materials, and the name or brand used to designate it is not false or misleading, the said director of the Experiment Station shall register the name, brand, or other designation of the concen-

Feeding  
stuffs de-  
fined

Condimental  
feeds

Proprietary  
medicines

Brand de-  
fined

Registration  
required

Statement  
of ingredi-  
ents re-  
quired

Registration  
required  
annually

Amount of  
fee

trated feeding stuff, its guaranteed composition in the terms stated in this section, and the name and address of the manufacturer or seller applying for the registration. Such registration shall be made annually, and the manufacturer or seller shall pay a registration fee of ten dollars for each brand of concentrated feeding stuff registered; provided, that any manufacturer of condimental or medicinal stock foods shall pay a registration fee of fifty dollars for each brand selling for more than forty dollars per ton.

List of dealers to be reported to director

SEC. 3. Whenever requested by the said director of the Experiment Station it shall be the duty of the manufacturer or seller who secured registration of a brand of concentrated feeding stuff to furnish said director a true and complete list of the names and places of business of all dealers in said brand of concentrated feeding stuff who purchased it of the said manufacturer or seller and reside within the State of Kansas. Failure to furnish such list shall be sufficient ground for revocation of the registration of said concentrated feeding stuff.

Label

SEC. 4. Every sack, box, carton, or other package of concentrated feeding stuff offered or held for sale or sold within the State of Kansas shall bear a distinctly printed and conspicuous label in the English language, which shall state the name and address of the manufacturer or seller, the registered name, trademark, or other designation of the concentrated feeding stuff, the net weight of the package, and the guaranteed minimum percentage of fat and protein and the maximum percentage of crude fibre.

Inspection and analysis

SEC. 5. In so far as the revenues provided by this act or otherwise may suffice, it shall be the duty of the director of the Experiment Station aforesaid to make, or cause to be made, such inspection and analysis of concentrated feeding stuffs as in his judgment may be deemed necessary to ascertain whether or not manufacturers and others are complying with all the provisions of this act. Towards this end he or his authorized deputies shall procure annually at least one sample of each brand of concentrated feeding stuff registered for sale within the State of Kansas, and shall make or cause to be made an analysis of the same according to the methods of the Association of Official Agricultural Chemists and a certified statement of the results of the analysis shall be prima facie evidence in any legal action within the State of Kansas concerning such concentrated feeding stuff; provided, however, that employees of the State upon salaries shall not receive any additional compensation for making such inspection and analysis.

Method of sampling

SEC. 6. In sampling concentrated feeding stuffs in lots of ten or less packages, portions shall be taken from each package; in lots of more than ten packages and not more than five tons, samples shall be taken from not less than ten packages and from not less than ten per cent. of the packages; in lots of over five tons, portions shall be taken from not less than twenty packages. In sampling concentrated feeding stuffs in bulk, not less than ten portions shall be drawn, and these from various parts, so as to represent fairly the whole. The portions drawn shall be carefully mixed, and from the mixture two samples of about two pounds each reserved, and placed in sealed bottles or jars and accurately labeled. One of these samples shall be delivered to the owner of the concentrated feeding stuff or his representative; the other taken for the use of the director of the Experiment Station. Sampling shall be during ordinary business hours, and the owner of the concentrated feeding stuff or his representative may be present, but any refusal by such owner or his representative to permit sampling shall be taken as sufficient evidence of violation of this law by him.

SEC. 7. Any manufacturer, seller, or holder of concentrated feeding stuffs

who shall fail to comply with all the provisions of this act, or who shall sell, offer for sale or hold for sale any concentrated feeding stuffs the composition of which is not in accordance with that guaranteed, upon conviction shall be deemed guilty of a misdemeanor and fined not less than fifty dollars nor more than two hundred dollars and costs of the first offense, and not less than one hundred dollars nor more than five hundred dollars and costs for each subsequent offense; provided, that any seller shall be exempt from the penalty for sale of concentrated feeding stuffs that are below the guaranteed standard if he has a written guaranty from the manufacturer or seller of the concentrated feeding stuff that said feeding stuff is registered and of the guaranteed composition, if said manufacturer or seller is a resident of the State of Kansas. Suit may be brought for the recovery of penalties under the provisions of this act in the district court of the county where the offense is alleged to have been committed, and shall be prosecuted by the county attorney in the name of the State of Kansas, upon complaint of the said director of the Experiment Station or of some reputable citizen of the county. Each sale shall constitute a separate offense. Penalties recovered under this act shall be turned into the school fund of the county wherein the offense was committed. In cases involving the composition of the concentrated feeding stuff a deficiency not greater than one-fifteenths of the guaranteed percentage of any ingredient shall not be taken as evidence of fraudulent intent, but the seller of any concentrated feeding stuff that does not possess the composition guaranteed shall be liable for damages resulting to the user in consequence thereof.

Penalty for violation

SEC. 8. The Experiment Station aforesaid shall publish at least annually a bulletin giving a list of the concentrated feeding stuffs registered for sale in this State, with their guaranteed composition and such other information as may be deemed valuable to the public concerning them and their use. This bulletin shall also contain a list of the manufacturers and sellers of concentrated feeding stuffs in this State, according to the statements secured under the provisions of section 3.

Bulletins

SEC. 9. The adulteration of any concentrated feeding stuff by the addition of foreign mineral matter, or by the addition of foreign animal or vegetable matter of little or no nutritive value, and the use or addition of substances poisonous or deleterious to animals, is forbidden. This section shall not be so construed as to prevent the compounding and sale of balanced feeds or condiments, the composition of which has been duly declared and approved in accordance with the provisions of section 2.

Adulteration

SEC. 10. That original sections 3106, 3109, 3110, 3111, 3112, and 3116 of the General Statutes of 1909 shall be and the same are hereby repealed.

SEC. 11. This act shall take effect and be in force from and after its publication in the statute-book.

### Changes in the Law

1. **Proprietary Medicines.**—In section 1 **proprietary medicines** are included under the general term, concentrated feeding stuffs. This will be construed to include only those proprietary medicines given internally.

2. **Label and Guarantee.**—The law does not discriminate, but it would be unfair to require that the weight and guarantee clause of section 4 apply to proprietary medicines for which food value is not claimed and which are not sold by weight.

3. **The Guarantee.**—The maximum percentage of crude fiber must be stated on the label, in addition to the minimum percentage of protein and fat. See section 4.

4. **Tonnage or Inspection Tax.**— This tax has been repealed.

5. **Inspectors.**— The administration of the law has been placed with the director of the Experiment Station and not divided, as under the old law, between the director and the chemist of the Experiment Station.

6. **Feeding Stuffs Exempt.**— No feeding stuff which would properly come under the provisions of section 1 is exempt. Section 1 includes: (a) all mixed feeds; (b) all feeds in which the composition of the original material has been altered; (c) all condimental feeds; (d) all proprietary medicines.

### Regulations, Feeding Stuffs Law

Regulation 1. All applications for registration must be made on blanks furnished by the director of the Experiment Station. Each application must be accompanied by the necessary registration fee, either draft or money order, made payable to "Director of Experiment Station."

Regulation 2. Samples of all feeds and proprietary medicines must be sent prepaid with the application for registration. Samples of feeds should not be less than two, nor more than four, pounds. Samples of condimental feeds and proprietary medicines sold in packages should consist of an unbroken package.

Regulation 3. A statement of the label required in section 4 must be submitted with each application for registration.

Regulation 4. If the manufacturer or seller desires that the Experiment Station shall make the analysis to determine the fat, protein, and fiber required in the guarantee, this work will be done at the following rates:

Charge for determining fat, \$2.00; protein, \$2.00; crude fiber, \$4.00; or all three, \$5.00.

Regulation 5. The Experiment Station does not guarantee that the analysis made of samples submitted by a manufacturer or seller is representative of the product sold by each manufacturer or seller. The Station merely guarantees that the composition of the sample submitted is as reported. Manufacturers and sellers taking samples for such analysis should be extremely careful to secure a representative sample. Their attention is called to section 6 for directions for taking such samples.

Regulation 6. Manufacturers and sellers are requested to print on their labels (the requirement of section 4) a statement as follows: "Kansas Feeding Stuffs Law Registration No. \_\_\_\_\_." In case packages are already labeled when registered, this statement should be printed on a slip and pasted on the package in a place near the registered name of the article. Compliance with this request will facilitate matters of inspection and identification. No numbers are duplicated. Reference to the feed by this serial number will always identify the goods and will be a protection to the manufacturer or seller.

Regulation 7. All registrations expire on June 30 of each year and should be renewed on or before the first day of July. Registrations made in May and June on new feeds will be credited to June 30 of the succeeding year.

Regulation 8. No provision is made in the law for prorating the registration fee for any portion of a year. The registration is made annually and covers sales made during that fiscal year. It makes no difference whether the sales are made in one week, in one month, or are evenly distributed throughout the year.

Regulation 9. Manufacturers or dealers mixing feed on order are not required to register such mixture unless they subsequently offer the same for

sale. This regulation does not apply except when the order is given by the ultimate consumer.

Regulation 10. All correspondence relating to the registration of feeding stuff should be addressed to "Registry Department, Experiment Station, Manhattan, Kansas."

### Definitions of Concentrated Feeds

**Wheat Bran:** The coarse outer coating of the wheat kernel as separated in the usual process of commercial milling from cleaned and scoured wheat.

**Bran and Screenings:** If to the wheat bran be added, either ground or unground, the various impurities separated from the wheat during the cleaning process and known collectively as *screenings*, the same shall constitute a mixed feed and must be registered, labeled, and sold as *bran, and screenings*.

**Screenings :** The smaller, imperfect grains, weed seeds, and other foreign materials having a feeding value, separated in cleaning the grain. They shall be designated by the name of the grain from which they are derived.

**Standard Shorts :** The fine particles of the outer bran, the inner or "beewing" bran, germ, and the offal or fibrous material obtained in the last reductions on middlings.

**Brown Shorts:** As compared with standard shorts this contains mostly fine particles of bran with much less of germ and fibrous offal obtained from the "tail of the mill."

**White Shorts:** As compared with standard shorts, this bran contains a smaller portion of the bran particles and a much greater portion of germ and fibrous offal from the "tail of the mill."

**Mill Run:** A mixture consisting of wheat bran and standard shorts combined in the proportions obtained in the usual process of commercial milling.

**Wheat Middlings:** Differs from standard shorts in that more of the endosperm has been left clinging to the branny particles, i.e., the stock has not been cleaned up so closely.

**Shipstuff:** (See standard shorts).

**Corn bran:** The outer coating of the corn kernel as produced in the usual process of commercial milling.

**Hominy feed:** The bran coating and germ of the corn kernel, and it may contain a part of the starchy portion of the kernel.

**Blood Meal** is finely ground dried blood.

**Meat Meal** is finely ground beef scraps. If it bears a name descriptive of its kind, composition, or origin, it must correspond thereto.

**Digester Tankage** is meat scraps from edible carcasses which have been inspected and passed as satisfactory for human consumption, specially prepared for feeding purposes through tanking under live steam, drying under high heat and suitable grinding.

Registration is not required on any feed composed entirely of ground, cut, or chopped grain kernels from which no portion has been abstracted for the manufacture of other substances, as, e. g.,

**Corn chop:** Composed wholly of ground, cut, or chopped corn kernels from which no portion has been abstracted for the manufacture of other substances.

Any mixed feed made by combining two or more of the concentrated feeds previously mentioned must be so designated as to indicate all materials used in its manufacture.

Such indefinite terms as "mixed bran" or "mixed shorts" will not be accepted as suitable names for registration.

When the term bran is used without any qualifying word it will be assumed that it refers to *wheat* bran only.

### The Purpose of the Law

There can be but one object or purpose in a feeding stuffs law; viz., *the protection of the consumer.*

The consumer is entitled to know what he is buying. The fact that a feed or medicine is registered informs him that it contains nothing harmful if properly used. The declaration of the manufacturer must be true to fact if the feed or medicine is registered. The inspection and analysis at frequent intervals informs the director of the Experiment Station of the reliability of the manufacturer or seller's guarantee. If the feed does not come up to the guarantee, the license to sell is at once revoked. The law also protects the honest manufacturer or seller.

### The Law Briefly Stated

1. The law applies to:
  - a. All mixed feeds.
  - b. All feeds in which the original composition of the material has been altered.
  - c. All condimental feeds.
  - d. All proprietary medicines.
2. The requirements are:
  - a. Registration with the director of the Experiment Station.
  - b. The payment of \$10.00 annual registration fee on each brand of feeds, and \$50 on each brand of condimental feeds selling for more than forty dollars a ton and proprietary medicines.
  - c. Filing with the director a statement of ingredients and a list of those handling the feed or medicine in the State.
  - d. Placing on every package a label stating:
    1. Name and address of manufacturer or seller.
    2. Registered name, trademark, or designation.
    3. Net weight of package.
    4. Guaranteed minimum percentage of fat and protein.
    5. Guaranteed maximum percentage of crude fiber.

NOTE.—Provisions 3, 4, and 5 will not be applied to those materials sold as medicines for which no feed value is claimed.
3. Prohibitions are:
  - a. Adulteration of feeding stuff by foreign mineral matter or foreign animal or vegetable matter of little or no nutritive value.
  - b. The use of poisonous or deleterious substances.

### What the Director of the Experiment Station is Required to Do

1. To register all feeds which comply with the provisions of the law on the payment of the proper fee.
2. To determine by examination of the Statements submitted by the manufacturer or seller and by analysis whether the feed consists of wholesome materials and whether the name or brand used is not false or misleading.

NOTE.—All printed statements on the package or accompanying it shall be construed to be a part of the name or brand.

3. To cause to be made inspection and analysis of feeding stuffs to determine if the manufacturer and others are complying with the law.

4. To publish annually or oftener a bulletin giving the list of registered feeding stuffs, their composition, and such other information concerning their use as is deemed valuable to the public.

Manhattan, Kansas.

ED. H. WEBSTER,  
*Director.*

June 17, 1911.