

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Sixty-Eighth Legislature.

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HOUSE.

No. 242.

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## STATE OF MAINE.

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

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AN ACT to regulate the Packing of Sardines.

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

Section 1. The commissioner of sea and shore fisheries  
2 shall require a strict observation of the following rules:  
3 Whoever catches, takes, preserves, sells, or offers for sale  
4 any herring for canning purposes less than eight inches long,  
5 measured from one extreme to the other, or packs or cans  
6 sardines of any description, between the first day of Decem-  
7 ber and the tenth day of the following May, forfeits twenty  
8 dollars for every hundred cans so packed or canned, and for  
9 every hundred herring so taken; and whoever bakes, fries,  
10 packs or cans any herring or other fish for sardines without

11 heading and eviscerating the same, and whoever sells, offers  
12 for sale or has in his possession for sale any sardines packed  
13 without being so headed and eviscerated shall forfeit twenty  
14 dollars for every hundred cans so packed, sold, offered for  
15 sale or in possession for sale, to be recovered by indictment  
16 or action of debt, one-half to the complainant or prosecutor,  
17 and one-half to the town in which the offence is committed.  
18 In packing herring, mackerel or other fish in hermetically  
19 sealed cans, either in oil, mustard or vinegar, there shall be  
20 used not less than three quarts of oil, of the first quality,  
21 pure summer or winter cotton oil or any food oil of equal  
22 quality, for every hundred cans so packed of the size known  
23 as quarter oils; three quarts of mustard sauce of good qual-  
24 ity for every fifty cans of the size known as three-quarter  
25 mustards; and for every one hundred cans of the size known  
26 as one-quarter mustards; one gallon of vinegar for every  
27 one hundred cans of the size known as one-quarter spiced;  
28 and for every fifty cans of the size known as three-quarter  
29 spiced or tomato. Proprietors of fish packing factories  
30 shall provide sealed measures holding one one-hundredth  
31 part of a gallon each which shall be used in measuring all  
32 oil into quarter oil sardine cans; and measures holding one-  
33 fiftieth part of a gallon which shall be used in measuring all  
34 mustard sauce and vinegar into three-quarter size cans used  
35 in packing sardines, and all fish packed as aforesaid shall be  
36 when so packed good and sound, except that they shall be  
37 cleaned, headed and eviscerated. Whoever packs or cans,  
38 or causes to be packed or canned any fish in violation of this  
39 section shall forfeit twenty dollars for every one hundred  
40 cans, or fifty cans, as aforesaid, as the case may be, so  
41 packed by him or by his employees, to be recovered by com-  
42 plaint.

SECT. 2. All cans shall be decorated, stamped or labelled  
2 with quality, packer's name and place of business, or mer-  
3 chant's name for whom the same are packed, all leaks,  
4 whether swelled or not, shall be thoroughly mended and  
5 filled with oil or vinegar, as per kind of sardines, and then  
6 bathed in boiling water for not less than twenty minutes or  
7 in retort, at a temperature of two hundred and forty degrees,  
8 not less than five minutes. Whoever sells or offers for sale,  
9 any sardines in violation of this section shall forfeit one  
10 dollar for every can so sold or offered for sale, to be recov-  
11 ered by action, indictment or action of debt, one half to the  
12 complainant or prosecutor and one half to the town in which  
13 the offence was committed.

Sect. 3. No can of sardines shall be packed with less than  
2 six fish and no fish shall be packed as sardines unless they  
3 have been headed and eviscerated within twenty-four hours  
4 from the time they arrive at the factory. No fish shall be  
5 baked for sardines in ovens unless they shall first be properly  
6 flaked in rows and laid on without over lapping, whoever  
7 flakes, bakes or packs any sardines in violation of this sec-  
8 tion forfeits five dollars for every one hundred fish so flaked,  
9 baked or packed, to be recovered by indictment or action  
10 for debt one-half to the complainant or prosecutor and one-  
11 half to the town in which the offence is committed.

Sect. 4. All decorated cans, tin-plate and metal labels  
2 now in possession of any packer, and all sardines packed  
3 previous to the approval of this act are exempt from the  
4 provisions of the same.

Sect. 5. The commissioner of sea and shore fisheries shall  
2 insist upon the strict enforcement of this act and require  
3 from his wardens who have jurisdiction in localities where  
4 sardine canning factories are located, to give a good and

5 sufficient bond in the sum of five thousand dollars to guar-  
6 antee the faithful and strict enforcement of the provisions  
7 of this act and its penalties, and in no case shall a packer of  
8 sardines be accepted as a surety.

Sect. 6. The commissioners of sea and shore fisheries or  
2 his deputies shall inquire into violations of the laws relat-  
3 ing to sardines and enforce the penalties thereto, and for  
4 the purpose of inquiring into any violation of said laws, and  
5 enforcing the penalties thereof, such commissioner or his  
6 deputies may at all reasonable times enter any manufactory,  
7 or canning establishment, and make investigations concern-  
8 ing the methods employed and the condition of the pro-  
9 duct, and if necessary, open packages and cut open cans  
10 of sardines for such investigation. Sufficient wardens shall  
11 be appointed by the commissioner of sea and shore fisheries  
12 to enforce the provisions of this act and for the city of  
13 Eastport and town of Lubec not less than two each, and  
14 one warden each additional for every town where sardines  
15 are canned in the State of Maine. No person shall be  
16 eligible for appointment as warden who is the owner in a  
17 sardine factory or a relative of such an owner.

Sect. 7. All acts or parts of acts that conflict with this  
2 act are hereby repealed.

Sect. 8. This act shall take effect when approved.

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## STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

March 5, 1897.

Reported by Mr. RODICK of Eden, from Committee on Shore Fish-  
eries, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*