

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

HOUSE.

No. 60.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-SEVEN

AN ACT to regulate the sale and analysis of Concentrated
Commercial Feeding Stuff.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. Every manufacturer, company or person who
2 shall sell, offer or expose for sale in this State any concen-
3 trated commercial feeding stuff, as defined in section three
4 of this act, used for feeding farm live stock, shall, in addition
5 to the privilege tax tag described in section five of this act,
6 affix to every package of such feeding stuff, in a conspicu-
7 ous place on the outside thereof, a plainly printed statement
8 clearly and truly certifying the number of net pounds in the
9 package sold or offered for sale, the name or trade mark

10 under which the article is sold, the name of the manufac-
11 turer or shipper, the place of manufacture, the place of
12 business and a chemical analysis stating the percentage of
13 crude protein (allowing one per cent of nitrogen to equal six
14 and one-fourth per cent of protein) and of crude fat it con-
15 tains, both constituents to be determined by the methods
16 adopted at the time by the Association of Official Agricul-
17 tural Chemists.

Sect. 2. The term concentrated commercial feeding stuff,
2 as here used, shall not include hays and straws, the whole
3 seeds nor the unmixed meals made directly from the entire
4 grains of wheat, rye, barley, oats, Indian corn, buckwheat,
5 and broom corn. Neither shall it include wheat, rye and
6 buckwheat brans or middlings, not mixed with other sub-
7 stances, but sold separately, as distinct articles of commerce.

Sect. 3. The term concentrated commercial feeding stuff,
2 as here used, shall include linseed meals, cotton-seed meals,
3 pea meals, cocoanut meals, gluten meals, gluten feeds, maize
4 feeds, starch feeds, sugar feeds, dried brewer's grains, malt
5 sprouts, hominy feeds, cerealine feeds, rice meals, oat feeds,
6 corn and oat chops, ground beef or fish scraps, mixed feeds,
7 and all other materials of similar nature not included within
8 section two of this act.

Sect. 4. Before any manufacturer, company or person
2 shall sell, offer or expose for sale in this State any concen-
3 trated commercial feeding stuff, as defined in section three
4 of this act, he or they shall for each and every feeding stuff

5 bearing a distinguishing name or trade mark, file with the
6 director of the Maine Agricultural Experiment Station a
7 certified copy of the statement named in section one of this
8 act, said certified copy to be accompanied, when the director
9 shall so request, by a sealed glass jar or bottle containing at
10 least one pound of the feeding stuff to be sold or offered for
11 sale, and the company or person furnishing said sample
12 shall thereupon make affidavit that said sample corresponds
13 within reasonable limits to the feeding stuff which it repre-
14 sents, in the percentage of protein and fat which it contains.

Sect. 5. Each manufacturer, importer, agent or seller of
2 any concentrated commercial feeding stuff, as defined in
3 section three of this act, shall pay to the director of the
4 Maine Agricultural Experiment Station a privilege tax of
5 twenty-five cents per ton for each ton of such concentrated
6 feeding stuff sold or offered for sale in the State of Maine,
7 and shall affix to each bag, barrel or other package of such
8 concentrated feeding stuff, a tag to be furnished by said
9 director, stating that all charges specified in this section have
10 been paid. The director of said Experiment Station is
11 hereby empowered to prescribe the form for such tags, and
12 adopt such regulations as may be necessary for the enforce-
13 ment of the law. Whenever the manufacturer or importer
14 or shipper of a concentrated feeding stuff shall have filed the
15 statement made in section one of this act and paid the privi-
16 lege tax, no agent or seller of said manufacturer, importer
17 or shipper shall be required to file such statement or pay

18 such tax. The amount of privilege tax received by said
19 director shall be paid by him into the treasury of the Maine
20 Agricultural Experiment Station. The treasurer of said
21 station shall make an annual report of receipts and expen-
22 ditures of funds from this privilege tax.

Sect. 6. Any manufacturer, importer or person who shall
2 sell, offer or expose for sale in this State any concentrated
3 commercial feeding stuff, as defined in section three of this
4 act, without complying with the requirements of the pre-
5 ceding sections of this act, or any feeding stuff which con-
6 tains substantially a smaller percentage of constituents than
7 are certified to be contained, shall, on conviction in a court
8 of competent jurisdiction, be fined one hundred dollars for
9 the first offense, and two hundred dollars for each subse-
10 quent offense.

Sect. 7. The director of the Maine Experiment Station
2 shall annually analyze, or cause to be analyzed, at least one
3 sample to be taken in the manner hereinafter prescribed, of
4 every concentrated commercial feeding stuff sold or offered
5 for sale under the provisions of this act. Said director is
6 hereby authorized and directed in person or by deputy to
7 take a sample, not exceeding two pounds in weight, for said
8 analysis, from any lot or package of concentrated commer-
9 cial feeding stuff which may be in the possession of any man-
10 ufacturer, importer, agent or dealer in this State; but said
11 sample shall be drawn in the presence of said party or parties
12 in interest, or their representative, and taken from a parcel

13 or a number of packages, which shall not be less than ten
14 per cent of the whole lot sampled, and shall be thoroughly
15 mixed, and then divided into two equal samples, and placed
16 in glass vessels, and carefully sealed and a label placed on
17 each, stating the name or brand of the feeding stuff or mate-
18 rial sampled, the name of the party from whose stock the
19 sample was drawn and the time and place of drawing, and
20 said label shall also be signed by the director or his deputy
21 and by the party or parties in interest or their representative
22 at the drawing and sealing of said samples; one of said
23 duplicate samples shall be retained by the director and the
24 other by the party whose stock was sampled; and the sample
25 or samples retained by the director shall be for comparison
26 with the certified statement named in section four of this act.
27 The result of the analysis of the sample or samples so pro-
28 cured, together with such additional information as circum-
29 stances advise, shall be published in reports or bulletins from
30 time to time.

Sect. 8. Whenever the director becomes cognizant of the
2 violation of any of the provisions of this act, he shall report
3 such violation to the secretary of the Board of Agriculture,
4 and said secretary shall prosecute the party or parties thus
5 reported; but it shall be the duty of said secretary, upon
6 thus ascertaining any violation of this act, to forthwith notify
7 the manufacturer, importer or dealer in writing, and give
8 him not less than thirty days thereafter in which to comply
9 with the requirements of this act, but there shall be no prose-

10 cution in relation to the quality of any concentrated commer-
11 cial feeding stuff if the same shall be found substantially
12 equivalent to the certified statement named in section four of
13 this act.

Section 9. All acts and parts of acts inconsistent with this
2 act are hereby repealed.

Sect. 10. This act shall take effect July 1, 1897.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

February 9, 1897.

Reported by Mr. CONANT of Strong, from Committee on Agriculture,
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*