

# MAINE STATE LEGISLATURE

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NINETY - SECOND      L E G I S L A T U R E

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**Legislative Document**

**No. 974**

H. P. 1326

House of Representatives, March 6, 1945.

Reported by Mr. Farnham from Committee on Sea and Shore Fisheries and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

Presented by Mr. Prout of Lubec.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-FIVE

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**AN ACT** Relating to the Packing of Sardines.

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

**Sec. 1. R. S., c. 27, § 202, amended.** The 1st sentence of section 202 of chapter 27 of the revised statutes is hereby amended to read as follows:

'Each packer shall pay monthly, not later than the 10th day of each month, ~~20~~ 20¢ per case on the amount of sardines packed during the previous month, toward the cost of maintaining the inspection provided for in section 201 and as a part of the fee for obtaining and retaining his license.'

**Sec. 2. R. S., c. 27, § 203, repealed and replaced.** Section 203 of chapter 27 of the revised statutes is hereby repealed and replaced to read as follows:

'**Sec. 203. Standards of contents of cans; misbranding.** The minimum count of fish per  $\frac{1}{4}$  size keyless can, whether packed in oil, mustard sauce, tomato sauce, or other packing medium, shall be 4 fish, and in all cans packed with less than 8 fish, the heads of all fish shall be removed by cutting. No broken fish shall be packed. The minimum quantity of oil shall be not less than 4 pounds per case of 100  $\frac{1}{4}$  size cans. The minimum count of fish for  $\frac{3}{4}$  size cans shall be 4 fish, and the minimum quantity of mus-

tard or tomato sauce shall be not less than 6 pounds per case of 48  $\frac{3}{4}$  size cans. For all  $\frac{1}{4}$  size cans of sardines packed with tomato or mustard sauce, there shall be not less than 6 pounds of tomato or mustard sauce per case of 100  $\frac{1}{4}$  size cans.

The minimum count of fish per  $\frac{1}{4}$  size key can, whether packed in oil, mustard sauce, tomato sauce, or other packing medium, shall be 5 fish. In all key cans packed with less than 8 fish, the heads of all fish shall be removed by cutting, and the tails shall be removed by cutting, or shall be neatly trimmed. No broken fish shall be packed. The minimum quantity of oil shall be not less than 5 pounds per case of 100  $\frac{1}{4}$  size key cans. The minimum quantity of mustard or tomato sauce shall be not less than 6 pounds per case of 100  $\frac{1}{4}$  size key cans. The minimum count for  $\frac{3}{4}$  size cans shall be 4 fish, and the minimum quantity of mustard or tomato sauce shall be not less than 6 pounds per case of 48  $\frac{3}{4}$  size cans.

For "fancy grade" sardines, the minimum count of fish per  $\frac{1}{4}$  size can shall be 5 fish. All fish shall have heads removed by cutting, and in all cans packed with less than 8 fish the tails shall be removed by cutting or shall be neatly trimmed. The minimum quantity of oil shall be not less than 5 $\frac{1}{2}$  pounds per case of 100  $\frac{1}{4}$  size cans. The fish in the cans shall be free from defects, no detached heads or tails present, and the fish shall be uniform in size.

In packing all grades of sardines, the quantity of the oil shall be for cottonseed a "prime winter yellow" sweet in flavor and odor and shall not contain more than  $\frac{1}{10}$  of 1% of free fatty acid, or a pure unadulterated soyabean oil, peanut oil, olive oil or any vegetable oil not below the grade of "prime winter yellow" cottonseed oil. The quality of the tomato sauce shall be of not less than 1.035 specific gravity. Provided, however, that less than the minimum quantity of oil or mustard sauce or tomato sauce as above specified, may be packed if the cases in which they are contained and each can in said case are plainly and conspicuously marked with a legend indicating that the contents of the cans are not in accord with the standard of quality established in this section. Such cases and cans so marked in accord with the fact shall not be deemed to be misbranded.'

Sec. 3. R. S., c. 27, § 203-A, additional. Chapter 27 of the revised statutes is hereby amended by adding thereto a new section to be numbered 203-A, and to read as follows:

'Sec. 203-A. Definition of "cutting." For the purpose of this chapter, the term "cutting" shall be held to mean removing the heads of the fish

packed, either before or after flaking and steaming, by some implement or device operated by hand, or by a machine or mechanical device operated by power. The operation of "cutting" does not mean the practice of beheading the fish by "snipping" or "pinching" the heads off the fish with the fingers.'