

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 534

H. P. 1108

House of Representatives, February 10, 1949.

Referred to Committee on Agriculture, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Johnston of Jefferson.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Grading of Apples.

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

Sec. 1. R. S., c. 27, § 208, amended. The 3rd paragraph of that part of section 208 of chapter 27 of the revised statutes which is designated "Color Requirements" is hereby amended to read as follows:

'Striped or partially red:

Delicious	50 per cent.....	25 per cent
Jonathan	50 per cent.....	25 per cent
McIntosh	50 per cent.....	25 per cent
Cortland	50 per cent.....	25 per cent
Other similar varieties	50 per cent.....	25 per cent
Baldwin	33 per cent.....	15 per cent
Ben Davis	33 per cent.....	15 per cent
Fameuse	33 per cent.....	15 per cent
Nero	33 per cent.....	15 per cent
Northern Spy	33 per cent.....	15 per cent
Paragon	33 per cent.....	15 per cent
Rome Beauty	33 per cent.....	15 per cent
Stayman Winesap	33 per cent.....	15 per cent
Tompkins King	33 per cent.....	15 per cent

Wagener	33 per cent.....	15 per cent
Wealthy	33 per cent.....	15 per cent
Williams	33 per cent.....	15 per cent
York Imperial	33 per cent.....	15 per cent
Other similar varieties	33 per cent.....	15 per cent
Duchess of Oldenburg	25 per cent.....	10 per cent
Gravenstein	25 per cent.....	10 per cent
Hubbardston	25 per cent.....	10 per cent
Red Astrachan	25 per cent.....	10 per cent
Stark	25 per cent.....	10 per cent
Twenty Ounce	25 per cent.....	None
Other similar varieties	25 per cent.....	None'

Sec. 2. R. S., c. 27, § 209, amended. Section 209 of chapter 27 of the revised statutes is hereby amended to read as follows:

'Sec. 209. Marks required on outside of package. Every closed package or container of apples, which is packed, sold, distributed, transported, offered or exposed for sale, distribution or transportation in the state by any person shall have affixed in a conspicuous place on the outside thereof a plainly printed statement clearly and truly stating the size of the package in terms of standard bushel box or standard barrel, the name and address of the owner or shipper of the apples at the time of packing, the name of the variety, the class or grade of the apples contained therein, and the minimum size of the fruit in the packages, and if the apples were grown in Maine, that fact shall be plainly designated and the word "apples" must appear in all instances.

All apples sold, offered, exposed or advertised for sale at retail in bulk or in open packages or containers shall be plainly and conspicuously marked and identified as to grade.'

Sec. 3. R. S., c. 27, § 211, amended. Section 211 of chapter 27 of the revised statutes is hereby amended to read as follows:

'Sec. 211. Terms "adulterated" and "misbranded" defined. For the purposes of sections 206 to 215, inclusive, apples packed in a closed package or container or sold at retail in bulk or in an open package or container shall be deemed to be adulterated if their measure, quality, grade or purity do not conform in each particular to the claims made upon the affixed guaranty, and shall be deemed to be misbranded:

I. If the package or container, whether open or closed, fails to bear all statements required by section 209;

II. If the package **or container, whether open or closed,** bears any statement, design or device regarding such article or its contents which shall be false or misleading in any particular, or is falsely branded in any particular.'