

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 624

H. P. 1169 House of Representatives, February 17, 1943.
Referred to Committee on Temperance. Sent up for concurrence and
ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Jordan of Saco by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Relating to the Manufacture and Sale of Cider.

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

Sec. 1. Sale of cider, regulated. The Maine state liquor commission is authorized and empowered to issue licenses under this act for the manufacture and warehousing of hard cider from apples grown in Maine; the annual fee for such license shall be \$100, and such license shall expire on August 31st of the year next ensuing.

Sec. 2. Licenses. Such license shall be given only to such persons, firms and corporations, and in such localities as the said commission may deem advisable.

Sec. 3. Bonds. Before entering upon the business of manufacturing hard 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 the commission to vendors sold by them in such containers as they may specify.

Sec. 4. Records. The licensee or operator of a cider mill operating under the provisions of this act shall keep an accurate record in detail showing the date and number of bushels by weight 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 regulations of the commission.

Sec. 5. Notice to the commission of quantity. 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 of 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 of such owner, such owner shall deliver to the mill the number of bushels of apples, gallonage to be governed by ratio determined by test. A negotiable warehouse receipt due in 30 days from the date for 40% of the established retail price shall be given to all such owners. Warehouse owner or operator shall from time to time make a test certain of the number of gallons of cider made from a bushel of apples. 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. Estimates shall be checked by an agent of the commissioner of agriculture.

Sec. 6. Cider, how sold. All licenses granted to dealers in malt liquors shall contain an endorsement to the effect that the licensee is authorized to stock and sell cider containing more than 1% of alcohol by volume purchased of said commission. The said commission is authorized and directed to sell such cider when containing more than 1% 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.

Sec. 7. Containers. 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. The commission shall cause each and every container taken

from a warehouse, for sale, to be labeled, marked or branded as to the quantity contained in it, the place of origin and the approximate per cent of alcoholic content by volume.

Sec. 8. Disposal of proceeds. When the cider is bought by the licensees as aforesaid, they shall receive a discount of 20% of the sale price, the state retains the remaining 40% as a profit and reimbursement for monies spent.

Sec. 9. Appropriation. The use of that part of the appropriation as set up for the liquor commission necessary to carry out the provisions of this act, not to exceed \$100,000, is hereby authorized.

Sec. 10. May ship outside state. The commission is authorized to ship cider out of the state under such regulations as it may prescribe.

Sec. 11. Penalty. Whoever, other than the licensees as specified in this act, sells cider of more than 1% 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.

Sec. 12. Repealing clause. All acts and parts of acts inconsistent with this act are hereby repealed.