

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 1016

S. P. 393

In Senate, March 22, 1945.

Reported by Senator Bishop of Sagadahoc from Committee on Agriculture and laid on table to be printed under joint rules.

CHESTER T. WINSLOW, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Governing the Production of Milk and Cream.

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

Sec. 1. R. S., c. 27, § 79-A, additional. Chapter 27 of the revised statutes is hereby amended by adding thereto a new section to be numbered 79-A, to read as follows:

'Sec. 79-A. Uniform rules and regulations. The commissioner shall promulgate uniform rules and regulations governing the production, sale and distribution of milk and cream for sale within the state.

Sec. 2. R. S., c. 27, § 80, amended. Section 80 of chapter 27 of the revised statutes is hereby amended to read as follows:

'Sec. 80. Registration of milk dealers; penalty for refusing to register or post certificate. Any person, firm, corporation, association, or society, who shall sell or deliver milk or cream as a business to any person from a wagon or other conveyance, depot, or store, or who shall sell or deliver milk to a hotel, restaurant, boarding-house, or any public place, shall be considered a milk dealer within the meaning of this section, and shall on or before the 1st day of January in each year, apply to the commissioner for registration, furnishing such information as may be required, upon blanks issued and furnished by the said commissioner to such persons as may re-

quest the same. Every such registration shall expire on the 1st day of January, next after its issue, and shall be granted only to the milk dealer owning or leasing the vehicle or place from which sales or supplies are to be made, and shall not be transferred. Upon receipt of the application for registration, containing the information required, and upon being satisfied that all milk is being produced and handled in ~~a sanitary way~~ **accordance with the provisions of section 79-A** and is from cows free from disease, the said commissioner shall issue to the applicant a certificate of registration, which certificate shall be posted in a conspicuous place in the store or depot from which sale or supply is made, and the number of the certificate of registration for each wagon or other vehicle shall be placed in a conspicuous place on said wagon or other vehicle. The commissioner may cancel the certificate of any dealer, who, after due hearing on complaint by the said commissioner or his authorized agent, is found to be selling milk produced or handled ~~under unsanitary conditions~~ **in violation of the provisions of section 79-A** or milk from diseased cows. If any person, firm, corporation, association, or society desires to become a milk dealer, as provided by this section, before the 1st day of January in any year, he or they shall, prior to engaging in the business, register with the commissioner in the manner hereinbefore provided, for each place or vehicle from which sale or supply is to be made. Any dealer who neglects or refuses to register with the commissioner, or to post certificates of registration in the store or depot from which sale or supply is made, or to post the number of the certificate of registration on the wagon or other vehicle from which sale or supply is made, as provided in this section, or to surrender his certificate to the said commissioner when notified in writing that the same has been canceled, and the reason given for cancelation, or who himself or by his servant or agent, sells or delivers, or has in his custody or possession with intent to sell or deliver, any milk after having been refused the aforesaid certificate of registration by the commissioner, ~~forfeits \$50 to be recovered in an action of debt, to be prosecuted in the name of the state by the county attorney for the county in which such violation has occurred;~~ **but the provisions of this section shall not apply to milk or cream delivered to a creamery or butter or cheese factory shall be punished by a fine of not more than \$50. No certificate of registration shall be required of producers selling only to licensed milk pasteurizing plants.'**

Sec. 3. R. S., c. 27, § 84, amended. Section 84 of chapter 27 of the revised statutes is hereby amended by adding at the end thereof a new sentence to read as follows:

'The name or trade name of the dealer shall appear on all bottle caps.'