

ORDINANCE NO. 391 N.S.

AN ORDINANCE DEFINING GARBAGE AND REFUSE; REGULATING THE KEEPING, ACCUMULATION, COLLECTION AND DISPOSAL THEREOF; PROVIDING FOR THE METHOD OF SETTING CHARGES AND FEES FOR THE COLLECTION OF GARBAGE AND REFUSE; AUTHORIZING AND PROVIDING FOR ENTERING INTO FRANCHISES WITH PRIVATE COMPANIES FOR THE COLLECTION OF GARBAGE AND REFUSE; FIXING THE TERMS AND CONDITIONS UNDER WHICH FRANCHISES SHALL BE LET AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

THE MAYOR AND THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DO ORDAIN AS FOLLOWS:

SECTION I: That Chapter 7.16 of Title 7 of the Municipal Code of the City of El Paso de Robles is hereby repealed.

SECTION II: That a new Chapter 7.16 be and is hereby enacted as follows:

I. GENERAL PROVISIONS

7.16.010 Purpose. The health, welfare, and safety of the people of the city require that regulations and procedures be established that will provide for the storage, collection and disposal of refuse and waste materials that accumulate within the city. To assure the existence and continuance of a collection and disposal system that will benefit all citizens of the city, it is necessary that regulations and procedures be established as set forth in this chapter.

7.16.020 Short Title. This chapter shall be known by the short title of ~~Solid Waste~~ Management Ordinance.

II. DEFINITIONS

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

7.16.030 Collection Station Defined. "Collection station" means the location where the occupant of any premises places garbage or rubbish in standard containers, boxes, cans, bales, bundles, or as separate items, for collection by a refuse collector.

7.16.040 Disposal Area Defined. Disposal area means an approved premises or site where the disposal of refuse not produced on such premises or site is permitted to occur.

7.16.050 Director of Municipal Services Defined. The director of engineering and utilities of city.

7.16.060 Garbage Defined. "Garbage" means trimmings and leftovers from the preparation of meals, and spoiled and wasted foods from homes, restaurants, markets, and other accommodations occupied by human beings, and the unwashed paper, cardboard, wood, metal, plastic or glass containers which have been used as food containers and to which putrescible food particles adhere.

7.16.070 Person Defined. "Person" means any person, firm, association, organization, partnership, corporation or company, and includes every public agency subject to the provisions of this chapter and any officer thereof.

7.16.080 Premises Defined. "Premises" means the integral area of a parcel or lot, including improvements, to which electricity and/or water service are provided.

7.16.090 Refuse Defined. "Refuse" means all putrescible or nonputrescible solid and semisolid waste, whether combustible or noncombustible, including both garbage and rubbish, but excluding waste material as defined in Section 7.16.130.

7.16.100 Refuse Collector Defined. "Refuse collector" means that city department, public agency, franchise holder, or any combination thereof designated by the city council to collect refuse within the city and to dispose of same.

7.16.110 Rubbish Defined. "Rubbish" includes, but is not limited to, grass trimmings, yard cuttings and all refuse as defined in Section 7.16.090 except that which is defined in Section 7.16.060 as garbage and Section 7.16.130 as waste material.

7.16.120 Standard Container Defined. "Standard container" means a metallic can or plastic watertight container with a close-fitting cover, a cover handle and side bails, of thirty-two gallons or less in gross capacity, and not to exceed fifty pounds in gross weight when filled.

7.16.130 Waste Material Defined. "Waste material" includes, but is not limited to, fish and fowl, corrosive substances, sludge, oil, residue, sewage, liquid wastes, industrial wastes, and any and all other material not commonly classified as refuse.

III. SANITATION SECTION ESTABLISHED

7.16.140 A sanitation section is hereby established as a part of the Municipal Services Department. The duties shall be the supervision of the collection and transportation of refuse within the city, and the bookkeeping, billing, and accounting in connection with the said disposal services.

The duties as provided herein may be assigned by the Director of Municipal Services to a person that he may designate to act as his assistant in these matters and to perform the duties here assigned.

7.16.150 Officers and Personnel of Sanitation Section, Offices; Bookkeeping and Accounting; Rules and Regulations.

The Sanitation Section shall consist of the Director of Municipal Services and the County Health Department acting as the City Health Officer and a sufficient number of deputies, bookkeepers and other employees as may be needed to adequately oversee the performance of the collection, transportation and disposal of refuse within the city, and the billing and collection of the services of furnishing the sanitation services. The office of the section shall be the Director of Municipal Services' office and the bookkeeping and accounting shall be under the direction and control of the Finance Director.

7.16.160 Application of Initial Service. Each applicant for sanitation service shall be required to sign an application form provided by the Municipal Water Division, or make application by letter showing the date of the application, location of the premises to be served, mailing address, date applicant desires service, and other such information as may be required.

7.16.170 Application For Resuming Service After It Has Been Discontinued. After disposal service has been discontinued from any premise, it shall not again continue until the Sanitation Division has received written application therefor. Such application shall be on blanks furnished by the city and shall be signed by the perspective customer or his agent, which consumer shall be liable for all service furnished thereto.

7.16.180 Payment For Previous Service Prerequisite To Granting Application. No application for service, whether for water, sewer, or refuse collection, shall be approved, and no service of any kind shall be provided unless payment in full has been made for water, sewage, and refuse disposal service, previously rendered by the city or the franchise hauler to the applicant.

7.16.190 Charges To Be On Monthly Basis; Billing And Payment. All charges established by this chapter shall be on a monthly basis. Billing and payment may be on a monthly or bi-monthly, every second month, basis as determined by the council.

7.16.200 Single Charge For Total Service. There shall be no splitting of bills as regards to charges for water, disposal or sewage service, that is to say, the total charges to any one person for water and/or for disposal service and/or sewage service shall be considered as a single charge and may be billed as such, and nonpayment of any portion of such bills shall be nonpayment of all such bills, notwithstanding the fact that for administrative purposes such charges may be shown separately on the bills.

7.16.210 Appeals. In the event that any user or consumer is aggrieved by any ruling of the Director of Municipal Services made pursuant to any of the provisions of this chapter, such consumer or user may appeal from such ruling in writing to the council within 10 days. The council's action on such appeal shall be made within 30 days after said hearing and their decision shall become final.

IV. STORAGE AND REMOVAL

7.16.220 Storage of Refuse. Every tenant, occupant, or owner of any premises in the city on which refuse is produced, created, or accumulated shall provide for safe, sanitary and adequate storage of the same pending collection or disposal in accordance with the provisions of this chapter.

7.16.230 Storage of Garbage. It is unlawful for any person occupying or maintaining any premises within the city, where garbage is created, produced, or accumulated to fail or neglect to procure and maintain a standard container for receiving and holding, without leakage or escape of odors, all garbage which is produced, created, or accumulated upon such premises and all such persons shall deposit all such garbage not ground and introduced into the sanitary sewer system in such a standard container. For sanitary purposes, garbage shall be bagged or wrapped to prevent leakage and odors when placed in containers.

7.16.240 Storage of Rubbish and/or Waste Material. It is unlawful for any person occupying or maintaining any premises within the city where rubbish and/or waste material is created, produced, accumulated, or stored, to allow the rubbish and/or waste material to be scattered about said premises in an unsightly, hazardous, or unsanitary manner.

7.16.250 Removal of Refuse and/or Waste Material. Any person storing or accumulating refuse and/or waste material on any premises within the city which may create a condition that is unsightly, hazardous or unsanitary shall remove the refuse and/or waste material, or cause it to be removed by the refuse collector. All refuse and/or waste material shall be removed from residential premises not less than one time each week. Commercial premises creating large volumes of refuse and/or waste material shall cause the same to be removed at intervals of more than one time each week as need dictates to prevent unsightly, hazardous or unsanitary conditions.

V. COLLECTION STATIONS

7.16.260 Refuse Collection Stations. Refuse collection stations for collection by the refuse collector shall be in the rear or side yards of dwelling units within fifty (50) feet of the curb-line, in places unobstructed and easily accessible to the refuse collector, or at the alley if there is one, or at the street curb-line adjacent to such premises, where the refuse will be neither a public nor a private nuisance, nor in any degree offensive. Standard containers shall be placed at or above ground level in these locations by the occupant of such premises. For

commercial and nondwelling facilities, the refuse collection station shall, whenever possible, be in the rear of such facilities and subject to approval of the city. In all cases, placement of standard containers shall not intrude into the street.

7.16.270 Rubbish Collection Stations. Rubbish collection stations for dwelling units shall be the street curb-line adjacent to such premises, and standard containers, boxes, cans, bales, bundles or separate items of rubbish shall be placed in that location by the occupant of such premises. Collection stations shall be at the alley if there is one. For commercial and nondwelling facilities, the rubbish collection station shall, wherever possible, be in the rear of such facilities and subject to the approval of the city. In all cases, placement of standard containers, boxes, cans, bales, bundles or separate items of rubbish shall not intrude into the street.

7.16.280 Waste Material Collection Stations. Waste material collection stations for collection by the refuse collector for all premises shall be entirely within the confines of the premises and must be maintained in the manner specified in Section 7.16.250. It is unlawful to deposit waste material upon any public right-of-way pending collection by the refuse collector or contractor unless a special permit is obtained therefor from the city.

VI. COLLECTION OF REFUSE

7.16.290 Franchise Required - Private Disposal. It is unlawful for any person to engage in the business of collecting refuse within the city, or to haul the same through or upon any street or public right-of-way in the city, unless such person has been granted a franchise to do so by the city; provided that the owner or occupant of any premises may transport refuse, to include garbage, rubbish and waste material produced, created, or accumulated on his own premises to an approved refuse disposal area, subject to the requirements of Section 7.16.410 pertaining to such refuse transportation provided, however, if such occupant elects to transport or dispose of garbage, refuse waste belonging to him, and produced on the premises occupied by him, he shall nevertheless be required to pay the charge provided in this chapter for garbage and refuse collection. It is unlawful for any person to interfere in any manner with the lawful operations of a franchised or licensed refuse collector.

7.16.300 Granting of Franchise. The city council shall grant franchises to persons who may engage in the business of removing garbage or refuse, except a person authorized to do so by resolution of the city council, and only when after he shall have filed with and had approved by the city council a corporate surety bond to said city in the penal sum of Five-Thousand Dollars (\$5,000.00), signed by the principal and a corporate surety authorized to do business in the State of California. The condition of said bond shall be as follows: "A condition of this obligation is such that if _____, principal, shall faithfully and fully observe and comply with all the provisions of Ordinance No. _____ N.S. of said City of El Paso de Robles, as ~~presently enacted~~ or hereinafter enacted, then this obligation shall be void, otherwise to remain in full force and effect. In the event of any breach of this condition, the measure of damages shall be the actual cost to the city in performing any work or services that the principal has undertaken and failed to perform in accordance with this ordinance."

A Any person so franchised by the city council may receive and collect from the occupant of such dwelling or other premises within the corporate limits of the City of El Paso de Robles, for services rendered in the collection and removal of garbage or refuse therefrom, fees or charges, such as the city council may from time to time by resolution provide.

In granting such franchises, the city council may specify the type of refuse to be hauled and conditions respecting the man-

ner in which the same shall be hauled or disposed of, as that may be necessary for the preservation and protection of the public health and safety. The city council hereby designates that all garbage and refuse from any premises within this city shall be dumped or deposited at such place as the city council may from time to time by resolution designate.

7.16.310 Collection and Disposal Services Required.

All premises within the limits of the city which are occupied or which have a water service account, shall have refuse service, and the election by any person not to accept such service shall not exempt him from the payment of the minimum charge for sanitation service. The franchised firm or corporation providing the service in the city, pursuant to its franchise, may, in addition to the minimum charge billed by the city, bill an additional amount for extra services as set forth in the fees as adopted by resolution under Section 7.16.300.

Excepted from the mandatory sanitation charge are any unoccupied premises having a water service exclusively for irrigation purposes. Persons applying for this exemption shall certify to the exclusive use of their water service for irrigation purposes, and occupancy of the premises or use of water for other than irrigation purposes shall be an infraction.

7.16.320 Refuse Collection Generally. It shall be unlawful for any person to collect or transport refuse within the city, and it shall be unlawful to bury, burn, or otherwise dispose of the same, except as provided in this chapter. All collection, transportation, and disposal of refuse shall be done exclusively by the franchise hauler or haulers and they are hereby given the exclusive right to collect, transport and dispose of all refuse to be collected, transported and disposed of, or refuse produced and found within the city.

Nothing herein contained shall be construed to prevent the occupant of any property of premises from contracting with any person who provides a service to the premises, such as gardening, landscaping, repair or maintenance, to transport or dispose of refuse created by such service providing such transportation or disposal of such refuse so created is incidental to the primary service rendered to the premise, as herein described, is limited strictly to the transportation or removal of refuse created by the provision of such service to the premises, and the person contracted which holds a current valid city business license for the business of conducting such primary service; provided, however, that the occupant so contracting for the transportation or removal of refuse so created, shall nevertheless be required to pay the charges provided in this chapter for garbage and refuse collection. Nothing herein shall prevent nuisance-free waste composting.

7.16.330 Products Not Classified As Refuse. Animal by-products from packing houses, factories, or creameries, which are produced under sanitary conditions shall not be classed as refuse, but shall belong to and may be removed by the owners or persons in control of such establishments upon securing permission in writing from the Director of Municipal Services; provided, that the same shall be removed at least twice a week and that such removal and disposal shall be in all other respects subject to the terms of this chapter, except that the owners may sell and dispose of such products.

7.16.340 Frequency of Collection. Refuse shall be collected by the refuse collector from every premises at least one time each week.

7.16.350 Time of Collections. Residential refuse may be collected only between the hours of 6:00 a.m. and 6:00 p.m., Monday through Saturday inclusive, except that regular collections of refuse may be made on Sunday in business districts zoned for and predominantly used by commercial or industrial establishments.

7.16.360 Collection Regulations. The refuse collector shall be required to replace covers on containers after emptying them, but not to pick up refuse which has been scattered on the premises by others. Refuse may be placed at the curb for collection not earlier than 6:00 p.m. on the day preceding the day of collection. The owner of empty containers shall remove them from the street not later than 6:00 p.m. on the day of collection. It is unlawful to place refuse at the curb so that either the sidewalk or street gutter is obstructed. Containers, other than standard containers as defined in Section 7.16.120, will be removed with their contents at the time of collection unless they are plainly labeled "DO NOT TAKE" in large letters.

All refuse containers shall be kept in a clean and sanitary condition by the owner or person using same and shall be kept tightly covered at all times as proof against access by flies to the contents thereof, except when refuse is being deposited therein or removed therefrom.

7.16.370 Replacement of Defective, Hazardous, Etc., Containers after Notice; Disposal by Refuse Collector upon Failure. Any refuse container that does not conform to the provisions of Section 7.16.120 and 7.16.230 or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof must be promptly replaced by a standard container upon receipt of notice to that effect from the Director of Municipal Services. If not so replaced within the time stated on such notice, such nonconforming or defective container may be collected and disposed of by the refuse collector as waste.

7.16.380 Container - Unauthorized Removal, Tampering With or Use Prohibited. It shall be unlawful for any unauthorized person to remove the lid from any refuse container or to collect, molest or scatter the refuse stored in such container or to deposit any refuse in such container.

7.16.390 Preparation of Tree Limbs, Cuttings, Boxes, Magazines, Etc., for Collection with Refuse. Tree limbs, cuttings and the like will be collected if they are cut into lengths of four feet or less and placed in the refuse container required by Section 7.16.16 or securely tied into bundles of not more than fifty pounds or eighteen inches in diameter and placed beside the regular container. Tree limbs or trunks in excess of three inches in diameter will not be collected. Cartons, boxes and the like will be collected if they are folded or broken apart, tied in bundles and placed beside the regular containers. Papers and magazines not in containers shall be tied to prevent being scattered and when set out for pickup shall be placed adjacent to the container on the ground.

7.16.400 Collection Vehicles. All vehicles, conveyances, or containers used for hauling refuse within the city shall be of such construction as to comply fully with all laws, rules, and regulations of the State and County pertaining thereto, and shall be of a type and construction to prevent leakage, spillage, or overflow. All refuse in such vehicles, conveyances, or containers shall be completely covered or compacted when enroute from the last collection station to the disposal area so as to prevent any refuse from spilling, overflowing, blowing, or dropping out of said vehicle, conveyance or container. All such vehicles shall be steam cleaned at least once each month.

7.16.410 Dead Animals. Dead animals shall be disposed of by the poundmaster of the city as provided in Sections 7.12.070 and 7.12.080 of this code.

7.16.420 Ownership of Refuse. All refuse, upon being removed by a refuse collector from the premises where produced, created or accumulated shall become and be the property and responsibility of the refuse collector while in his possession and in transit to city disposal site and thereafter shall be the property and responsibility of the city or its disposal site operators.

7.16.430 Rules and Regulations for Collection of Refuse. The Director of Municipal Services shall have the authority to make necessary rules and regulations concerning the collection, transportation and disposal of refuse within the city, and he shall provide among other things for the time and method of collection, subject to the approval of the City Manager, and except as otherwise provided in this chapter. Hardship cases shall be referred to the Director of Municipal Services and considered on an individual basis.

VII. BURNING OR BURYING REFUSE AND/OR WASTE MATERIAL

7.16.440 Burning. No waste matter, combustible material or refuse shall be burned in the open air within the city limits. No waste material or garbage shall be burned in any fireplace, incinerator or container within a building located within the city limits. This section shall not apply to agricultural burning pursuant to a permit issued by the San Luis Obispo Air Pollution Control Board or the City Fire Chief, nor shall it apply to the burning of charcoal or wood for campfires or barbecues.

7.16.450 Burying Refuse and/or Waste Material. It is unlawful for any person to bury refuse and/or waste material on any premises, public or private, within the city. This section shall not apply to nuisance-free composting.

VIII. DEPOSIT OF REFUSE AND/OR WASTE MATERIALS IN PUBLIC PLACES

7.16.460 Prohibited - Public Places Designated. It is unlawful for any person to throw, deposit, or cause to be thrown or deposited, any refuse and/or waste material in or upon any public street, highway, right-of-way, watercourse, waterway, levees, banks, revetments, or upon any public premises whatsoever within the city, except in an approved disposal area.

7.16.470 Use of City Maintained Containers. City maintained trash containers are provided to prevent littering of streets and public areas from individual outdoor uses incidental to picnics, camping, and outdoor consumption of food and are not provided for large quantities of collected trash. It is unlawful to deposit in city maintained containers, yard trimmings, household garbage, accumulated household trash, discarded wearing apparel, or other household property. It is also unlawful to deposit trash generated by the conduct of a business enterprise in said containers.

IX. REFUSE COLLECTION: QUANTITIES AND SERVICE

7.16.480 Basic Collection of Refuse. The refuse collector shall provide weekly collection of one standard container of refuse at curb-line or alley for every person who has a water service in the city. This collection is to be hereinafter referred to as the "basic collection." The "basic collection" fee shall be added to the utility bill of the person receiving the service.

7.16.490 Optional Collection of Rubbish. Every person who may desire to subscribe for additional collection of rubbish, may make application to the refuse collector for "optional collection." Said "optional collection" may be in equivalents of one standard container of rubbish in addition to the basic collection provided for in Section 7.16.480, said rubbish to be assembled in standard containers, boxes, cans, bales, bundles, or as separate items not to exceed fifty (50) pounds in weight, four feet in length, eighteen inches in diameter. Optional collection of rubbish shall be made once each week at the same time that the basic collection is made; providing, however, that the equivalent of one standard container of rubbish is placed at the curb-line for pickup in conformance with the provisions of Section 7.16.270 and 7.16.370.

7.16.500 Extra Collection of Refuse. Extra refuse collection in quantities in excess of the amounts specified in Sections 7.16.480 and 7.16.490 may be contracted for with the refuse collector in accordance with the schedules of the type of service, quantities, and rates as set forth in Article X of this chapter.

7.16.510 Special Collections. The following substances shall be the subject of special collections, upon request of the owner or occupant of any premises: Caustics, liquids, loose building materials, sod and earth, sludge, corrosive substances, oil, residue, sewage and industrial wastes, any other rubbish not in containers or bundles, any items exceeding fifty pounds in weight or four feet in length, and garbage in excess of the capacity of the standard containers in regular use on the premises. Special collections will be made at the expense of the owner or occupant upon request to the refuse collector. The refuse collector shall be obligated to quote his rate in writing before performing the special collection, and to complete the special collection within forty-eight (48) hours of receipt of the request, excluding Saturdays, Sundays and holidays (unless otherwise requested by the owner or occupant). Rates quoted by the refuse collector for special collections shall be in accordance with the rates as set forth in Article X of this chapter.

7.16.520 Annual Free Collection of Rubbish. The refuse collector, in addition to making available collection service on a weekly basis, shall provide one annual free pickup of all rubbish, exclusive of garbage, from the curb line in front of each premises subscribing to refuse collection service in conjunction with an annual city and community sponsored "Clean Up Week." All rubbish placed in standard containers, boxes, cans, bales, bundles, or as separate items, none of which shall exceed fifty (50) pounds in weight, will be picked up free of charge at a time and on the date specified by public notice. This free collection is to be provided on an annual basis to further encourage the beautification of the city and to help create a cleaner and better place in which to live. There shall be no charge for dumping said rubbish at the disposal site.

X. REFUSE COLLECTION CHARGES

7.16.530 Rates Established. The city council shall, by resolution, establish the rates to be charged for the collection of refuse and waste material by a franchised refuse collector. Any fees imposed by this section shall be a civil debt owing to said city from the occupant or owner of the residence where refuse or rubbish collection service is performed. In the event an occupant leaves a premises with garbage, refuse, rubbish, or waste material as herein defined, the landlord shall be responsible and shall be billed for removal of said garbage, rubbish or waste materials. In the case of multiple dwellings where said fees are not billed in accordance with this section, such charges shall be billed to the landlord. In the event said landlord fails to collect any such charge from any occupant, said landlord shall be liable to the city for payment of such charges.

7.16.540 Rate Basis. Rates for refuse collection charges shall be based upon the number and type of containers, quantities collected, frequency and type of service provided, and whether it is residential or commercial service.

7.16.550 Complaints. Any person subscribing to the refuse collection service who contends that he has been required to pay an unreasonable charge for such service, or that service to be provided has been less than that set forth under the provisions of this chapter, or that service has been refused, may file a written complaint with the city setting forth the facts of such alleged overcharge, lack of or refusal of service. The refuse collector will be notified of the complaint and the city shall investigate to determine the reasonableness of the complaint. If it is found that any overcharge, lack of or refusal of service has been made by the refuse collector, the city council, after due public hearing, may, at its discretion, terminate any franchise issued under the provisions of this chapter.

XI. ENFORCEMENT AND PENALTIES

7.16.560 City Administrator Duty. It shall be the duty of the City Administrator or his authorized agent and the County Health Department, acting as the City Health Officer, to enforce the provisions of this Chapter. Any permit or license of any type issued by any department or officer of the City issued in conflict with provisions of this Chapter is declared to be null and void.

7.16.570 Violation - Severability. Any person, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this chapter is guilty of an infraction, punishable by (1) a fine not exceeding fifty dollars (\$50.00) for the first violation; (2) a fine not exceeding one-hundred dollars (\$100.00) for a second violation of same ordinance within one year; (3) a fine not exceeding two-hundred fifty dollars (\$250.00) for each additional violation of the same ordinance within one year.

SECTION III. This ordinance shall take effect on July 1, 1976.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 3rd day of May, 1976, by the following roll call vote:

AYES: Hanson, Hurst, Minshull, Stemper, Schwartz

NOES: None

ABSENT: None

Barney Schwartz
MAYOR

ATTEST:

Donald Steiner
CITY CLERK

Labeling practice

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The change stems from an April 1971 decision by a federal court which ruled that hot dogs contained a number of ingredients and couldn't be called "pure" anything. The USDA, in January 1974, proposed that the same standards be applied to other meat and poultry items. The department said that public comment on the issue showed many people were misled by existing terminology. Initially, the department gave processors until Jan. 1, 1976, to meet the new standards, but the deadline was extended until July 1 when manufacturers claimed they had large stocks of old labels and would lose money if they had to throw them out. The department is just begin-

ning action on another term — "smoked" seeking consumer. The department is trying to find out if people think the term is an actual production involving the burning of whether they believe "smoked" simply indicates a distinctive color, smoke created by any number of methods. The traditional way of smoking meat and poultry was to expose the product to smoke from burning wood. In recent years, however, manufacturers have been able to achieve the same characteristics by using a liquid either a natural or synthetic smoke flavoring. The USDA is a consumer under what they would agree that poultry products are allowed to carry the "smoked" on the label. Anyone who wants to file two written statements with the Hearing Clerk, Room 400, U.S. Department of Agriculture, Washington, D.C., before June 30. Anyone who wants to present an argument can contact the Standards Staff, Agricultural Services, Meat and Poultry Inspection Program, USDA, Washington, D.C., by June 29. The Agriculture Department is responsible for labeling meat and poultry products and other federal units — the Food and Drug Administration supervises labeling of other items. The situation is complicated by the fact that neither of these agencies is responsible for labeling about foods in general. That's generally the responsibility of the Federal Trade Commission which is studying pro-

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of diabetics. As it progresses, the disease can result in bleeding inside the eyeball, detached retinas and other complications that can severely hamper vision. Shabo and other eye specialists told a science writers' seminar sponsored by Research to Prevent Blindness Inc. (RPB) that insulin has done diabetics much more good than possible harm. If further research definitely links insulin and eye disease, that would give clues to the process bringing on the ailment and could lead to discovery of ways to reverse or block the disease, they said. Diabetes is a disease in which the body's ability to burn up sugar is hampered because the pancreas does not produce enough insulin. The condition is controlled through substituting insulin from animals, mainly cows, or through weight control and diet.

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PROOF OF PUBLICATION

STATE OF CALIFORNIA
 County of San Luis Obispo ss.

.....BEN...REDDICK....., of said county, being first duly sworn, deposes and says: That I am the publisher of The Daily Press, a newspaper printed and published daily, Saturdays and Sundays excepted, at Paso Robles, in the County of San Luis Obispo, State of California; that the notice, of which a true copy is hereto attached, was published in the above-named newspaper on the following dates, to wit:

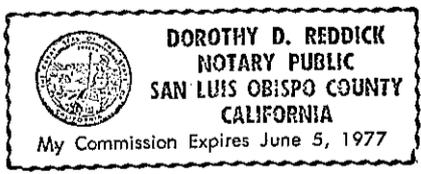
_____ May 10th _____

that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by decree entered in the Superior Court of San Luis Obispo County, State of California, on June 30, 1952, under the provisions of Chapter 1, Division 7, Title 1 of the Government Code of the State of California.

Ben Reddick
 Signature

Subscribed and sworn to before me this...10th... day ofMay....., 19..76

Dorothy D. Reddick
 Notary Public



WINGS ON

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TOOLS
 Y 14th, 1976

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