

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Seventy-first Legislature.

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HOUSE.

No. 278

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THREE.

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AN ACT to regulate the sale and analysis of concentrated Commercial Feeding Stuffs.

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

Section 1. Every package of any concentrated commercial  
2 feeding stuff, as defined in section three of this act, used for  
3 feeding farm live stock, sold, offered or exposed for sale in  
4 this state, shall have affixed thereunto, in a conspicuous place  
5 on the outside thereof, a plainly printed statement clearly and  
6 truly certifying the number of net pounds in the package, the  
7 name, brand or trade mark under which the article is sold,  
8 the name and address of the manufacturer or importer, and  
9 a chemical analysis stating the percentage of crude protein,  
10 allowing one per cent of nitrogen to equal six and one-fourth

11 per cent of protein, and of crude fat it contains, both constitu-  
12 ents to be determined by the methods adopted at the time by  
13 the Association of Official Agricultural Chemists.

If the feeding stuff is sold in bulk or put up in packages  
15 belonging to the purchaser, the agent or dealer shall, upon  
16 request of the purchaser, furnish him with the certified state-  
17 ment named in this section.

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,  
8 nor wheat bran and middlings mixed together, nor pure  
9 grains ground together.

Sect. 3. The term concentrated commercial feeding stuff,  
2 as here used, shall include linseed meals, cottonseed meals,  
3 cottonseed feeds, pea meals, cocoanut meals, gluten meals,  
4 gluten feeds, maize feeds, starch feeds, sugar feeds, dried  
5 brewers' grains, dried distillers' grains, malt sprouts, hominy  
6 feeds, cerealine feeds, rice meals, oat feeds, corn and oat  
7 chops, corn and oat feeds, corn bran, ground beef or fish  
8 scraps, condimental foods, poultry foods, stock foods, pat-  
9 ented proprietary or trade marked stock and poultry foods,  
10 mixed feeds other than those composed solely of wheat bran  
11 and middlings mixed together, or pure grains ground  
12 together, and all other materials of similar nature not included  
13 in section two of this act.

Sect. 4. Every manufacturer, company 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, shall for each and every feeding stuff bearing a distin-

5 guishing name or trade mark, file annually in the month of  
6 June with the Director of the Maine Agricultural Experiment  
7 Station a certified copy of the statement named in section  
8 one of this act, said certified copy to be accompanied, when  
9 the Director shall request, by a tightly closed glass jar or  
10 bottle containing at least one pound of the feeding stuff to  
11 be sold or offered for sale, and the company or person fur-  
12 nishing said sample shall thereupon make affidavit that said  
13 sample corresponds within reasonable limits to the feeding  
14 stuff which it represents, in the percentage of protein and  
15 fat it contains.

Sect. 5. The manufacturer, importer, agent or seller of any  
2 concentrated commercial feeding stuff, as defined in section  
3 three of this act, shall pay annually in the month of June to  
4 the Director of the Maine Agricultural Experiment Station  
5 a license fee of sixty dollars for each kind or brand of con-  
6 centrated commercial feeding stuff, as defined in section  
7 three, sold or offered for sale in this State, and upon receipt  
8 of such fee and of the certified statement named in section  
9 four of this act, said Director shall issue a certificate of com-  
10 pliance with this act. Whenever the manufacturer, importer  
11 or shipper of a concentrated commercial feeding stuff shall  
12 have filed the statement made in section one of this act and  
13 paid the license fee, no agent or seller of said manufacturer,  
14 importer or shipper shall be required to file such statement or  
15 pay such fee. The amount of license fee received by said  
16 Director shall be paid by him into the treasury of the Maine  
17 Agricultural Experiment Station. Whenever during the  
18 month of July of the year following that in which a license  
19 fee has been paid as above on any brand of concentrated  
20 commercial feeding stuff the parties in interest shall make  
21 affidavit to said Director that the total sales of such brand of  
22 feeding stuff during the preceding twelve months were less

23 than one hundred and fifty tons, the treasurer of the Maine  
24 Agricultural Experiment Station shall on the order of said  
25 Director pay a rebate of forty dollars to said parties in inter-  
26 est. The Director of said Station shall make an itemized  
27 quarterly report of all items of receipts and expenditures of  
28 funds from this license fee, to the Commissioner of Agri-  
29 culture, and all receipts in excess of three thousand dollars  
30 shall be carried into the State treasury.

Sect. 6. Whoever shall sell, offer or expose for sale or for  
2 distribution in this State any concentrated commercial feed-  
3 ing stuff, as defined in section three of this act, without com-  
4 plying with the requirements of the preceding sections of  
5 this act, or any feeding stuff which contains substantially a  
6 smaller percentage of constituents than are certified to be  
7 contained, shall, on conviction in a court of competent juris-  
8 diction, be fined not more than one hundred dollars for the  
9 first offence, and not more than two hundred dollars for each  
10 subsequent offence.

Sect. 7. The director of the Maine Agricultural Experi-  
2 ment Station shall annually analyze, or cause to be analyzed,  
3 at least one sample of every concentrated commercial feeding  
4 stuff sold or offered for sale under the provisions of this act.  
5 Said director is hereby authorized and directed in person or  
6 by deputy to take a sample, not exceeding two pounds in  
7 weight, for said analysis, from any lot or package of concen-  
8 trated commercial feeding stuff which may be in the posses-  
9 sion of any manufacturer, importer, agent or dealer in this  
10 State; said sample should be placed in a suitable jar or bottle,  
11 tightly closed and a label placed thereon, stating the name or  
12 brand of the feeding stuff or material sampled, the name of  
13 the party from whose stock the sample was drawn and the  
14 time and place of drawing, and said label shall also be signed  
15 by the director or his deputy; provided, however, that when

16 so requested said sample shall be taken in duplicate in the  
17 presence of the party or parties in interest or their representa-  
18 tives, in which case one of said duplicate samples shall be  
19 retained by the director and the other by the party whose  
20 stock was sampled. The sample or samples retained by the  
21 director shall be for comparison with the certified statement  
22 named in section four of this act. The result of the analysis  
23 of the sample or samples so procured, together with such  
24 additional information as circumstances advise, shall be pub-  
25 lished in reports or bulletins from time to time.

Sect. 8. Any person who shall adulterate any whole or  
2 ground grain with milling or manufactured offals, or with  
3 any foreign substance whatever, or any bran or middlings  
4 made from the several grains with any foreign substance  
5 whatever, for the purpose of sale, unless the true composition,  
6 mixture or adulteration thereof is plainly marked or indicated  
7 upon the packages containing the same, or in which it is  
8 offered for sale; or any person who sells or offers for sale any  
9 whole or ground grain, bran or middlings which have been  
10 so adulterated, unless the true composition, mixture or adul-  
11 teration is plainly marked or indicated upon the package con-  
12 taining the same, or in which it is offered for sale, shall on  
13 conviction in a court of competent jurisdiction be fined not  
14 more than one hundred dollars for the first offence, and not  
15 more than two hundred dollars for each subsequent offence.

Sect. 9. Whenever the director of the Maine Agricultural  
2 Experiment Station becomes cognizant of the sale, or expos-  
3 ing for sale in this State of any brand of concentrated com-  
4 mercial feeding stuff, as defined in section three of this act,  
5 for which the license fee provided for in section five of this  
6 act has not been paid, he shall notify the person so selling or  
7 exposing same for sale, and if within ten days thereafter said  
8 license fee has not been paid on said brand, shall immediately

9 report such violation of this act to the commissioner of agri-  
10 culture who shall prosecute the party or parties thus reported.

Sect. 10. Whenever the director of the Maine Agricultural  
2 Experiment Station becomes cognizant of the violation of any  
3 of the provisions of this act, except as provided in section  
4 nine preceding, he shall forthwith report such violation to the  
5 commissioner of agriculture, and said commissioner shall  
6 prosecute the party or parties thus reported. But there shall  
7 be no prosecution in relation to the quality of any concen-  
8 trated commercial feeding stuff if the same shall be found in  
9 its constituent parts substantially equivalent to the certified  
10 statement named in section one of this act.

Sect. 11. Chapter 334 of the Public Laws of 1897 and all  
2 other acts and parts of acts inconsistent with this act are  
3 hereby repealed.

Sect. 12. This act shall take effect June first, one thousand  
2 nine hundred and three.





STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 6, 1903.

Reported by Mr. SNOWE of West Gardiner, from Committee on  
Agriculture, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*