

MAINE STATE LEGISLATURE

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SIXTY-FIRST LEGISLATURE.

HOUSE.

No. 63.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-THREE

AN ACT to prevent deception in sales of butter and
cheese.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows :*

SECTION 1. Whoever, by himself or his agents,
2 shall sell, expose for sale or have in his possession
3 with intent to sell, any article, substance or com-
4 pound, made in imitation or semblance of butter,
5 or as a substitute for butter, and not made exclu-
6 sively and wholly of milk or cream, or containing
7 any fats, oils or grease not produced from milk or
8 cream, shall have the words "adulterated butter;"
9 or if such substitute is the compound known as
10 oleomargarine, then the word "oleomargarine"
11 stamped, labelled or marked, in printed letters of

12 plain Roman type not less than one inch in length,
13 so that said word cannot be easily defaced, upon
14 the top and side of every tub, firkin, box or pack-
15 age containing any of said article, substance or
16 compound. And in case of retail sales of any of
17 said article, substance or compound not in the
18 original packages, the seller, by himself or his
19 agents, shall attach to each package so sold at
20 retail, and deliver with said package to the pur-
21 chaser, a label or wrapper bearing in a conspicuous
22 place upon the outside of said package the words
23 "adulterated butter," or the word "oleomargarine,"
24 as herein provided, in printed letters of plain
25 Roman type not less than one-half inch in length.

SECT. 2. Whoever, by himself or his agents,
2 shall sell, expose for sale or have in his possession
3 with intent to sell, any article, substance or com-
4 pound made in imitation or semblance of cheese, or
5 as a substitute for cheese, and not made exclusively
6 and wholly of milk or cream, or containing any
7 fats, oils or grease not produced from milk or
8 cream, shall have the words "imitation cheese"
9 stamped, labelled or marked, in printed letters of
10 plain Roman type not less than one inch in length
11 so that said words cannot be easily defaced, upon

12 the side of every cheese cloth or band around the
13 same, and upon the top and side of every tub,
14 firkin, box or package containing any of said
15 article, substance or compound. And in case of
16 retail sales of any of said article, substance or
17 compound not in the original packages, the seller,
18 by himself or his agents, shall attach to each
19 package so sold at retail, and deliver with said
20 package to the purchaser, a label or wrapper
21 bearing in a conspicuous place upon the outside of
22 said package the words "imitation cheese," in
23 printed letters of plain Roman type not less than
24 one-half inch in length.

SECT. 3. Whoever sells, exposes for sale or has
2 in his possession with intent to sell, any article,
3 substance or compound made in imitation or
4 semblance of butter, or as a substitute for butter,
5 except as provided in section one; whoever sells,
6 exposes for sale or has in his possession with
7 intent to sell, any article, substance or com-
8 pound made in imitation or semblance of cheese,
9 or as a substitute for cheese, except as provided
10 in section two, and whoever shall deface, erase,
11 cancel or remove any mark, stamp, brand, label
12 or wrapper provided for by this act, or change
13 the contents of any box, tub, article or pack-

14 age marked, stamped or labelled as aforesaid,
15 with intent to deceive as to the contents of said
16 box, tub, article or package, shall for every such
17 offence forfeit and pay a fine of one hundred dol-
18 lars, and for a second and each subsequent offence
19 a fine of two hundred dollars, to be recovered with
20 costs in any court of this state of competent juris-
21 diction; and any fine paid shall go to the city or
22 town where the offence was committed.

SECT. 4. It shall be the duty of every inspector
2 of milk or constable to institute complaint for
3 violating the provisions of this act whenever he
4 has reasonable cause for suspicion, and on the
5 information of any person who shall lay before
6 him satisfactory evidence on which to sustain the
7 same. It shall be the duty of said inspector or
8 constable to take specimens of suspected butter or
9 cheese and cause the same to be analyzed or
10 otherwise satisfactorily tested, the result of which
11 he shall record and preserve as evidence; and a
12 certificate of such result, sworn to by the analyzer,
13 shall be admitted in evidence in all prosecutions
14 under this act. The expense of such analysis or
15 test, not exceeding twenty dollars in any one case,
16 may be included in the costs of prosecution.

(5)

SECT. 5. For the purposes of this act the terms
2 "butter," and "cheese," shall be understood to
3 mean the products usually known by these names,
4 and which are manufactured exclusively from milk
5 or cream, or both, with salt and rennet, and with
6 or without coloring matter.

STATE OF MAINE.

In HOUSE OF REPRESENTATIVES, }
February 7, 1883. }

Reported by Mr. SPEAR, from the Committee on Manufactures,
and ordered printed.

ORAMANDAL SMITH, *Clerk.*