

MAINE STATE LEGISLATURE

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(Transmitted from the Revisor of Statutes under Joint Order)

H. P. 1560

House of Representatives, February 14, 1941.

Referred to Committee on Temperance. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. McKeen of Paris by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Relating to the Manufacture and Sale of Cider.

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

Sale of cider, regulated. The Maine state liquor commission is authorized and empowered to issue licenses for the manufacture and warehousing of cider from apples grown in Maine; the annual fee for such license shall be \$100, and such license shall expire on December 31st of the year in which issued.

Such licenses shall be given only to such persons, firms, and corporations, and in such localities as the said commission may deem advisable.

Before entering upon the business of manufacturing cider, the licensee shall give to the state of Maine a bond, approved by said commission in such amount as it may deem necessary conditioned that the licensee shall conform to all provisions of law and to the rules and regulations of the commission and particularly as to the grade of apples, and cleanliness in manufacturing it may require, and keep and store the same in containers furnished by the commission, and to deliver on order of commission to vendors sold by them in such containers as they may specify.

The licensee or operator of such a mill shall keep an accurate record in

detail showing the date and number of bushels of apples received at such mill, the number of gallons of cider manufactured therefrom, the name of the owner, and the place in the state where such apples were grown together with such other information as may be required by the commission, and process the same in conformity with the wishes of the commission.

On or before September 1 in each year, any person, firm or corporation hereinafter called owners desiring to sell cider to said commission shall notify it in writing the estimated number of gallons such owner will sell to the commission in the calendar year next following, and the locality wherein the apples from which cider is to be manufactured are to be raised. Upon the acceptance by the commission of the offer by such owner, after paying the cost of the manufacture thereof, such owner shall deliver to the commission in containers furnished by it at a warehouse designated by the commission the number of gallons of unfermented cider authorized by it. A warehouse receipt shall be given to all such owners.

All licenses granted to dealers in malt liquors shall contain an endorsement to the effect that the licensee is authorized and directed to stock and sell cider containing more than 2% of alcohol by volume purchased of said commission.

The said commission is authorized and directed to sell such cider when containing more than 2% of alcohol by volume to the same licensees to whom it has granted licenses to sell malt liquors and such cider shall be sold by them as is provided for the sale by them of malt liquors and at prices established by the commission.

For all containers, said licensee shall pay the commission, a reasonable sum fixed by it, and upon the return thereof in good condition a credit equal to the original charge therefor shall be made to the licensee.

When the cider is sold by the licensees as aforesaid, they shall pay to the commission 80% of the sale price, of which the state retains 30% as a profit and a credit of 50% thereof is set up as a credit to the account of the owner and within 30 days thereafter shall pay said percentage to the owner.

In case the offering for sale of cider in any year is greater than is needed by the commission, the purchase of the cider from the various owners shall be on a pro rata basis.

Whoever other than the licensees as specified in this act purchases or sells cider of more than 2% of alcoholic contents by volume shall be guilty of a misdemeanor and punished by a fine of not less than \$50 nor more than \$200, or by imprisonment for not less than 30 days nor more than 90 days or by both such fine and imprisonment.

All acts and all parts of acts inconsistent with this act are hereby repealed.