

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)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

W
May 9, 1958

Harvey H. Chenevert, Exec. Sec. Maine Milk Commission
George A. Wathen, Assistant Attorney General

Apparent evasion of Maine Milk Commission law by certain milk dealers in Maine.

This will acknowledge receipt of your memorandum of April 25, 1958.

Section 4 of Chapter 33, Revised Statutes of 1954, provides that the Commission may fix minimum prices for sales of milk and further provides that any dealer as a consignee or agent of a producer may deduct an allowance for transportation according to the requirements of the statute. At this point we have a dealer who has complied with the law by filing a transportation agreement.

There is no evidence of discount, rebates or combination price to bring the producer's price below the minimum set by the Commission.

The practice of charging excessive transportation charges would be destructive of the minimum price schedule. I am not implying that any fixed price for transportation would be excessive, since this is a matter of fact to be determined.

There appears to be two means of proceeding against a party who is allegedly engaging in practices destructive to the minimum price schedule---criminal action pursuant to Section 9 or a hearing before the Commission provided by Section 4.

George A. Wathen
Assistant Attorney General

gaw/n