

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND EIGHTH LEGISLATURE
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CHAPTER 249

AN ACT to Create the Voluntary Fish Products Inspection Program.

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

12 MRSA c. 420 is enacted to read:

CHAPTER 420

VOLUNTARY FISH PRODUCTS INSPECTION ACT

§ 4681. Purpose

Fish and fish products are an important part of the nation's food supply. Increased fishing, processing and the sale of fish products, can produce an important share of the food supply as well as provide greater economic benefits for Maine citizens. The marketing and sale of fish products is facilitated when they are labeled to indicate the quality and purity of the package contents. The public health and welfare is protected by the assurance that fish products distributed to them are wholesome and not adulterated. The purpose of this Act is to increase the availability of fish product inspection services to Maine processors and packers, who want them in order to bring about the aforementioned results.

§ 4682. Department of Marine Resources; powers and duties

The Department of Marine Resources is designated as the state agency which shall be responsible for cooperating with the Secretary of Commerce of the United States, under the Agriculture Marketing Act of 1946, as amended, and the Fish and Wildlife Act of 1956, as amended, in developing and administering a voluntary fish product inspection program. The voluntary fish product inspection program shall be designed to implement an agreement between the State and the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration, Department of Commerce.

§ 4683. Commissioner; powers and duties

The Commissioner of Marine Resources is authorized to enter into a cooperative agreement with the National Marine Fisheries Service to inspect, standardize and assure the quality of fish products. He may promulgate regulations and requirements not inconsistent with National Marine Fisheries Service regulations for the voluntary inspection of fishery products under the agreement.

§ 4684. Application

The inspection service authorized shall be available to processors and packers of fish products which are not presently included in an inspection and quality control program, meaning to exclude sardines and other fish inspected by the Maine Sardine Council.

§ 4685. Labeling

1. Required. All products inspected under this chapter shall be accurately labeled as provided in the regulations to provide the public with information in accordance with the purpose of this chapter.

2. Limitation. No article inspected under this chapter, shall be sold or offered for sale by any person, firm or corporation under any name or other marking or labeling which is false or misleading, or in any container of a misleading form or size. Established trade names approved by the commissioner are permitted. No article not inspected under this chapter shall be sold or offered for sale by any person, firm or corporation under any name or other marking or labeling which is false and misleading and intending to represent the contents as having been inspected and graded.

3. Use withheld. If the commissioner has reason to believe that any marking or labeling or the size or form of any container in use or proposed for use with respect to any article subject to this chapter is false or misleading in any particular, he may direct that such use be withheld unless the marking, labeling or container is modified in such manner as he may prescribe, so that it shall not be false or misleading. If the person, firm or corporation using or proposing to use the marking, labeling or container does not accept the determination of the commissioner, such person, firm or corporation may request a hearing, but the use of the marking, labeling or container shall, if the commissioner so directs, be withheld pending hearing and final determination by the commissioner. Any such determination by the commissioner shall be conclusive unless, within 30 days after receipt of notice of such final determination, the person, firm or corporation adversely affected thereby, appeals to the Superior Court.

Effective October 24, 1977

CHAPTER 250

AN ACT Concerning Sound Media Near Voting Places on Election Day.

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

21 MRSA § 892, sub-§ 3, 1st ¶ is amended to read:

A person shall not display any advertising material or operate any advertising medium, including a sound amplification device, intended to influence the opinion of any voter, within 250 feet of the entrance to the voting place. The term "sound amplification device" includes, but is not limited to, sound trucks, loudspeakers and blowhorns.

Effective October 24, 1977