

(c) The dry quart shall contain sixty-seven and two-tenths cubic inches.

Interstate shipments, etc., not conforming to standards, unlawful.

SEC. 3. That it shall be unlawful to manufacture for shipment, or to sell for shipment, or to ship from any State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, any Climax baskets or other containers for small fruits, berries, or vegetables, whether filled or unfilled, which do not conform to the provisions of this Act; and any person guilty of a willful violation of any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$25: *Provided*, That nothing herein contained shall apply to the manufacture, sale, or shipment of Climax baskets, baskets, or other containers for small fruits, berries, and vegetables when intended for export to foreign countries when such Climax baskets, baskets, or other containers for small fruits, berries, and vegetables accord with the specifications of the foreign purchasers or comply with the law of the country to which shipment is made or to be made.

Penalty.

Proviso. Foreign shipments not affected.

Tests, etc., by Department of Agriculture.

SEC. 4. That the examination and test of Climax baskets, baskets, or other containers for small fruits, berries, and vegetables, for the purpose of determining whether such baskets or other containers comply with the provisions of this Act, shall be made by the Department of Agriculture, and the Secretary of Agriculture shall establish and promulgate rules and regulations allowing such reasonable tolerances and variations as may be found necessary.

Rules, etc.

Prosecution of violations.

SEC. 5. That it shall be the duty of each district attorney, to whom satisfactory evidence of any violation of the Act is presented, to cause appropriate proceedings to be commenced and prosecuted in the proper court of the United States for the enforcement of the penalties as in such case herein provided.

Immunity of guaranty from purchaser.

SEC. 6. That no dealer shall be prosecuted under the provisions of this Act when he can establish a guaranty signed by the manufacturer, wholesaler, jobber, or other party residing within the United States from whom such Climax baskets, baskets, or other containers, as defined in this Act, were purchased, to the effect that said Climax baskets, baskets, or other containers are correct within the meaning of this Act. Said guaranty, to afford protection, shall contain the name and address of the party or parties making the sale of Climax baskets, baskets, or other containers to such dealer, and in such case said party or parties shall be amenable to the prosecutions, fines, and other penalties which would attach in due course to the dealer under the provisions of this Act.

Contents of guaranty.

In effect from November 1, 1917.

SEC. 7. That this Act shall be in force and effect from and after the first day of November, nineteen hundred and seventeen.

Approved, August 31, 1916.

August 31, 1916. [S. J. Res. 129.]

[Pub. Res., No. 33.]

CHAP. 427.—Joint Resolution Extending until April fifteenth, nineteen hundred and seventeen, the effective date of section ten of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October fifteenth, nineteen hundred and fourteen.

Antitrust Act, 1914. Common carrier dealing with corporation in which officer interested.

Effective time extended. Vol. 38, p. 734, amended. Post, p. 1201.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the effective date on and after which the provisions of section ten of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October fifteenth, nineteen hundred and fourteen, shall become and be effective is hereby deferred and extended to April fifteenth, nineteen hundred and seventeen.

Approved, August 31, 1916.