

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 117

House of Representatives, February 7, 1919.

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

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Grinnell of Exeter.

STATE OF MAINE

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

AN ACT to amend sections three and five of chapter thirty-
seven, revised statutes, regulating the sale of milk.

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

Section 1. Amend section 3, line 2, by striking out the
2 word "shall" and inserting in its place the words 'may, in
3 his discretion,' so that said section, as amended, shall read
4 as follows:

'Sect. 3. Publication of results and analyses. The com-
2 missioner of agriculture may, in his discretion, publish the
3 results of all analyses with the names of the persons, firms,
4 corporations, associations and societies from which the sam-
5 ples analyzed were taken, together with such suggestions

6 as he may deem advisable, in the regular or special bulle-
7 tins issued by the department of agriculture. He may also,
8 in his discretion, issue each month a report of the results
9 of all analyses, for distribution to such newspapers in the
10 state as may request a copy.'

Sect. 2. Amend section 5 by inserting after the word
2 "year" in the sixth line, the words 'applying to the com-
3 missioner of agriculture for registration,' and striking out
4 the words, "register with the commissioner of agriculture;"
5 and by inserting after the word "required" in the thirteenth
6 line the words 'and upon being satisfied that all milk is be-
7 ing produced and handled in a sanitary way and is from
8 cows free from disease.'

And further amend by inserting after the word "vehicle"
2 in the 18th line, the sentence:

'The commissioner may cancel the certificate of any dealer,
2 who, after due hearing by the commissioner or his author-
3 ized agent, is found to be selling milk produced or handled
4 under unsanitary conditions, or milk from diseased cows.'

Also further amend by inserting after the word "section"
2 in the 27th line, the words:

'Or to surrender his certificate to the commissioner when
2 notified in writing that the same has been cancelled and
3 the reason given for cancellation,' so that said section, as
4 amended, shall read as follows:

'Sect. 5. Registration of milk dealers; penalty for refus-
2 ing to register or post certificate. Any person, firm, cor-

3 poration, association or society who shall sell or deliver
4 milk or cream to any person from a wagon or other convey-
5 ance, depot or store, or who shall sell or deliver milk to a
6 hotel, restaurant, boarding-house or any public place, shall
7 be considered a milk dealer within the meaning of this
8 section, and shall on or before the first day of April in
9 each year, apply to the commissioner of agriculture for reg-
10 istration, furnishing such information as may be required,
11 upon blanks issued and furnished by the commissioner to
12 such persons as may request the same. Every such reg-
13 istration shall expire on the first day of April, next after
14 its issue and shall be granted only to the milk dealer own-
15 ing or leasing the vehicle or place from which sales or sup-
16 plies are to be made, and shall not be transferred. Upon
17 receipt of the application for registration, containing the
18 information required, and upon being satisfied that all milk
19 is being produced and handled in a sanitary way and is
20 from cows free from disease, the commissioner shall issue
21 to the applicant a certificate of registration, which certifi-
22 cate shall be posted in a conspicuous place in the store or
23 depot from which sale or supply is made, and the number
24 of the certificate of registration for each wagon or other
25 vehicle shall be placed in a conspicuous place on said wagon
26 or other vehicle. The commissioner may cancel the cer-
27 tificate of any dealer, who, after due hearing by the com-
28 missioner or his authorized agent, is found to be selling
29 milk produced or handled under unsanitary conditions or

30 milk from diseased cows. If any person, firm, corporation,
31 association or society desires to become a milk dealer, as
32 provided by this section, before the first day of April in
33 any year, he or they shall, prior to engaging in the business,
34 register with the commissioner of agriculture in the manner
35 hereinbefore provided, for each place or vehicle from which
36 sale or supply is to be made. Any dealer who neglects or
37 refuses to register with the commissioner of agriculture, or
38 to post certificates of registration in the store or depot from
39 which sale or supply is made, or to post the number of the
40 certificate of registration on the wagon or other vehicle
41 from which sale or supply is made, as provided in this
42 section, or to surrender his certificate to the commissioner
43 when notified in writing that the same has been cancelled,
44 and the reason given for cancellation, forfeits fifty dollars
45 to be recovered in an action of debt, to be prosecuted in the
46 name of the state by the county attorney for the county in
47 which such violation has occurred; but the provisions of
48 this section shall not apply to milk or cream delivered to a
49 creamery or butter or cheese factory.'