THE PRESIDENT: The next will be an address by the Honorable George J. Weigle, Dairy and Food Commissioner of Wisconsin, on the Necessity of Law Enforcement.

NECESSITY OF LAW ENFORCEMENT

Mr. Chairman, members of the Butter Makers' Association, ladies and gentlemen.

Before going into the discussion of my paper I cannot refrain from making a few remarks regarding the Butter Makers' Association. Permit me, therefore, on the outset, to congratulate the Wisconsin Butter Makers' Association upon their new organization and upon the policy adopted by them. I am especially glad to see that this Association has turned away from state's aid, cast aside their swaddling clothes, and that you are going to stand on your own feet.

I also want to congratulate you upon the selection of your splendid officers. From my association with Mr. Larson I know what I am talking about, and I can state that he is a man of that high type that is always going to look out for your interest for the interest of this association. Your Association needs him at this time.
He is a man who will neither buy, sell nor compromise. He is a man who is so beautifully described in a poem by Mr. Holland, and if you will permit I will read this poem to you, in which he says:

God give us men! A time like this demands
Strong minds, great hearts, true faith, and ready hands;
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will;
Men who have honor, men who will not lie;
Men who can stand before a demagogue,
And damn his treacherous flatteries without winking;
Tall men, sun-crowned, who live above the fog
In public duty and in private thinking.

Such a man is Mr. Henry C. Larson. And I say this with all sincerity and earnestness.

I am also pleased to see the wonderful progress made by your wonderful organization. If you want to continue this success there are two things absolutely essential to every one of the members of this organization, and that is, you must have enthusiasm, you must have loyalty. You cannot succeed without enthusiasm, for your organization, for enthusiasm is dynamic; it starts things, slams together and sees things through, and you should not be without it, for enthusiasm is the propeller of progress.

However, with enthusiasm you must have loyalty; you must be loyal to yourselves, and you must be loyal to your organization, and you must be loyal to your calling, and you must be loyal to your state, for there is no man so great or so small in any organization that can ignore the significance of loyalty, for it brings out and impresses the fact of individual importance.

In discussing with you the subject of Necessity of Law Enforcement, in order that we may get an idea of conditions existing prior to the time that any department was established, charged with the enforcement of dairy and food laws, we must of necessity go back earlier than 1889. In calling your attention to the conditions existing at that time, you will readily see why certain laws have been passed and will be in a better position to appreciate our laws as they stand today.

The first law covering dairy products was that passed in 1866 and was an act to prevent fraud in the manufacture of cheese. Even in that early day, the dairy statutes thoroughly covered many of the very problems which confront us at this time. The statute passed at that time dealt with the adulteration of milk and the cleanliness of the same. While this law was passed just after the Civil War, it reads almost as though it was copied from our present statutes.

From 1866 that law was steadily changed by additions and amendments. A significant feature of these changes is that they invariably broaden the scope of the law by including more products
by being more specific in their commands or by leaving fewer opportunities for evasion.

In 1876 another milk statute was passed prohibiting the sale to any butter or cheese factory of diseased or polluted milk. When the statutes were revised in 1878, we find that some of the laws have been slightly changed as to their wording and some have been combined so as to make them more clear. 1879 sees the original food and drugs adulteration statutes broadened and the penalty for a second offense raised to a minimum of one year in state prison without the option of a fine. I feel that I must digress here for a moment to comment on this penalty clause. I wish that some of the dairy and food laws of today had some "teeth" like that. That statement is not prompted by a desire to send a great many people to jail, but I want to tell you that one of the chief reasons for the lack of respect which is evidenced for our dairy laws at this time is the trifling penalty which they carry. Men have even made so bold as to say that it was "good business" for them to violate the law consistently and pay an occasional $25.00 fine to appease the authorities. This is a deplorable condition and can only be remedied by a marked increase in the money fine or by the imposition of jail sentences by our judges.

In the year 1881, the question of imitation butter was taken up and the labeling of oleomargarine and butterine was prescribed. Cheese adulterated with foreign fat or any other substance was also required to be marked with the name of the adulterant. In 1885 an effort was made to prohibit entirely the manufacture of any product designed to take the place of butter or cheese when such product was produced from anything other than adulterated milk or cream.

I could go on in this way for a long time showing you the individual steps by which our law has progressed up to the present time, but perhaps enough has been said to emphasize the slow steady growth, ever developing into a stronger force, better able to cope with the increasing difficulties presented in the dairy industry. These difficulties finally culminated in the creation, in 1889, of the office of dairy and food commissioner.

The principles embodied in the dairy and food laws are the foundations upon which the dairy and food department is built. Without the law the principles would be just as vital, but their enactment into statutes is necessary to give them force and to establish them as definite rules of action. The law, therefore, preceded the department in point of time and we find, as stated above, many statutes regulating foods and dairy products before a particular department for enforcing these statutes came into existence.

Sir William Blackstone, that celebrated English jurist whose "Commentaries" on the English law ranks as a classic, says: "Law, in its most general and comprehensive sense, signifies a rule of action * * * And it is that rule of action which is
prescribed by some superior, and which the inferior is bound to obey."

He becomes more specific when he says that the law of a particular state or nation is properly defined as a "rule of civil conduct prescribed by the supreme power in a state, commanding what is right and prohibiting what is wrong."

This definition, which, since its promulgation, has more than once been bitterly attacked, nevertheless has stood the test of time, and it may be as successfully applied to any good law on our statute books today as when it was first enunciated. Let us remember then that the laws in which you and I are interested, the dairy and food laws of the State of Wisconsin, are neither more nor less than rules of conduct, prescribed by our legislature, commanding what is right and prohibiting what is wrong. The dairy and food commissioner does not make the laws. He enforces them. It is the legislature which makes the laws, and appoints the dairy and food commissioner to enforce the laws as prescribed by it. It is good law, carefully thought out before enactment and then wisely administered that is largely responsible for Wisconsin's wonderful development in the dairy industry, and how this has come about and why law enforcement is still a question which must receive so much of our attention are points which I hope to make clear to you.

At the present time the dairy and food laws of this state fill a small book; but that rather formidable collection of statutes is the result of the slow and steady growth of almost a century. Starting with a single chapter, regulations have been added from time to time as the necessity for them arose until today we have a comprehensive set of laws embracing almost every phase not only of the dairy business alone, but also of the activities affecting the production, the manufacture and the sale of all food products designed for human consumption.

Our law is not yet perfect. Perhaps the time will never come when there will be no further possibility for improvement, because new situations are constantly arising which are not fully covered by existing laws; but we may rest assured of one thing—somewhat imperfect though our laws may be—they are as complete as those of any other state and more complete than most, and Wisconsin's progressive spirit in legislation is as well recognized as is her leadership in the dairy industry.

As to the various provisions of our present law, I am sure most of you are well informed. If you are not acquainted with what the law demands, you should, in justice to yourself, lose no time in posting yourself in these fundamental regulations of your business. This is neither the time nor place for me to enter into a detailed discussion of individual laws, but there are certain things in this connection which should not be overlooked. There are three phases to the enforcement of statutory regulations; there is the law itself, there is voluntary compliance by the people of the state; and there is enforced compliance.
The function of the dairy and food department, therefore, resolves itself into, first, a knowledge of the law; second, a supervision to determine the continuance of voluntary compliance; and third, the enforcement of compliance in those cases where it is not willingly offered. In order to properly carry out these duties one thing is essential—a thorough understanding of the basic reason for and object of the statute. And in the case of the laws which we are discussing, both the reason and the object may be stated in one word—QUALITY. Why are certain rigid standards established for raw materials? So that a high quality may be maintained. Why so many rules and regulations for the men who handle dairy products and the factories where they are manufactured and stored? So that the finished product may have a high standard of quality. Why such detailed prohibitions directed against adulteration in its various forms? Quality again. In other words, a high standard of quality is the fundamental consideration in the enactment and enforcement of all food legislation, and affects every article from the raw material to the finished product, and every step from the producer to the consumer.

In the dairy industry we start, of course, with milk as the foundation. That the milk must be clean, wholesome and of a recognized standard of strength and purity is a self-evident fact for without those qualities in the raw material we cannot hope to secure them in the final product. It should be equally evident that the same safeguards must be thrown around the manufacture of condensed, evaporated, malted and powdered milk, butter, cheese, ice cream and the host of allied products if the dairy industry is to go forward as it should go forward, and as every one connected with it wants it to go forward. But here the peculiar human elements enter in. We are not all gifted with the foresight necessary to forego a small gain for the sake of a large future profit. It therefore becomes necessary for the law, and the dairy and food commissioner as the representative of the law, to step in and demand the observance by all of those reasonable requirements which, in the last analysis, operate only for the good of him against whom they are directed.

What, then, is the duty of the various elements making up the personnel of the dairy industry? The producer of milk is first in point of time and almost of importance, since it is with him that our manufacturing sequence starts and unless his milk is what it should be, no amount of care in the later processes can bring the finished product up to that point of excellence which it could have attained had the original material been up to standard.

The first duty of the man who manufactures milk into other foods should be to observe proper cleanliness and exercise proper care in every step of the manufacturing process. The greatest foe of the butter making business is the careless, shiftless maker who turns out low scoring butter. To this class must be added the maker who sees in the product he manufactures only the money which he
gets for making it—the man who is willing to sacrifice quality for yield or overrun and the man who loads his butter with water or salt.

Nor must the man who deliberately practices fraud by manipulation of weights or the reading of the Babcock test be overlooked, although, fortunately such men are in the minority. Two other men deserve mention in this category—the one without sufficient backbone to refuse unsatisfactory cream when it is offered at his factory, and the man without sufficient knowledge to properly discharge his duties even with the best of intentions. All of these men constitute a menace to the well-being of the dairy industry; they cannot be too quickly eliminated from its ranks, for they will destroy in a matter of months what it has taken years of constructive effort to build up and the unfair competition which results from their careless or illegal practices soon has the entire community on a par with the worst offender. They are like a few rotten pears in a basket of sound fruit—not only are they undesirable for their own sake but they contaminate everything around them.

Nor is the dealer who purchases the output of the factories entirely blameless. It might even be said that he is more guilty that the rest, for if there was no market for a poor cheese or for low scoring butter, if the dealer would not buy it, the maker would be forced to mend his ways and manufacture a product which was up to the required standard of quality. Why does the dealer buy poor dairy products? It is the old lure of the almighty dollar which has wrecked many a man and many a business. He buys it, or at least he has bought is in the past, because of the abnormal market, a market in which the demand so far exceeded the supply that he knew he could dispose of almost anything at a profit. Have these short-sighted dealers given a thought to the effect which vast quantities of an inferior product forced onto the markets of the world would have on Wisconsin's reputation as a dairy state? Have they viewed with alarm and done everything in their power to combat this dangerous tendency in our state's greatest industry? We are forced to admit that they have not and that the natural result is now beginning to manifest itself.

As to the consumers of dairy products, whether here or abroad, they are your opportunity, the basis of your hope for the future, the only medium, in fact, through which you can expect to achieve ultimate success. The consumer should be educated to a better understanding of the value of dairy products in the human diet and this propaganda should be backed up by products the very best that you can put on the market. Without this support all of the educational work which you may do will go for naught.

At this time it might be well to bear in mind the fact that we are confronted with keen competition and if any of you visited the Dairy Show at Chicago held last month, you undoubtedly are aware of the fact that some of the foreign countries,—Denmark, Holland, Argentine, and others,—are trying to establish a demand and a market for
their product and unless we produce butter of good quality and meet 
the competition of these countries, we will be unable to dispose of 
our product.

The question may occur to you, "What does all this have to do 
with law enforcement?" My answer is this: These things which I 
have been telling you are some of the reasons why it is necessary 
to have laws and why it is necessary to enforce laws. The law and 
its enforcement act as a positive check on these practices, eliminate 
the unfair competition, bring to an end the operation of the confirmed 
offender, and help to preserve for the industry the fruits of the labor 
of those thousands of careful, conscientious workers whose aim has 
been to place Wisconsin's dairy products ahead of all the world in 
quality and quantity as well.

I have briefly endeavored to show you the reason for the laws and 
their enforcement. However, before closing I want to leave this 
thought with you. The laws that I have mentioned are not the only 
laws by which we must be governed. Moral law—the dictates of 
our conscience—is fully as important as written law, and to keep our 
consciences quick to the needs of those we serve and to the needs 
of our fellow craftsmen, whether they are competitors or otherwise, 
should be the aim of each one of us. Your profession is a noble one; 
it is a profession of service to your fellow men. Do not be content 
with secondary work, or with anything but the fullest devotion to 
your tasks; conduct your business along high ethical lines. If you 
adopt the beautiful Rotarian slogan "Service above self; he profits 
most who serves best" you will find that you have been an inspira-
tion to your fellow butter makers instead of a stumbling block and 
blessings will surely redound to your glory. I thank you.

THE PRESIDENT: We will now listen to the report of the Resolu-
tions Committee.

REPORT OF RESOLUTIONS COMMITTEE

Our Association in its twentieth convention adopts the following 
resolutions:

Resolved: That we extend our hearty thanks to the Honorable 
Mayor of Madison, the Madison Association of Commerce and especi-
ally their secretary Mr. Mowry, who has done so much to make this 
convention a success, and we extend to the butter judges, speakers, 
dairy press, firms in allied industries and all others who have helped 
to make this convention a success, our hearty thanks.

Whereas: We appreciate very much the good price received for 
our convention butter, therefore

Be it resolved, That we thank the commission firms bidding for the 
butter and especially the Waskow Butter Company of Chicago, for the 
price paid; and the auctioneer Mr. F. M. Brown of the J. G. Cherry 
Company, for his splendid efforts in selling the butter.