

LINSEED OIL LAW

Act of Apr. 29, 1913, P.L. 123, No. 82

Cl. 03

AN ACT

Regulating the storage and sale of linseed oil, and compounds and imitations thereof; fixing standards for raw and boiled linseed oil; providing penalties for violations thereof; providing for the enforcement of this act, and expenses thereof; providing for examination of samples of linseed oil; and repealing an act approved the twenty-third day of April, one thousand nine hundred and one, entitled "An act to prevent the adulteration of, and deception in the sale of, linseed or flaxseed oil," and the act approved the twenty-second day of April, one thousand nine hundred and five, entitled "An act supplemental to an act, entitled 'An act to prevent the adulteration of, and deception in the sale of linseed or flaxseed oil,' approved the twenty-third day of April, Anno Domini one thousand nine hundred and one." Section 1. Be it enacted, &c., That the words "linseed oil," as used in this act, shall mean an oil, wholly the product obtained from pure flaxseed, and conforming to the following requirements:

First. Its specific gravity, at a temperature of fifteen and five-tenths degrees centigrade, shall be not less than nine thousand three hundred and fifteen ten-thousandths (.9315), nor greater than nine thousand three hundred and sixty ten-thousandths (.9360).

Second. Its acid value shall not exceed six (6).

Third. Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-seven (187), nor greater than one hundred and ninety-five (195).

Fourth. It shall not contain more than one and one-half per centum of unsaponifiable matter.

Fifth. Its iodine value (Hanus number) shall be not less than one hundred and seventy (170), nor greater than one hundred and ninety (190).

The words "boiled linseed oil," as used in this act, shall mean linseed oil, as above defined, which has been heated to a temperature of at least one hundred and seven degrees centigrade, and conforming to the following requirements:

First. It shall not contain free rosin or rosin oil, nor shall it contain rosin as resinates in excess of one per centum.

Second. It shall not contain more than two per centum of unsaponifiable matter.

Third. Its saponification value (Koettstorfer number) shall be not less than one hundred and eighty-five (185), nor greater than one hundred and ninety-five (195).

Fourth. Its iodine value (Hanus number) shall be not less than one hundred and sixty (160), nor greater than one hundred and ninety (190).

Fifth. Its specific gravity, at a temperature of fifteen and five-tenths degrees centigrade, shall be not less than nine thousand three hundred and twenty-five ten thousandths (.9325), nor greater than nine thousand four hundred and fifty ten thousandths (.9450).

Section 2. The word "container," as used in this act, shall mean any tank, barrel, keg, can, bottle, jug, or other vessel in which raw or boiled linseed oil, or any compound or imitation thereof, shall be stored, sold or offered for sale.

The word "person," as used in this act, shall mean any individual, partnership, or corporation, acting directly, or

acting indirectly through the agent, servant, or employe of such person.

The word "marked," as used in this act, shall mean "written," "printed," "stamped," "painted," or "blown," or any other means whereby words may be indicated, in or on a container, or on any label attached thereto.

Section 3. It shall be unlawful for any person to store or sell or offer for sale any of the following commodities, in a container having therein or thereon marked the words "linseed oil," or "flaxseed oil," or having therein or thereon marked any description of the contents containing the words "linseed oil" or "flax seed oil," namely:

One. Any raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act.

Two. Any compound of raw or boiled linseed oil which shall not comply with the respective requirements of the first section of this act.

Three. Any imitation of linseed oil.

Section 4. It shall be unlawful for any person to sell or offer for sale as linseed oil any compound or imitation of linseed oil, without notifying the purchaser thereof, in writing, at the time of such sale, that the oil so sold is a compound or imitation of linseed oil.

Section 5. Any person who shall violate any of the provisions of this act shall, upon conviction thereof before any alderman, magistrate, or justice of the peace of the county wherein the offense shall have been committed, be sentenced to pay a fine of not less than fifty nor more than one hundred dollars, or, in default thereof, may be committed to the jail of the proper county for a period of not less than thirty days, nor more than sixty days.

Compiler's Note: Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.

Section 6. It shall be the duty of the Secretary of Agriculture to cause the provisions of this act to be enforced. All fines recovered in pursuance of this act shall be paid to, or to the order of, the Secretary of Agriculture, and by him paid into the State Treasury.

Section 7. Any person refusing to sell any oil to the Secretary of Agriculture or his agent, or agents, or in any way interfering with the enforcement of the act, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine of not less than fifty dollars, nor more than one hundred dollars, together with the cost of prosecution.

Section 8. Any person in the Commonwealth of Pennsylvania dealing in raw or boiled linseed oil may send samples thereof to the Department of Agriculture for examination. The results of such examination shall be reported to such person, within fifteen days from the receipt by the department of such sample. The fee for said examination shall be one dollar, which shall be paid before such examination shall be made. All moneys received from such examination shall be paid into the State Treasury.

Section 9. The Secretary of Agriculture may, from time to time, cause to be published information obtained from the examinations of all samples of oils received or secured in the enforcement of this act.

Section 11. All necessary expenses incurred in the enforcement of this act shall, after approval in writing by the Secretary of Agriculture, be paid by the State Treasurer upon warrant of the Auditor General, in the manner now provided by law.