

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

SENATE

NO. 30

In Senate, Jan. 25, 1911.

Laid on table for printing on motion by Mr. Hill of Penobscot, pending reference to a committee.

W. C. HANSON, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ELEVEN.

AN ACT to amend section three of chapter one hundred twenty-nine of the Revised Statutes, as amended by chapter forty of the Public Laws of 1905, and chapter one hundred forty-four of the Public Laws of 1909.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Section three, chapter one hundred twenty-nine
2 of the Revised Statutes, as amended by chapter forty of the
3 Public Laws of 1905, and chapter one hundred forty-four of
4 the Public Laws of 1909, is hereby amended by striking out
5 all of the first of said section, to and including the word
6 "dollars," in the tenth line thereof, and substituting in place
7 thereof as follows: 'Whoever by himself, clerk, servant or
8 agent, sells, exchanges or delivers, or has in his custody or

9 possession with intent to sell, exchange or deliver or exposes
10 or offers for sale or exchange adulterated milk or milk to
11 which water or any foreign substance has been added, or
12 milk produced from sick or diseased cows, or milk in or from
13 cans or other utensils that are not in a clean or sanitary con-
14 dition, or as pure milk, milk from which the cream or a
15 part thereof has been removed; and whoever by himself,
16 clerk, servant or agent, sells, exchanges or delivers or has
17 in his custody or possession with intent to sell, exchange
18 or deliver, cream containing less than eighteen per cent of
19 milk fat, shall for a first offence be punished by a fine not
20 exceeding fifty dollars, for a second offence by a fine of
21 not less than fifty nor more than one hundred dollars and
22 for a subsequent offence by a fine of one hundred dollars
23 and by imprisonment for not less than thirty nor more than
24 sixty days.'

Said section is further amended by adding to it the follow-
26 ing: 'Nothing in this section shall be construed to prohibit
27 the sale of skim-milk as such'; so that the section as amend-
28 ed shall read as follows:

'Sect. 3. Whoever by himself, clerk, servant or agent,
30 sells, exchanges or delivers, or has in his custody or posses-
31 sion with intent to sell, exchange or deliver or exposes or
32 offers for sale or exchange, adulterated milk or milk to
33 which water or any foreign substance has been added, or
34 milk produced from sick or diseased cows, or milk in or
35 from cans or other utensils that are not in a clean or sani-

36 tary condition, or as pure milk, milk from which the cream
37 or a part thereof has been removed; and whoever by him-
38 self, clerk, servant or agent, sells, exchanges or delivers
39 or has in his custody or possession with intent to sell, ex-
40 change or deliver, cream containing less than eighteen per
41 cent of milk fat, shall for a first offence be punished by a
42 fine not exceeding fifty dollars, for a second offence by a
43 fine of not less than fifty nor more than one hundred dol-
44 lars and for a subsequent offence by a fine of one hundred
45 dollars and by imprisonment for not less than thirty nor
46 more than sixty days. When milk shall, by analysis, be
47 found to contain over eighty-eight and one-fourth per cent
48 of water or less than eight and one-half per cent of solids
49 exclusive of fat, it shall be deemed prima facie evidence
50 that said milk has been watered, and when milk, by analysis,
51 shall be found to contain less than eleven and three-fourths
52 per cent of solids and less than three and one-fourth per
53 cent of fat, it shall be deemed prima facie milk from which
54 cream has been taken, and any milk which, by analysis,
55 shall be found to contain any foreign substance, shall be
56 deemed milk to which a foreign substance has been added.

'Nothing in this section shall be construed to prohibit the
58 sale of skim-milk as such.'