AFTERNOON SESSION.

The convention met at 2 o'clock, Thursday, January 5, 1905. Vice President Aderhold in the chair.

THE LICENSING OF FACTORIES AND MAKERS.

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The dairy business like every other business, has a great many problems demanding a solution if the best interests of those interested in it are to be conserved. We all know there is a vast amount of poor quality of dairy products made and put upon the market to the detriment of everybody connected with the business. The price received for the best grade is necessarily affected by the amount of poor, off-grades offered.

How to eliminate this undesirable factor becomes an important matter. It must be largely a matter of education and the forces now at work trying to uplift the dairy business to a higher plane, while doing good work, seem to be inadequate to stop or lessen the evils complained of. Among other things that have been suggested to bring about a better condition of affairs, is the license system, applied to factories and makers.

The power to issue a license, carries with it the power to revoke the license, to make, and enforce necessary regulations in order that the objects sought may be accomplished. In order to make a license system constitutional, it would have to be a part of the police regulations of the state enforcing the sanitary production of foods in order to conserve the public health, or public morals, and escape coming in conflict with the provisions of the constitution, providing that taxes levied must be uniform. It was first suggested to license the makers only, but it would be manifestly unfair to ask a maker for certain qualifications and expect him to produce the best results among unsanitary surroundings, or from unclean, unsanitary milk. To accomplish the results sought more must be asked of the factory or maker than the mere payment of a fee, as in the case with the barbers of Wisconsin, as it is reported that any one having
one dollar can obtain the necessary license. In the case of factories, it should be required of them that they be so located that efficient drainage can be provided, or where natural conditions do not permit, compel the installation of the septic tank and sub-sewage system of drainage. That the buildings be kept in a clean, sanitary condition, and the equipment be of such a character that it can properly do the work required of it.

Especially is this so in the case of testers and glassware, numbers of which are antiquated, not being provided with any means for ascertaining if the necessary speed is being maintained; glassware not correctly calibrated and acids lacking strength.

Under such conditions, it is obvious that justice, as between patron and patron, or patron and factory, could not be done. Buildings, it is thought, could be compelled to be provided with adequate facilities for ventilation, too often neglected and the importance of which is not appreciated; reports of work done, rendered monthly, so that it could be seen whether patrons were receiving their just dues, and makers reporting tests correctly. The building of new factories in neighborhoods already well provided for, could be discouraged; and the quality of milk supplied raised to a higher standard.

On the other hand it may be contended that it could raise the standard of qualification among makers, if proper examinations were given before issuing the license to the applicant. I take it, that in order to obtain the best results a division into grades, similar to school teachers' certificates would have to be made. Professor John Michaels has already made this suggestion and given an outline of the qualifications to be possessed and amount of work or time served.

He says an examining board should consist, let us say, of three of the leading butter or cheese experts in the state. The requirements for the different grades should be as follows:

For Third Grade Certificate.

1. Theory and art of butter making.
2. Testing.
4. Arithmetic.
5. Composition of milk and its products.
6. One year's experience (no official inspection).

8—Ch.
For Second Grade,—Average standing 70.

1, 2, 3, 4, 5, and 6, as for the third grade, with average of 85.
8. Judging cheese, butter and starters.
9. Two years’ experience (official factory inspection).

For First Grade.

1, 2, 3, 4, 5, 6, 7, 8, and 9, as for second grade.
10. Feeding and breeding of dairy cattle.
11. Veterinary science.

The above was not so brutted as an inflexible cast iron scheme. It was offered simply as a starter.

By following this plan, or something along similar lines, it would be entirely possible, it is argued, to eliminate the poor makers by refusing them licenses. It would be necessary for the successful applicant to possess a knowledge of up-to-date methods in handling starters, acid tests, milk testing, refrigeration, sanitation and the hundred and one other things that go to make up the successful maker. It is also obvious that some men could readily pass an examination of the character proposed who might fall down when it came to the practical application of the principles involved. Vice versa, the practical man might not be able to shine in a written examination, so that in order to do justice to all a combination of the two must be had. I take it that the results of a license system, as herein contained, might be satisfactory to the many, but the largest part of the problem, is yet to be discussed, and that is, the administration of the necessary rules and regulations.

South Dakota has a license system for its factories and makers; Michigan has a system of registration that is not compulsory; Maine requires the licensing of all operators of the Babcock test. However, these states have a very small number of factories as compared with Wisconsin, and it necessarily follows, the larger the number the greater the difficulty in enforcing the laws. It is estimated that Wisconsin has about 1,200 creameries and about 1,800 cheese factories. Every one of these factories would have to be inspected once, yes, twice and even three times would be better. As Prof. Emery, I believe, has estimated that a man can not properly inspect more than four factories per week; with fifty working weeks, it follows that the outside figure
for one man, one visit to each factory, would be 200 factories. This is believed to be an outside figure; but even taken as a basis, it would necessitate the employment of fifteen men to do this, and if visited twice, it would take thirty men; if we allowed fifty factories to one inspector, which would be a more reasonable number, then not less than sixty inspectors would be required; this constitutes quite a number.

Necessarily, in whatever department of state these inspectors are placed, a number of clerks would have to be employed, also, in order to properly take care of the office work. Now, suppose a factory man should refuse to take out a license, it would necessarily take the inspectors time to visit the factory, swear out complaints, attend court, and no one who had not had the experience with them can properly appreciate the amount of time consumed. Or, suppose a license has been issued and upon visitation the factory was declared unsanitary, or for some other reason it was deemed advisable to revoke the license, naturally this action would precipitate a conflict into court, which would entail an expense to the state and a waste of the inspector’s time.

The makers who are now at work, might refuse to take out licenses and it is doubtful if they could be compelled to quit the business on that account.

So far, I have treated the subject in a general way. I will now summarize, in part, what I have already said and will treat the subject more specifically. We are face to face with the question, “Shall Wisconsin cheese factories and creameries embark upon a new, radical and revolutionary policy of requiring the licensing of factories and makers?”

The first question that confronts us is: What is the purpose of such a license? What end is to be accomplished? Let us first consider the licensing of factories. In the licensing of factories, so far as I can see, there are only two definite ends to be accomplished: 1. To fix a standard in the character of the factory or building itself, and in its entire equipment, including its sanitary conditions and surroundings and mode of operating, that must be maintained in order that a license be granted and allowed to continue in force.

If this is to be considered the purpose to be accomplished it does not require a sage to foresee innumerable intricacies and hindrances in the way of its fulfillment. Who is to prescribe the conditions that must be fulfilled before a license will be issued? If these specified conditions are to be insisted upon,
then it seems inevitable that each one of our 3,000 creameries and cheese factories must be inspected before the license is granted.

This would require a large number of inspectors and as the license, in each case, would be dependent upon the judgment of each man, it does not require a prophet to forecast an enormous amount of irritation and friction at the very outset. The meaning of this is, that a vast effort and expense would be incurred in operating this very big piece of machinery. Should we accomplish anything more than merely run the big machine?

But if it is said that licenses should be granted to all cheese factories and creameries upon application and then revoke the license unless the specified conditions are fulfilled, the reply must be made, that this would involve more difficulties than the former proposition.

It is a well settled principle of law that no one that is to be deprived of his property without the process of law. No one, under the provision of the constitution of our state, can be clothed with the arbitrary power of revoking a license in such a case without the right being reserved to the person who holds such a license to appeal to the courts to sustain him in his right to continue business. This would open the way to endless litigation.

Would such a system be premature? Would such a policy at this time serve to promote the best interests of our cheese factories and creameries? May not our competition in neighboring states be wishing, with a wink of the eye, to see us set out in such an undertaking? Will endless irritation and litigation be promotive of the best interest of our cheese factory and creamery interests. It is a wise people who before going out to war, sit down and count the cost.

2. The second definite end proposed to be accomplished by such a license system is the securing of a fund to provide adequate inspection. Probably this latter purpose has had more to do in arousing interest and discussion in this question than the one heretofore stated. If factory owners pay a license, they will expect in return frequent inspection by competent inspectors. Unless this is given, endless friction is inevitable.

If the number of factories to be inspected by each inspector is limited to fifty, so that frequent inspections can be made, sixty inspectors must be employed. To be effective, these men must be thoroughly competent. If inspection is made by incompetent inspectors, no improvement is to be expected. Im-
provement through inspection can come only when the inspectors are thoroughly competent. If the blind lead the blind both shall fall in the ditch.

But to secure and retain competent inspectors, they must be paid a reasonable salary. Estimate the yearly salary and expense of each inspector at $1,800 and the total cost to provide sixty inspectors makes the sum of $108,000. To secure this fund from licenses would necessitate the annual payment by each factory and maker combined $36.00. This calculation leads us into such figures as to make the most enthusiastic and courageous advocate pause and consider.

In discussing this question, this one proposition must never for a moment be lost sight of, that a licensing system that fails to provide ample and competent inspection, must prove disastrous.

3. Let us next consider the licensing of makers.

The ends to be accomplished by licensing the makers must be either (a) The increasing of their efficiency; or (b) The raising of a fund to secure adequate inspection.

Let us consider the last named object first. When I consider the long days, the unhygienic conditions under which most of the makers work, the many masters whom they are required to please, and most of all the very inadequate pay which most of them now receive and when I recall my own experience as maker, I find that I rebel against standing here and advocating that we should add to the present unequal burdens of the makers, by compelling them out of their meager stipends, to pay an annual license fee to enhance the quality of the product and thereby enhance the income of producers.

Let us now consider the licensing of makers for the purpose of increasing their efficiency.

There are 3,000 of them. If licenses are to be granted only upon examination, the problem of administering such a law at once confronts us. Power to do this must be granted some person or board. To conduct these examinations involves a large amount of work and expense. Then, too, the 3,000 makers must be put to large expense by loss of time and expense of travel in attending these examinations.

Then if they neglect or refuse to attend these examinations prosecutions with their expense and irritating troubles must follow, and can they be compelled to take out a license? Will the possible good that could be accomplished by this system
more than counterbalance the harm it would do? Is it sure to do even that?

But if we are to grant licenses to all makers at present employed, what improvement in efficiency is to be thereby secured? To revoke a license when once issued, would involve us in the same difficulties mentioned in revoking a license to factory.

In short, is not this whole license question one of those theories that sounds well when first talked about, but which when carefully considered in all its relations and effect fails to commend itself to our more deliberate judgment as a workable plan?

Instead of directing our efforts along the line of this licensing system, whose radical and revolutionary character is such and whose objectionable features appear so many and so great, that the practical hope of securing such legislation is infinitesimal and the prospect of making any substantial progress under it, if the legislation could be secured which seems not very probable, is so small, shall we not, at this time be more wisely acting the part of practical business men by directing our efforts to securing a substantial increase to the number of inspectors now employed by the state—a plan that is evolutionary rather than revolutionary, a conspicuous success of which plan is afforded by the state of Minnesota.

The prospect of securing by direct appropriation by the legislature, of a substantial number of thoroughly competent inspectors at reasonable pay, was never before as good as now for Wisconsin.

The governor of the state is on record as saying in public addresses that he is in favor of increasing the present force of the Dairy and Food Commission by such a number of competent inspectors as will afford adequate inspection to all the cheese factories and creameries of the state, and place Wisconsin in a position in this respect second to none of her neighbors. There can be no doubt that he will make such a recommendation in his forthcoming message to the legislature. The prospect seems very hopeful that legislation can be secured this winter to a very substantial increase in the number of thoroughly competent inspectors to the dairy and food commission.

It is known that the governor is in favor of a law defining the qualifications of such inspectors and requiring that inspectors shall be practical cheesemakers or buttermakers, skilled in the technical work of cheese factories and creameries, compe-
tent judges of cheese factories and creamery products and versed in modern scientific and practical dairy knowledge. A bill of this character will in all probability be introduced into the legislature.

Does not co-operative efforts along this line give greater promise at this time of achieving the great ends for which we are striving, to-wit, adequate and competent inspection of our cheese factories and creameries than does directing our efforts to the establishment of a radically new and untried system.

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**DISCUSSION.**

The Chairman: Now, we have the whole afternoon for this subject if we need it, and before we begin on the discussion I wish to announce that ex-Governor W. D. Hoard has arrived, also Mr. H. K. Loomis, who has had charge of the Wisconsin dairy exhibit at the St. Louis world's fair, and also Mr. H. C. Everett, one of the prominent dairymen of Wisconsin, and I am just going to call on them for a few remarks before we take up this discussion.

Mr. Monrad: Let them talk on that.

The Chairman: I will call on Ex-Governor Hoard first.

Ex-Gov. Hoard: Mr. President and Gentlemen of the Convention: It is related of an Irishman who was crossing the ocean, that he got tight and fell overboard with the conceit that he could swallow all he saw in sight, but it is also related that after a very exhaustive trial he concluded that he was mistaken, there was more water there than any one Irishman could swallow. It is also related of an old farmer that he sat down in the middle of a very large barnyard to milk a heifer in fly time and that she kept switching her tail in his face, and that he was a great deal annoyed, as a man has a right to be, at such unseemly disregard of the proprieties of the occasion. Thinking he would put a stop to this matter, he tied her tail to his boot-strap. He records his subsequent experience by saying that he had not been going round that barnyard one end first and then the other, more than a dozen times, before he 'seed where he had made a mistake.'

Now, the first story may well be taken as an indication of the size of this proposition which is before you and me, the second story may be taken as an admonition not to seize hold of every