

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1883

H.P. 1384

House of Representatives, February 15, 1994

An Act to Require Licenses and Fees for BST Manufacturers and Dealers.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Reference to the Committee on Agriculture suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SPEAR of Nobleboro.
Cosponsored by Representatives: AULT of Wayne, BAILEY of Farmington, BARTH of Bethel, BIRNEY of Paris, CAMERON of Rumford, CLEMENT of Clinton, CROSS of Dover-Foxcroft, DEXTER of Kingfield, HEESCHEN of Wilton, HEINO of Boothbay, HUSSEY of Milo, JOY of Island Falls, KILKELLY of Wiscasset, KNEELAND of Easton, LARRIVEE of Gorham, LORD of Waterboro, MARSHALL of Eliot, NASH of Camden, SIMONDS of Cape Elizabeth, ST. ONGE of Greene, TARDY of Palmyra, TRUE of Fryeburg, Senators: GOULD of Waldo, TITCOMB of Cumberland, WEBSTER of Franklin.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the current state law restricting the use of biosynthetic bovine somatotropin, or "BST," is repealed on February 1, 1994; and

Whereas, the use of BST after February 3, 1994 has been approved by the federal Food and Drug Administration; and

Whereas, it is essential to immediately enact laws requiring licensing of manufacturers and distributors of BST and reporting of the sale and distribution of BST; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 7 MRSA §2903-B is enacted to read:

§2903-B. Selling and purchasing biosynthetic bovine somatotropin

1. Licensing of manufacturer. Manufacturers of biosynthetic bovine somatotropin, known as "BST," who sell or freely distribute BST for use in the State must be licensed by the commissioner. A licensed manufacturer may sell or distribute BST destined for use in the State only to distributors licensed under this chapter or to milk producers in the State.

2. Licensing of distributor. A distributor who sells or distributes BST to milk producers in the State must be licensed by the commissioner.

3. Free distribution. A person may not distribute BST free of charge to a milk producer in the State if that milk producer has not signed a prior written consent to receive the distribution.

4. Purchase of BST. A person who purchases BST for use in the State must purchase BST from a distributor or manufacturer licensed in the State.

5. License requirements; fees. Upon application and payment of the fee, the commissioner shall issue the following licenses:

2 to require up to 100 days' notice before BST is added to their
3 milk product.

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8 This document has not yet been reviewed to determine the
9 need for cross-reference, stylistic and other technical
10 amendments to conform existing law to current drafting standards.