

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 107

STATE OF MAINE.

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

AN ACT regulating the Duties of the Commissioner of Agriculture in relation to the manufacture, transportation and sale of dairy products and their imitation.

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

Section 1. The commissioner of agriculture shall, either
2 in person or by duly authorized agent or assistant, diligently
3 inquire into and investigate the production, manufacture,
4 transportation, storage and sale of milk, cream, butter and
5 all other dairy products, substitutes therefor or imitations
6 thereof. And said commissioner, his agents or assistants,
7 shall have access at all reasonable hours, to all places of busi-
8 ness, factories or carriages, cans or other vessels used or
9 which he or they believe to be used in the production or

10 handling of milk or any other dairy product, substitute there-
11 for or imitation thereof, and upon tendering the market
12 price of a sample of milk or other dairy product, substitute
13 therefor or imitation thereof, may take such sample from
14 any person, firm, corporation, association or society, and
15 said commissioner of agriculture shall cause all samples taken
16 by authority of this act to be analyzed.

Sect. 2. Any person who hinders, obstructs, or in any
2 way interferes with the commissioner of agriculture, his
3 agents or assistants, in the performance of his or their duty,
4 herein above set forth, by refusing entrance to any place
5 where he is authorized to enter, or access to any receptacle
6 to which he is authorized to have access, or by refusing to
7 deliver to him, his agents or assistants, a sample of milk or
8 any other dairy product, substitute therefor or imitation
9 thereof, sold, offered or exposed for sale by the person to
10 whom such request is made if the value thereof is tendered,
11 or shall in any other manner hinder, obstruct or interfere
12 with said commissioner, his agents or assistants in the per-
13 formance of any of their said duties, shall be punished by a
14 fine of one hundred dollars for the first offence and two hun-
15 dred dollars for each subsequent offence.

Sect. 3. The commissioner of agriculture shall publish
2 the results of all analyses with the names of the persons,
3 firms, corporations, associations and societies from which the
4 samples analyzed were taken, together with such suggestions
5 as he may deem advisable, in the regular or special bulle-

6 tins issued by the Department of Agriculture. He shall also,
7 in his discretion, issue each month a report of the results of
8 all analyses, for distribution to all such newspapers in the
9 State as may request a copy.

Sect. 4. Any person, firm, corporation, association or so-
2 ciety who shall sell or deliver milk or cream to any person
3 from a wagon or other conveyance, depot or store, or who
4 shall sell or deliver milk to a hotel, restaurant, boarding
5 house or any public place, shall be considered a milk dealer
6 within the meaning of this act, and shall on or before the
7 first day of April in each year register with the commis-
8 sioner of agriculture, furnishing such information as may be
9 required, upon blanks issued and furnished by said commis-
10 sioner of agriculture to such persons as may request the
11 same. And every such registration shall expire April first,
12 next after its issue and shall be given only to the milk dealer
13 owning or leasing the vehicle or place from which sales or
14 supplies are to be made, and shall not be transferred. Upon
15 receipt of the application for registration, containing the in-
16 formation required, the commissioner shall issue to said ap-
17 plicant a certificate of registration, which certificate shall be
18 posted in a conspicuous place in the store or depot from
19 which sale or supply is made, and the number of the certifi-
20 cates of registration for each wagon or other vehicle shall
21 be placed in a conspicuous place on said wagon or other
22 vehicle. Should any person, firm, corporation, association
23 or society desire to become a milk dealer, as provided by this

24 section, before the first day of April in any year, he or they
25 shall, prior to engaging in the business, register with the
26 commissioner of agriculture in the same manner as herein
27 before provided, for each place or vehicle from which sale
28 or supply is to be made. Any dealer who neglects or refuses
29 to register with the commissioner of agriculture, or to post
30 certificates of registration in the store or depot from which
31 sale or supply is made, or to post the number of the certifi-
32 cate of registration on the wagon or other vehicle from which
33 sale or supply is made, as provided in this section, forfeits
34 fifty dollars to be recovered in an action of debt, to be pros-
35 ecuted in the name of the State by the county attorney for
36 the county in which such violation of this statute has occur-
37 red, but the provisions of this section shall not apply to milk
38 or cream delivered to a creamery or butter or cheese fac-
39 tory.

All provisions of law now existing requiring the licensing
41 of milk dealers as they are known under this section shall be
42 and hereby are repealed upon the approval of this act.

Sect. 5. The commissioner of agriculture shall, either in
2 person or by duly authorized agent or assistant, diligently
3 enforce, in the name of the State, the laws regarding the
4 production, manufacture, transportation, storage and sale of
5 milk and all other dairy products, substitutes therefor or
6 imitations thereof, including oleomargarine and renovated
7 butter, and for the above purpose he may employ such agents,
8 assistants, chemists, counsel and clerks, and he may purchase

9 such samples of milk, cream and other dairy products, sub-
10 stitutes therefor or imitations thereof, and such stationery,
11 postage, printed matter and other supplies incidental thereto,
12 as may be necessary for the proper enforcement of said
13 laws, and for such expenses there shall be appropriated an-
14 nually the sum of four thousand dollars, to be paid upon the
15 approval of the Governor and Council upon the presenta-
16 tion of proper vouchers.

Sect. 6. The county attorney for the county in which a
2 violation of these statutes has occurred, shall when called
3 upon to do so by the commissioner of agriculture or either
4 of his duly authorized agents or assistants, give all the aid
5 in his power to secure the enforcement of this chapter, and
6 shall prosecute cases arising under the provisions of this
7 chapter or the provisions of other statutes relating to dairy
8 products, substitutes therefor or imitations thereof.

Sect. 7. Trial justices and municipal and police courts are
2 hereby vested with original jurisdiction concurrent with the
3 Supreme and Superior courts, to try, and, upon conviction,
4 to punish, for offenses against the provisions of this act and
5 all other statutes relating to the production, manufacture,
6 transportation, storage and sale of milk, cream, butter,
7 cheese and all other dairy products, substitute therefor or
8 imitations thereof.

Sect. 8. Chapter thirty-nine of the Public Laws of nine-
2 teen hundred and five, and all other acts and parts of acts
3 inconsistent herewith are hereby repealed.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, Feb. 8, 1909.

Reported by Mr. BEMIS from Committee on Agriculture and
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*