

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1163, L.D. 1704, Bill, "An Act to Prohibit the Sale and Distribution of Certain Milk Products"

Amend the amendment by striking out all of section 4 and inserting in its place the following:

Sec. 4. 7 MRSA §3105 is enacted to read:

§3105. Restrictions on biosynthetic bovine somatotropin

A veterinarian or a registered animal technician under the supervision of a veterinarian may use or administer biosynthetic bovine somatotropin, known as BST, for research purposes only. It is unlawful for a person who is not a veterinarian or a registered animal technician under the supervision of a veterinarian to use or administer BST. In addition to other penalties provided by law, if BST is present on a dairy farm, except in possession or control of a veterinarian or a registered animal technician under the supervision of a veterinarian using or administering BST for research purposes, the commissioner shall suspend the farm's operating permit issued under section 2902-A. The suspension may be for a period of up to 30 days and must be in accordance with Title 5, section 10004.

For the purposes of this section, "research" means a class of activities designed to develop or contribute to generalizable knowledge or the accumulation of data that can be corroborated by accepted scientific observation and inferences. A veterinarian using or administering BST for research purposes or supervising a registered animal technician using or administering BST for research purposes subsequent to commercial approval of BST by the federal Food and Drug Administration, pursuant to 21 Code of Federal Regulations, Part 514, must submit to the department prior written notice identifying the owner and location of the animals to which BST will be administered, the explicit

2 objectives of the research and the procedures of investigation  
3 designed to reach those objectives. Such notices are public  
4 records within the meaning of Title 1, section 402, subsection  
5 3. The department shall provide a copy of such notices to each  
6 dealer licensed pursuant to section 2955.

7 This section is repealed February 1, 1993.'

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10 **STATEMENT OF FACT**

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13 This amendment adds a definition of research to the laws  
14 concerning biosynthetic bovine somatotropin, or BST. The  
15 amendment requires a veterinarian administering BST for research  
16 purposes to submit documentation on the research to the  
17 Department of Agriculture, Food and Rural Resources and requires  
18 the department to provide copies of such notices to dealers. The  
19 amendment also extends the repeal date to February 1, 1993.  
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Filed by Rep. Nutting of Leeds  
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House  
2/27/92 (Filing No. H-992)