

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 810

S. P. 269

In Senate, February 28, 1979

Referred to the Committee on Legal Affairs. Sent down for concurrence and ordered printed.

Presented by Senator O'Leary of Oxford.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Making it Unlawful for Any Person to Manufacture, Sell or Offer for Sale or Exchange any Product which Seeks to Imitate an Alcoholic Beverage by Looks, Taste and Smell, Excluding Certain Products.

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

28 MRSA c. 13, sub-c. IV is enacted to read:

SUBCHAPTER IV

IMITATIONS

§ 611. Imitations

It shall be unlawful and an offense for any person, firm or corporation to manufacture, sell, offer for sale or exchange, or expose for exchange or sale any product containing less than $\frac{1}{2}$ of 1% alcohol by volume which seeks to imitate by appearance, taste and smell an alcoholic beverage which is designed to carry the impression to the purchaser that the beverage has an alcoholic content, including, but not limited to, products bearing the brand names "Near Beer," "brew," "Champaigne-O" or similar names. The following shall also be excluded from the prohibitions of this subchapter: Products commonly known as "root beer," "ginger ale," "cider" and all soft drinks; beverages containing more than $\frac{1}{2}$ of 1% alcohol by volume; or articles such as vanilla extract, lemon extract and other food flavorings commonly used for cooking and flavoring.

§ 612. Penalty

Any person violating the provisions of this subchapter shall be guilty of a Class E crime.

STATEMENT OF FACT

This bill makes it unlawful for any person to manufacture, sell or offer for sale or exchange any product which seeks to imitate an alcoholic beverage, excludes certain products and provides a penalty.