

(1) "Serious Defects" refers to eggs, allowed as tolerance, having air cell deeper than one-half ($\frac{1}{2}$) inch or movement of air cell more than one-half ($\frac{1}{2}$) inch when twirled before the candler; or having white that is not clear and not reasonably firm, or having yolk that is freely mobile and with clearly visible germ development.

(2) "Retailer" is any person selling to consumer.

(3) "Consumer" means any person purchasing or otherwise acquiring eggs for purposes other than re-sale, such as household, restaurant, bakery, hotel, inn, hospital or any public or private institution, organization, transportation company or any camp.

1935, ch. 375, sec. 130F.

149. Any person, firm, association or corporation that violates any of the provisions of this sub-title, or any rule or regulation made thereunder for its enforcement, or who fails or refuses to make proper reports, or who reports falsely or with intent to deceive in answer to any of the requirements of this sub-title, or who interferes with said State Board of Agriculture, its agents or employees, in the enforcement of the provisions of this sub-title, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall, for the first offense be subject to a fine of not less than five (\$5.00) dollars nor more than fifty (\$50.00) dollars, and for any second or subsequent offense shall be subject to a fine of not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars.

1935, ch. 375, sec. 2.

150. If any of the provisions of this sub-title or any sections or parts thereof shall be held to be invalid for any reason, such holding shall not be construed as affecting the validity of any remaining section or part of a section of this sub-title.¹

Boiler Rules.

1920, ch. 676, sec. 1. 1939, ch. 718, sec. 131.

151. The Board of Boiler Rules shall consist of three members, two of whom shall be appointed to the Board by the Governor, one for a term of two years, and one for a term of three years. At the expiration of their respective terms of office their successors, identifiable with the same interests, respectively as hereinafter provided, shall be appointed for terms of four years each. Upon the death or incapacity of any member the Governor shall fill the vacancy for the remainder of the term likewise with a representative of the same interests with which his predecessor was associated. Of these two appointed members, one shall be representative of the owners and users of boilers within the State, one a representative of a boiler inspection and insurance company licensed to do business within the State. The third member shall be the Commissioner of Labor and Statistics, who shall be the chairman at his discretion or the Board shall elect one of its members as chairman, and shall meet at least twice yearly at the State capitol, or other place designated by the Board. The Board shall formulate rules and regulations for the safe and proper construction, installation, repair, and use of boilers in this State. The word boiler as mentioned

¹ Sec. 3, ch. 375, acts of 1935, repealed all laws inconsistent therewith to extent of such inconsistency.