LINSEED OR FLAXSEED OIL

Act 110 of 1909

AN ACT to prevent the adulteration of linseed oil or flaxseed oil and to prevent fraud in the sale thereof and in the sale of compounds thereof, and to repeal all acts in conflict herewith.

History: 1909, Act 110, Eff. Sept. 1, 1909

The People of the State of Michigan enact:

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290.251 Linseed or flaxseed oil; raw or boiled, requirements; adulterated.

Sec. 1.

No person, firm or corporation, by himself, his servant or his agent, or as the servant or agent of any other person, firm or corporation, shall manufacture or mix for sale, sell, offer or expose for sale, or have in his possession with intent to sell in this state, under the name of raw linseed oil or raw flaxseed oil, any substance which is not wholly the product obtained from well cleaned flaxseed or linseed, and unless the aforesaid oil also fulfills the requirements of the 1900 edition of the Pharmacopoeia of the United States, which follow:

1. Specific gravity 0.925 to 0.935 at 25 deg. C. (77 deg. F.). It does not congeal at temperatures above 20 deg. C. (4 deg. F.). It is soluble in about 10 parts of absolute alcohol and in all proportions in ether, chloroform, petroleum, benzine, carbon disulphide and oil of turpentine. It should not more than slightly redden blue litmus paper, previously moistened with alcohol (limit of free acid). The oil should be completely saponifiable with alcoholic potassium hydroxide T.S. and the resulting soap should be completely soluble in water without leaving an oily residue, (absence of mineral oils and rosin oils). If 2 CC. of the oil be warmed and shaken in a test tube with an equal volume of glacial acetic acid, and if to this mixture, after cooling, 1 drop of sulphuric acid be added, a greenish color should be produced. (A violet color under these circumstances indicates the presence of rosin oils). Linseed oil saponified by alcoholic potassium hydroxide T.S. should show a saponification value of from 187 to 195. If 0.15 CC. of linseed oil be dissolved in 10 CC. of chloroform in a 250 CC. flask and 25 CC. of a mixture of equal volume of alcoholic iodine T.S. and alcoholic mercuric chloride T.S. added, and if, after standing for 16 hours, protected from the light, 20 CC. potassium iodide T.S. be introduced and the mixture diluted with 50 CC. of water, on titrating the excess of iodine with tenth normal sodium thiosulphate V.S. an iodine value of not less than 170 should be obtained. No person, firm or corporation, by himself, his servant or his agent, or as the servant or agent of any other person, firm or corporation, shall manufacture or mix for sale, sell, offer or expose for sale or have in his possession with intent to sell in this state, any substance as boiled linseed oil or as boiled flaxseed oil, unless the same shall have been prepared by heating raw linseed oil, as defined above: Provided, That if drier is used in said boiled linseed oil or boiled flaxseed oil, the same shall have been prepared by incorporating said drier with raw linseed oil, as defined above, at a temperature of not less than 225 deg. Fahrenheit, and furthermore contains not less than 96 per cent of linseed oil; and for the purpose of this act it shall also be deemed a violation thereof if said boiled linseed oil prepared either with or without drier does not conform to the following requirements: 1. Its specific gravity at 60 deg. Fahrenheit must be not less than 0.935 and not greater than 0.945; 2. Its saponification value (Koettstorfer figure) must not be less than 186; 3. Its iodine number (Huebl's method) must be

not less than 160; 4. Its acid value must not exceed 10; 5. The volatile matter expelled at 212 deg. Fahrenheit must not exceed 1/2 of 1 per cent; 6. No mineral oil shall be present and the amount of unsaponifiable matter as determined by standard methods shall not exceed 2.5 per cent; 7. The film left after flowing the oil over glass and allowing it to drain in a vertical or nearly vertical position must dry free from tackiness in not to exceed 20 hours, at a temperature of about 70 deg. Fahrenheit. Linseed oil or flaxseed oil which does not conform to the foregoing requirements shall be deemed to be adulterated within the meaning of this act.

History: 1909, Act 110, Eff. Sept. 1, 1909 ;-- CL 1915, 6321 ;-- CL 1929, 5619 ;-- CL 1948, 290.251
Former Law: See Act 208 of 1899.

290.252 Linseed or flaxseed oil; name on barrel or container; evidence of violation.

Sec. 2.

No person, firm or corporation, either by himself or another, shall sell, offer or expose for sale, or have in his possession with intent to sell in this state any linseed oil or flaxseed oil, except under its true name, and unless each barrel, keg or can of such oil has plainly and durably painted, stamped, stenciled, labeled or marked thereon the true name of such oil in ordinary bold-faced capital letters, not less than 5 lines pica in size, together with the name and address of the manufacturer, jobber or dealer: Provided, That if the contents of the package be less than 25 gallons, the type shall not be less than 2 lines pica in size. Proof that any person, firm or corporation has or had possession of any oil or compound which is adulterated or misbranded within the meaning of this act shall be prima facie evidence that the possession thereof is in violation of this act.

History: 1909, Act 110, Eff. Sept. 1, 1909 ;-- CL 1915, 6322 ;-- CL 1929, 5620 ;-- CL 1948, 290.252

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290.253 Linseed or flaxseed oil; compounds, branding; misbranded, definition.

Sec. 3.

Linseed oil compounds or flaxseed oil compounds designed to take the place of raw or boiled linseed oil or raw or boiled flaxseed oil as defined in section 1 of this act, whether sold, offered or exposed for sale under invented proprietary names or titles or not, shall bear conspicuously upon the containing vessel, in capital letters not less than 5 lines pica in size, the word "Compound," followed immediately with the true distinctive names of the actual ingredients in the order of their greater preponderance, in the English language, in plain legible type of the same size, not less than 2 lines pica in size, in continuous list with no intervening matter of any kind, and shall also bear the name and address of the manufacturer, jobber or dealer. Any oil or compounds required to be branded by the provisions of this act and not complying with sections 2 and 3 shall be deemed to be misbranded within the meaning of this act.

History: 1909, Act 110, Eff. Sept. 1, 1909 ;-- CL 1915, 6323 ;-- CL 1929, 5621 ;-- CL 1948, 290.253

290.254 Enforcement.

Sec. 4.

It is hereby made a duty of the state dairy and food commissioner to enforce the provisions of this act.

History: 1909, Act 110, Eff. Sept. 1, 1909 ;-- CL 1915, 6324 ;-- CL 1929, 5622 ;-- CL 1948, 290.254
Compiler's Notes: The office of dairy and food commissioner, referred to in this section, was abolished and the powers and duties thereof transferred to the food and drug commissioner by MCL 289.2. The office of food and drug commissioner was subsequently abolished and the powers and duties thereof transferred to the state department of agriculture by MCL 285.2.

290.255 Right of access; samples; duty to prosecute; hindering prohibited.

Sec. 5.

The state dairy and food commissioner, his agents, assistants, inspectors, chemists or others appointed by him, shall have full rights of ingress and egress to the premises occupied by parties who manufacture, sell or deal in linseed oil or flaxseed oil, or linseed oil compounds or flaxseed oil compounds, and also shall have power and authority to open any tank, barrel, can or other vessel believed to contain such oil and inspect the contents thereof, and to take therefrom samples for analysis. In case any samples so taken shall prove on analysis to be adulterated or misbranded in violation of the provisions of this act, it shall be the duty of the state dairy and food commissioner to proceed against the offender as herein provided. No person shall obstruct the state dairy and food commissioner or any of his assistants, by refusing entrance to any place which he desires to enter in the discharge of his official duty as provided in this act, nor shall any person refuse to deliver to him a sample of oil when same is requested and when the value thereof is tendered.

History: 1909, Act 110, Eff. Sept. 1, 1909 ;-- CL 1915, 6325 ;-- CL 1929, 5623 ;-- CL 1948, 290.255
Compiler's Notes: The office of dairy and food commissioner, referred to in this section, was abolished and the powers and duties thereof transferred to the food and drug commissioner by MCL 289.2. The office of food and drug commissioner was subsequently abolished and the powers and duties thereof transferred to the state department of agriculture by MCL 285.2.

290.256 Penalty for violation of act.

Sec. 6.

Any person, firm, or corporation convicted of violating any of the provisions of this act shall, for the first offense be punished by a fine in any sum not less than 25 dollars and not more than 100 dollars or by imprisonment not exceeding 30 days, or by both such fine and imprisonment in the discretion of the court; and for the second and each subsequent offense by a fine of not less than 50 dollars and not more than 200 dollars or by imprisonment not exceeding 1 year, or both in the discretion of the court.

History: 1909, Act 110, Eff. Sept. 1, 1909 ;-- CL 1915, 6326 ;-- CL 1929, 5624 ;-- CL 1948, 290.256 ;-- Am. 1991, Act 148, Imd. Eff. Nov. 25, 1991
Compiler's Notes: The office of dairy and food commissioner, referred to in this section, was abolished and the powers and duties thereof transferred to the food and drug commissioner by MCL 289.2. The office of food and drug commissioner was subsequently abolished and the powers and duties thereof transferred to the state department of agriculture by MCL 285.2.

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