

MAINE STATE LEGISLATURE

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CHAPTER 305

ERADICATION OF DISEASES

Sec.

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§ 1801. Reportable diseases

The commissioner shall determine which diseases shall be classified as "reportable diseases" of domestic animals. It shall be illegal for any owner, agent of any owner, veterinarian or other person having knowledge of their existence or exposure thereto not to properly report the existence of such disease or exposure thereto to the commissioner or Chief of the Division of Animal Industry immediately after knowledge of or exposure to such disease.

It shall be unlawful for any person to drive, truck or otherwise move intra or interstate domestic animals known to be infected with or exposed to any reportable disease, or domestic animals treated with any vaccine or other substance that might make them capable of spreading a disease among susceptible domestic animals. Any domestic animals infected with or exposed to any reportable disease shall be moved only under the direction of the commissioner.

1959, c. 239, § 1.

§ 1802. Condemnation of diseased animals

The commissioner may, when he deems it necessary, condemn and take possession of diseased or exposed domestic animals, or domestic animals suspected of being diseased or exposed, for diagnostic purposes, and may pay the owner for the same, health, condition and market value being considered.

1959, c. 239, § 1.

§ 1803. Transportation of diseased animals

It shall be illegal to haul, drive, truck or otherwise move into the State any domestic animals known to be infected with or exposed to any contagious or infectious disease.

1959, c. 239, § 1.

§ 1804. Transportation of certain poultry prohibited

No baby chicks or poultry shall be moved from any premises where hatched, to any other location in the State unless such baby chicks or poultry shall have originated directly from eggs from flocks or hatcheries that have a Pullorum-Typhoid clean rating, given by the official state agency of the National Poultry Improvement Plan of the State.

1961, c. 127.

§ 1805. Securing animals for treatment

It shall be unlawful for an owner of domestic animals or his agent to refuse or neglect to secure and restrain domestic animals to be tested, vaccinated, branded or tattooed, or otherwise treated, as to make it possible for the commissioner, or his agent in charge of livestock sanitary work, or his representative to apply in an expeditious manner the test or other treatment that is deemed necessary.

The commissioner or his duly authorized agent may require proper disinfecting of stables and premises by the owner, where condemned diseased domestic animals are found, and may withhold indemnity until he is satisfied that proper cleaning and disinfecting of premises have been completed.

1959, c. 239, § 1.

§ 1806. Tampering with labels forbidden; brucellosis

It shall be unlawful to tamper with, remove or alter eartags, labels, placards or notices affixed or posted by the commissioner or his agent.

No milk or dairy products shall be sold or offered for sale in the State from any herd retaining known brucellosis reactors.

1959, c. 239, § 1.

§ 1807. Illegal vaccinations

It shall be illegal for any person, partnership, association or corporation to vaccinate any cattle with brucellosis vaccine that are over 270 days of age, unless special written permission is received from the commissioner or his agent previous to any such vaccination.

1959, c. 239, § 1.

§ 1808. Sale of certain biologics

No biological product containing living organisms or viruses offered for use in the treatment or prevention of diseases of domestic animals shall be sold, distributed, imported or used within the State, or imported into the State for sale, distribution or use unless approval and written permission has first been obtained from the commissioner, or his agent in charge of livestock sanitary work, for the distribution and use of such product. The commissioner or his agent has the right to refuse permission for such distribution, sale, importation or use of any such product within the State, and may require reporting of sale, distribution, importation or use of any such product within the State, if permission is granted.

No brucellosis antigen shall be shipped into the State without the approval of the commissioner or his agent.

No person, firm or corporation, except licensed veterinarians, shall offer for sale or distribution, within the State, any biological product containing living organisms or viruses offered for use in the treatment or prevention of diseases of poultry, without first obtaining a permit to act as salesman or distributor from the Division of Animal Industry.

The commissioner shall promulgate rules and regulations as to refrigeration, handling, shipping, disposing of out-dated material, and sale of such products.

Any person not complying with said rules and regulations shall have his permit revoked, after proper hearing before said commissioner or his agent.

This section shall not apply to registered pharmacies.

1959, c. 239, § 1; 1961, c. 169

§ 1809. Permits for state entry

Any person or persons bringing horses, cattle, mules, asses, sheep, goats, swine or domestic poultry into the State may be required by the commissioner to obtain a permit previous to the time of entry, said permit to accompany shipment. If the health status of the animals offered for entry does not meet the health requirements of the State, as established by law or by rules and regulations made by the commissioner, the commissioner may refuse to grant a permit, or may issue one subject to quarantine at destination. The commissioner may require the owner to have such animals tested or examined by a veterinarian at the owner's expense. The commissioner shall release such animals from quarantine only after he is satisfied that such animals are not a disease menace to other domestic animals of the State. Diseased domestic animals brought into the State without a permit may be condemned by the commissioner and slaughtered without indemnity.

Whoever violates this section shall be punished by a fine or imprisonment as provided in section 1706.

1959, c. 239, § 1.

§ 1810. Agreement with United States and with other states

The commissioner or his agent is authorized to enter into agreements of cooperation in the name of the State with the United States Department of Agriculture and other states for the prevention, control and eradication of diseases among domestic animals.

1959, c. 239, § 1.

§ 1811. Health requirements for exhibit animals

All domestic animals that are to be shown or exhibited in any agricultural show within the State shall meet the health requirements of the rules and regulations of the commissioner.

1959, c. 239, § 1.

§ 1812. Brucellosis

The commissioner shall formulate methods of procedure generally adopted for the prevention, control and eradication of brucellosis.

For the prevention, control and eradication of brucellosis, the commissioner or his agent in charge of livestock sanitary work shall continue to conduct recognized tests on all the herds in the State. Such tests shall be conducted by regularly employed federal or state veterinarians or technicians or authorized veterinarians and tested by the State Laboratory. All animals showing a positive reaction to the test shall be identified by a "reactor" eartag and brand and shall be slaughtered, except vaccinated animals under 30 months of age.

Officially vaccinated calves, if purebred, shall be properly identified by eartag or registration papers or tattoo number. Grade animals shall be tagged. All officially vaccinated calves must be tattooed with the official state tattoo mark.

1959, c. 239, § 1.

§ 1813. Vesicular exanthema—Definitions

As used in sections 1813 to 1815, the following words shall have the following meanings:

1. **Garbage.** "Garbage" shall mean putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of foods, including animal carcasses or parts thereof. This does not include fruits and vegetables which have not come in contact with any other products.

2. **Person.** "Person" shall mean the State, any municipality, political subdivision, institution, public or private corporation, individual, partnership or other entity.

1959, c. 239, § 1.

§ 1814. —License to feed garbage

No person shall feed garbage to swine without first procuring a license therefor from the commissioner or his duly authorized agent. Such licenses shall be procured annually for a fee of \$1 and shall be renewed on the first day of June of each succeeding year. This section shall not apply to any person who feeds his own household garbage only to swine which are raised for such person's own use.

Garbage, regardless of previous processing, shall, before being fed to swine, be thoroughly heated to at least 212° F. for at least 30 minutes, unless treated in some other manner which shall be approved in writing by the commissioner or his duly authorized agent.

The commissioner or his duly authorized agent shall have the power to enter at reasonable times any private or public property for the purpose of investigating conditions relating to the treating or feeding of garbage.

1959, c. 239, § 1.

§ 1815. —Disposal of infected animals

Any animal infected with or exposed to foot and mouth disease shall be killed, buried, destroyed, rendered, processed or otherwise disposed of under the direct supervision of the commissioner or his duly authorized agent.

1959, c. 239, § 1.

§ 1816. Tests and equipment

The commissioner or his agent is authorized to conduct approved diagnostic tests, procure necessary animals, personnel, equipment and facilities and take other necessary precautions for the suppression and eradication of any disease among domestic animals.

1959, c. 239, § 1.

§ 1817. Disposition of carcasses

The commissioner may cause the owner to make proper disposition of carcasses of domestic animals that have died of, or been condemned for certain contagious or infectious diseases, or carcasses of domestic animals from farms, herds, flocks or areas where certain contagious or infectious diseases are or have been present. Proper disposition means burning, burying, rendering or other disposition prescribed by the commissioner.

1959, c. 239, § 1.

§ 1818. Disposal of dead poultry

The owner, occupant or person in possession of any premises wherein poultry or poultry products are raised for sale or processing shall maintain, or have access to, adequate disposal facilities

for the sanitary disposal of dead poultry resulting from such poultry operations, and all poultry dying on such premises shall be disposed of by means of such disposal facilities. Such facilities shall be constructed and maintained in accordance with standards and regulations to be promulgated by the commissioner.

It shall be illegal to keep or deposit any dead poultry on any premises or places where wild birds or animals have access to them. Public or private dumps are not considered to be proper disposal areas.

1961, c. 149, § 1.