

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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**Legislative Document**

**No. 1556**

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H. P. 1262

House of Representatives, April 2, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Wilfong of Stow.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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**AN ACT Relating to License and Enforcement of Custom  
Establishments under Maine Meat Inspection Law.**

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

22 MRSA §§ 2558 and 2559 are enacted to read:

§ 2558. Licensing of custom establishments

No person, firm, partnership, corporation, association or society shall operate a custom slaughterhouse or custom meat processing establishment unless it is licensed by the Commissioner of Agriculture.

A custom slaughterhouse or custom meat processing establishment is defined as the place where custom slaughter or custom preparation of meat or meat food products is performed in accordance with the requirements of this chapter.

An application for a license or a renewal of license shall be made each year upon a form prescribed by the commissioner. The license shall be issued after the commissioner is satisfied that there is compliance with the regulations governing such operations. The renewal date shall be annually from the date of last previous issuance. The license fee of \$15 shall be paid for each issuance and renewal to the Department of Agriculture.

Each such license shall cover a group of buildings or parts thereof, in one location, constituting the custom slaughterhouse or custom meat processing establishment owned by the licensee.

The itinerant butcher who goes from place to place to perform butchering or meat processing operations on the owner's premises of animals exclusively

for use by him and members of his household and his nonpaying guests and employees shall annually register with the Commissioner of Agriculture.

§ 2559. Revocation and suspension of license; appeals; hearing

The commissioner shall have the power to revoke or suspend any license issued under this chapter whenever it is determined by himself or any of his deputies that any of its provisions have been violated. Any person, firm, partnership, corporation, association or society whose license has been revoked or suspended shall discontinue slaughtering, butchering, operating and processing until this chapter has been complied with and a new license issued or the suspension removed. The commissioner may revoke or suspend such license temporarily until there is a compliance with this chapter or permanently for the unexpired period of such license. Before revoking or suspending any license, the commissioner shall give written notice to the licensee affected stating that he contemplates the revocation or suspension of the same and giving his reasons therefor. Such notice shall appoint a time for hearing before said commissioner. On the date of hearing, the licensee may present such evidence to the commissioner as he deems fit, and after hearing all the testimony, the commissioner shall decide as to whether the license shall be revoked or not. Any licensee who is aggrieved by the decision of the commissioner may within 10 days thereafter appeal to the Superior Court by filing a complaint. The court shall fix a time and place for hearing and cause notice thereof to be given to the commissioner. After hearing, the court may affirm or reverse the decision of the commissioner and the decision of the court shall be final. Pending judgment of such court, the decision of the commissioner shall remain in full force and effect. The commissioner shall, within 3 days after notice of such appeal, forward to such court a certified copy of the proceedings.

FISCAL NOTE

It is estimated that passage of this Act will result in an estimated income of \$750 per year.

STATEMENT OF FACT

The purpose of this legislation is to serve as an incentive to the covered operators to make known their intentions to operate and to provide a more workable approach for enforcement of the custom exemption provisions of the Maine Meat Inspection Act.

The license fee would partially offset the departmental costs of inspection of these operations.