

# MAINE STATE LEGISLATURE

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N I N E T I E T H            L E G I S L A T U R E

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**Legislative Document**

**No. 351**

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H. P. 865

House of Representatives, January 30, 1941.

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Dow of Falmouth.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-ONE

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**AN ACT to Regulate the Shipment of Shellfish.**

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

**Sec. 1. P. L., 1933, c. 2, § 52, amended.** Section 52 of chapter 2 of the public laws of 1933, as amended by chapter 167 of the public laws of 1933, is hereby further amended to read as follows :

**‘Sec. 52. Clam, quahaug and mussel flats may be closed to digging on certain conditions; signs to be posted.** The commissioner of sea and shore fisheries and the commissioner of agriculture, or either of them, are hereby authorized and directed to use all lawful methods for the investigation and inspection of clam, quahaug and mussel flats on the coast of Maine. The commissioner of sea and shore fisheries and the commissioner of agriculture, or either of them, are hereby empowered to prohibit the digging of clams, quahaugs, and mussels ~~for any purpose~~ **for shipment in interstate commerce** in certain flats and on certain shores whenever they find by examination that such flats and shores are contaminated or polluted; and when clams, quahaugs ~~or~~ **and** mussels dug from such contaminated areas are not in conformity with regulations promulgated by the commissioner of sea and shore fisheries and the commissioner of agriculture, or either of them, and the regulations and standards of purity established by the United

States public health service, and not acceptable for shipment in interstate commerce. When the digging of clams, quahaugs, or mussels **for shipment in interstate commerce** in any area is forbidden by the commissioner of sea and shore fisheries and the commissioner of agriculture, or either of them, they shall cause plain and distinct signs to be posted on the area within which the digging of clams, quahaugs, or mussels is forbidden.'

**Sec. 2. P. L., 1933, c. 2, § 53, amended.** The 1st sentence of section 53 of chapter 2 of the public laws of 1933, as amended by chapter 167 of the public laws of 1933 is hereby further amended to read as follows:

'Any person, firm, or corporation who digs clams, quahaugs, or mussels ~~for any purpose~~, or sells or buys clams, quahaugs or mussels **for shipment in interstate commerce**, from an area that has been closed and posted by the commissioner of sea and shore fisheries and the commissioner of agriculture, or either of them, shall be punished by a fine of not less than \$10 nor more than \$100.'

**Sec. 3. P. L., 1933, c. 2, § 60, amended.** The last sentence of section 60 of chapter 2 of the public laws of 1933 as amended by chapter 167 of the public laws of 1933, and chapter 208 of the public laws of 1933 is hereby further amended to read as follows:

'They may also fix standards of quality and purity for clams, quahaugs, or mussels ~~and such regulations shall apply with equal force both to clams, quahaugs, or mussels intended for consumption within the state and~~ to meet the requirements of the United States public health service governing clams, quahaugs, or mussels shipped in interstate commerce.'