

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**

✓
May 7, 1969

JB
Francis G. Buzzell, Director

Agriculture

Robert G. Fuller, Jr., Assistant

Attorney General

Sale of certain biological products.

SYLLABUS:

Dogs and cats are "domestic animals" for purposes of 7 M.R.S.A. §1808 (Supp. 1968).

FACTS:

Certain biological products containing living organisms and viruses are being offered for sale to veterinarians in Maine for use on dogs and cats. 7 M.R.S.A. §1808 (Supp. 1968) prohibits the sale or distribution of such biological products if they are offered for use in the treatment or prevention of diseases of "domestic animals".

QUESTION:

Are dogs and cats "domestic animals" for purposes of 7 M.R.S.A. §1808 (Supp. 1968)?

ANSWER:

Yes.

OPINION:

"Domestic animal" is defined, for purposes of 7 M.R.S.A. §1808 (Supp. 1968), in §1751(a) of the same title as:

"...cattle, horses, mules, asses, goats, sheep, swine or other domesticated animals, and poultry." (Emphasis supplied.)

The question thus becomes: Are cats and dogs "domesticated animals"? This phrase is not a technical phrase which has acquired a peculiar and appropriate meaning in law, and is therefore to be construed in accordance with ordinary use of language. Where descriptive of the word "animals", the word "domesticated" in general usage carries the meaning of tamed, associated with family life, or accustomed to live in or near the habitations of men. Since dogs and cats generally fit all of the foregoing descriptions, we conclude that they are "domesticated animals" and hence "domestic animals" for purposes of section 1808.

ROBERT G. FULLER, JR.
Assistant Attorney General

RGFJr: vbw