

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

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Legislative Document

No. 1482

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S. P. 550

In Senate, March 27, 1963

Referred to Committee on Agriculture. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Cyr of Aroostook.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

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AN ACT Providing for Trademarks Under Potato Tax Law.

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Be it enacted by the People of the State of Maine, as follows:

R. S., c. 32, §§ 336 - 341, additional. Chapter 32 of the Revised Statutes is amended by adding 6 new sections, to be numbered 336 to 341, to read as follows:

‘Trademarks under Potato Tax Law.

Sec. 336. Trademarks. In order to better carry out the objectives of the Potato Tax Law, the Maine Potato Commission may develop and register trademarks. The Commissioner of Agriculture may delegate to the Maine Potato Commission the authority to regulate the use of the State of Maine trademark when used in packaging potatoes, both fresh and processed.

Sec. 337. License. After notice of the establishment of a trademark by the commission, it shall be unlawful to use said trademark without first securing a permit or license from the Maine Potato Commission. Any violations of this section shall be punishable for the first offense by a fine of not more than \$50 and for any subsequent offenses by a fine of not more than \$200.

Sec. 338. Price. The Maine Potato Commission shall have the authority to set prices on trademarked potatoes sold by licensed shippers or processors.

Sec. 339. Buy and sell. In order to promote the prosperity of this State and of the potato industry by fostering and promoting better methods of production, processing, merchandising and advertising, the Maine Potato Commission shall have the authority to buy and sell potatoes or processed potato products.

**Sec. 340. Rules and regulations; contract.** The Maine Potato Commission may prescribe rules and regulations for carrying out the purposes of sections 336 to 339, and may issue licenses to shippers or processors who shall enter into a contract with the commission and agree to abide by the rules and regulations. The commission shall reserve the right to cancel any license without cause.

**Sec. 341. Enforcement; jurisdiction.** The commission or a duly authorized representative may recover penalties imposed for violation of section 337 in a civil action brought in the name of the commission, and if it prevails in such action shall recover full costs; or the commission may prosecute for violations thereof by complaint or indictment. The District Court and the Superior Court shall have concurrent jurisdiction of actions brought for the recovery of penalties imposed by section 337, and of prosecutions for violations thereof. All fines received under section 337 by county treasurers shall be paid by them to the Treasurer of State and the same are appropriated for carrying out sections 336 to 340.'