

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

SENATE.

No. 276

STATE OF MAINE.

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

AN ACT to regulate the sale and analysis of concentrated
commercial feeding stuffs.

*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, the
8 name and address of the manufacturer or importer, and a
9 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 constit-

12 uents 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 grains
9 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, patented
9 proprietary or trade marked stock and poultry foods, mixed
10 feeds other than those composed solely of wheat bran and
11 middlings mixed together, or pure grains ground together,
12 and all other materials of similar nature not included in sec-
13 tion two of this act.

Sect. 4. There shall be annually appropriated from the
2 State treasury the sum of one thousand dollars in favor of the
3 treasurer of the Maine Agricultural Experiment Station, the
4 same, or such portion thereof as is found necessary, to be
5 expended by said experiment station in the analysis of con-
6 centrated commercial feeding stuffs.

Sect. 5. So much of the appropriation granted under this
2 act shall be paid by the State treasurer to the treasurer of said
3 experiment station as the director of said station may show
4 by his bills has been expended in performing the duties
5 required by this act, such payment to be made quarterly upon
6 the order of the governor and council, who are hereby directed
7 to draw the order for such purpose. The director shall
8 annually publish a statement of the receipts and expenditures
9 under this act.

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

17 ence of the party or parties in interest or their representatives,
18 in which case one of said duplicate samples shall be retained
19 by the director and the other by the party whose stock was
20 sampled. The sample or samples retained by the director
21 shall be for comparison with the certified statement named in
22 section one of this act. The result of the analysis of the
23 sample or samples so procured, together with such additional
24 information as circumstances advise, shall be published in
25 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
9 any whole or ground grain, bran or middlings which have
10 been so adulterated, unless the true composition, mixture or
11 adulteration is plainly marked or indicated upon the package
12 containing 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 violation of
3 any of the provisions of this act, he shall forthwith report
4 such violation to the commissioner of agriculture, and said
5 commissioner shall prosecute the party or parties thus
6 reported. But there shall be no prosecution in relation to
7 the quality of any concentrated commercial feeding stuff if
8 the same shall be found in its constituent parts substantially
9 equivalent to the certified statement named in section one of
10 this act.

Sect. 10. Chapter three hundred thirty-four (334) of the
2 Public Laws of one thousand eight hundred ninety-seven
3 (1897) and all other acts and parts of acts inconsistent with
4 this act are hereby repealed.

Sect. 11. This act shall take effect June first, one thousand
2 nine hundred and three.

STATE OF MAINE.

IN SENATE, March 26, 1903.

Reported in the House from the Committee on Appropriations and Financial Affairs, and passed to be engrossed.

In Senate, laid on table to be printed on motion by Mr. GOODWIN of Somerset.

KENDALL M. DUNBAR, *Secretary*.