

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

NEW DRAFT

---

---

**EIGHTY-SECOND LEGISLATURE**

---

---

**H. P. No. 1242**

**H. D. No. 481**

---

---

House of Representatives, March 27, 1925.

Reported by Mr. Clarke of Randolph from Committee on  
Agriculture and laid on table to be printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

---

---

**STATE OF MAINE**

---

IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-FIVE

---

AN ACT to Regulate the Manufacture and Sale of Soft  
Drinks, Syrups and Non-Alcoholic Beverages.

---

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

Section 1. No person, firm or corporation shall manu-  
2 facture or bottle for sale at wholesale any drink product  
3 or other non-alcoholic beverage within this State without  
4 having first filed with the Commissioner of Agriculture an  
5 application for license accompanied with a fee of ten dol-  
6 lars upon receipt of which application the Commissioner of  
7 Agriculture shall issue to the person, firm or corporation  
8 making such application a license to manufacture soft drinks

9 or other non-alcoholic beverages as hereinafter provided.  
10 Said license shall run for one year from the date of the  
11 application unless sooner revoked as herein provided and  
12 shall be renewed annually thereafter. Said provision is not  
13 to apply to persons engaged in the manufacture of sweet  
14 cider.

Sect. 2. The Commissioner of Agriculture shall have the  
2 power to revoke or suspend any license issued under the  
3 provision of this Act whenever it is determined by himself  
4 or any of his deputies or other properly qualified official  
5 that any of the provisions of this Act have been violated.  
6 Any person, firm or corporation whose license has been  
7 so revoked or suspended shall discontinue the manufacture  
8 and sale within the State of Maine of soft drinks and other  
9 non-alcoholic beverages until the provisions of this Act have  
10 been complied with and a new license issued, or the sus-  
11 pension removed. The Commissioner of Agriculture may  
12 revoke or suspend such license temporarily until there is a  
13 compliance with the provisions of this Act as hereinafter  
14 provided or permanently for the unexpired period of such  
15 license. The Commissioner of Agriculture is given the right  
16 to make such rules and regulations as he may deem neces-  
17 sary for the enforcement of the provisions of this Act.  
18 Said license shall run for one year from the date of the  
19 application and shall terminate on the thirtieth day of June  
20 of each year unless sooner revoked or suspended as herein  
21 provided.

Sect. 3. Before revoking or suspending any license the  
2 Commissioner of Agriculture shall give written notice to the  
3 licensee affected stating that he contemplates the revoca-  
4 tion or suspension of the same and giving his reasons  
5 therefor. Such notice shall appoint a time of hearing be-  
6 fore said Commissioner and shall be mailed by registered  
7 mail to the licensee. On the day of the hearing the licensee  
8 may by himself or counsel present such evidence to the Com-  
9 missioner as he deems fit and after hearing all the testimony  
10 the Commissioner shall decide the question in such manner  
11 as to him appears just and right. Any licensee who feels  
12 aggrieved or dissatisfied with the decision of the Commis-  
13 sioner may appeal from said decision within ten days to the  
14 Supreme Court or the Superior Court of the county where  
15 the licensee resides.

Sect. 4. For the purpose of this Act the term "drink  
2 product" as used herein shall be held to include all non-  
3 alcoholic beverages, non-alcoholic cereal beverages, non-  
4 alcoholic fruit juices and carbonated beverages.

Sect. 5. Whenever artificial colors or flavors are used in  
2 the manufacture of drink products or other non-alcoholic  
3 beverages, the bottle or other container shall be distinctly  
4 labeled or crowned "Artificially colored and flavored."  
5 Whenever artificial coal tar colors are used, nothing but  
6 the certified colors as approved by the United States Bureau  
7 of Chemistry shall be allowed. All non-alcoholic ciders,  
8 non-alcoholic fruitades, non-alcoholic fruit juices or other

9 similar drinks that are artificially colored or flavored shall  
10 be so labeled or crowned. All drink products and other  
11 non-alcoholic beverages sold in bulk or from open con-  
12 tainers or receptacles that contain artificial coloring or arti-  
13 ficial flavors of any character shall be so labeled. Said  
14 labels to be prominently displayed on all stands, booths or  
15 other places where said drink product or other non-alcoholic  
16 beverages are sold or dispensed. The use of saccharine,  
17 salicylic acid and sulphites in the manufacture of drink  
18 products and other non-alcoholic beverages is hereby pro-  
19 hibited.

Sect. 6. All buildings, stores, factories or other places  
2 where drink products or other non-alcoholic beverages are  
3 manufactured or bottled shall be well lighted and ventilated  
4 and shall be kept at all times in a clean and sanitary condi-  
5 tion. All machines, bottles, jars, jugs, crocks or other uten-  
6 sils or containers used in the manufacture of drink products  
7 or other non-alcoholic beverages shall be kept in a clean and  
8 sanitary place, and in a sanitary condition.

Sect. 7. All bottles, jars, jugs or other containers used for  
2 drink products or other non-alcoholic beverages before be-  
3 ing filled shall be thoroughly cleaned, sterilized and then  
4 thoroughly rinsed in pure water.

Sect. 8. Any person, firm or corporation who shall vio-  
2 late any of the provisions of this Act or neglect or refuse to  
3 comply with any of the provisions required herein or in any  
4 way violate any of its provisions shall be punished by a fine

5 not exceeding one hundred dollars for the first offense and  
6 by a fine not exceeding two hundred dollars for each sub-  
7 sequent offense.

Sect. 9. The Commissioner of Agriculture shall diligently  
2 enforce all the provisions of this Act. He may recover  
3 penalties imposed for violation of this Act in an action of  
4 debt brought in his own name and if he prevails in such  
5 action shall recover full costs; or he may prosecute for  
6 violations hereof by complaint or indictment. Municipal  
7 and police courts and trial justices shall have original juris-  
8 diction concurrent with the Supreme Judicial Court and  
9 Superior Court of actions brought for the recovery of  
10 penalties imposed by this Act and of prosecutions for viola-  
11 tions hereof. All fees received under this Act by the Com-  
12 missioner of Agriculture and all money and fines received  
13 by him under this Act shall be paid by him to the Treasurer  
14 of State and the same is hereby appropriated for carrying  
15 out the provisions of this Act.