

MAINE STATE LEGISLATURE

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July 29, 1943

Ellis L. Aldrich, Esq.,
Attorney at Law,
Brunswick, Maine.

Dear Brother Aldrich,

This will acknowledge receipt of your letter of July 28, addressed to the Attorney General, relative to the sale of prophylactic goods for the prevention of disease.

In reply to your letter, your attention is called to Chapter 154 of the Public Laws of 1935, which provides in Section 1 that no sanitary or prophylactic rubber or other articles for the prevention of venereal diseases shall be sold without a license issued by the State Bureau of Health. Section 4 of the same chapter provides that retail licenses shall be issued only to retail drug stores regularly registered and licensed by the State of Maine.

A study of this statute, particularly the two sections mentioned, will, we believe, lead you to the conclusion that the sale of such merchandise in vending machines would not be permissible under the laws of this State.

Very truly yours,

Frank A. Farrington
Deputy Attorney General

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