

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1957 - 1958

accountant. Said section provides that in such event, upon a proper petition, then the State Auditor shall order a new postaudit to be made by the department.

JAMES GLYNN FROST
Deputy Attorney General

February 5, 1958

To Roland H. Cobb, Commissioner of Inland Fisheries and Game

Re: Access Areas

In response to your letter of January 27, 1958, supplementing our opinion of January 6, 1958 with respect to the purchase of access areas to land not governed by game management laws, we would advise that it is not proper either for your department to purchase such access areas or for your department with the approval of the Governor and Council to purchase such access areas.

We would expect that with respect to land which you desire to purchase for the purposes of game management you would continue to follow the law as you have in the past.

JAMES GLYNN FROST
Deputy Attorney General

February 5, 1958

To E. L. Newdick, Commissioner of Agriculture

Re: "Meat, Fish and Poultry," Chapter 32A, Section 32, R. S. 1954

We have your memo of January 30, 1958, which reads as follows:

"Sec. 22, Chapter 32A, R. S. 1954 as amended reads as follows:

"*Meat, Fish and Poultry.*—Except for immediate consumption on the premises where sold, or as one of several elements comprising a meal sold, as a unit, for consumption elsewhere than on the premises where sold, all meat, meat products, fish and poultry, offered or exposed for sale or sold as food, shall be offered or exposed for sale and sold by weight."

"Since the effective date of this legislation, August 28, 1957, this Department has enforced the provisions of the above section on the assumption that the key words 'meat, meat products, fish and poultry' were used in the law as general terms embracing all types of edible flesh from creatures of the land and sea.

"It is our understanding that this legislation was passed with the specific purpose of protecting the public from trade practices which result in unfair or unequal prices for these foods when they are sold by the unit without weighing.

"The question, then, is this: Are we correct in assuming that the intent of the law is that 'meat, meat products, and poultry' include the carcass or portion thereof from any warm blooded animal or bird used for food purposes; and further, that 'fish' as used in this section includes any cold blooded animal of the sea such as fish, lobster, crab, clam, oyster or mussel used as food for human consumption?"