

in or at any milk depot, creamery, store, or other place of business, unless such milk depot, creamery, store, or other place of business shall be properly equipped for keeping said milk, cream, skimmed milk, or buttermilk, and the same shall be kept therein at a temperature of 50° or lower, Fahrenheit.

SEC. 5. *Wholesalers and bona fide dealers—Exceptions.*—The provisions of section 3 of this regulation shall not apply to bona fide dealers in milk, cream, skimmed milk, or buttermilk at wholesale who shall sell at any one time a quantity of not less than 1 gallon of milk, skimmed milk, or buttermilk, or 2 quarts of cream, and who shall each have a separate room in which said milk, skimmed milk, buttermilk, and cream shall be kept or offered for sale, with a floor space at least 10 feet square, with suitable ventilation, and provided also with an additional room in which shall be washed and cleaned all cans, bottles, or other receptacles and utensils of every kind used in connection with said business, all of which shall be subject to the approval of the board of health.

SEC. 6. No person or persons shall transfer any milk intended for sale from one can, bottle, or receptacle into another can, bottle, or receptacle on any street, alley, or thoroughfare, or upon a delivery wagon or other vehicle, or in any exposed place in the city of Dayton, Ohio.

SEC. 7. *Penalty.*—That the foregoing is hereby declared to be an order and regulation of the board of health of the city of Dayton, State of Ohio, made pursuant to the provisions of the laws of the State of Ohio, and whoever violates the same or obstructs or interferes with the execution of the foregoing order and regulation shall be fined any sum not exceeding \$100, or imprisoned for any time not exceeding 90 days, or both, but no person shall be imprisoned hereunder for the first offense, and the prosecution shall always be as and for a first offense unless the affidavit upon which the prosecution is instituted contains the allegation that the offense is a second or repeated offense, all of which is in accordance with section 4414 of the general code of Ohio, in such cases made and provided.

This regulation shall take effect and be in force on and after August 1, 1912, and shall thereupon supersede and repeal the regulation adopted November 10, 1908, relating to the same subject matter.

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