

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

Legislative Document

No. 640

S. P. 374

In Senate, February 11, 1949

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Greeley of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to the Sales and Marketing of Eggs.

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

Sec. 1. R. S., c. 27, §§ 42-46, repealed and replaced. Sections 42 to 46, inclusive, of chapter 27 of the revised statutes, as amended by chapter 108 of the public laws of 1945, are hereby repealed and the following enacted in place thereof:

‘Sec. 42. Labeling of shell eggs. All eggs sold or offered for sale for human consumption by any person, partnership, association, firm or corporation shall be labeled with the grade and size designation as set forth in the Maine consumer grades, except as hereinafter provided.

Sec. 43. Standards of quality. The standards of quality for Maine consumer grades for shell eggs, Grade AA, Grade A, Grade B and Grade C, that are or may be established by the commissioner, shall apply to all shell eggs sold or offered for sale. Any edible eggs not conforming to the specifications Maine Grade AA, A, B or C shall be sold as “ungraded eggs” or as “checks,” “cracks” or “dirties”. The final determination of the grades shall be made by candling.

Sec. 44. Requirements for grades to be established by commissioner and an advisory committee chosen by the Maine Poultry Improvement Associa-

tion; designation. The net weight and size requirements for Maine consumer grades for shell eggs shall be established by the commissioner and an advisory committee chosen by the Maine Poultry Improvement Association.

All advertising of such eggs shall include the correct size and grade designation in describing the eggs and the correct size and grade designation shall appear in clearly legible letters on the container in which such eggs are offered for sale. Each lot of eggs sold at wholesale shall be accompanied by an invoice stating both size and grade designation.

No signs, flyers, advertisements or false labels shall be used to sell or offer for sale or expose for sale any eggs which do not conform to the standards for quality and size for Maine consumer grades or established by the commissioner, or which do not conform to the provisions of sections 42 to 49, inclusive.

Sec. 45. Limitation on use of certain terms. The terms "fresh eggs," "strictly fresh eggs," "hennery eggs," "new-laid eggs," "farm fresh eggs," "selected eggs," "quality certified eggs," "nearby eggs," "native eggs" or words or descriptions of similar import shall not be used on any eggs which do not meet the minimum requirements for Maine consumer Grade A.

Sec. 46. Definitions. Terms used in sections 42 to 49, inclusive, shall be construed as follows unless a different meaning is clearly apparent from the language or context: "candling" means the common practice of examining the interior of an egg by holding and twirling the same before a light passing through an aperture in an opaque shield; "retail" means selling direct to consumer; "wholesale" means selling to retailers.'

Sec. 2. R. S., c. 27, § 46-A, additional. Chapter 27 of the revised statutes is hereby amended by adding thereto a new section to be numbered 46-A, to read as follows:

'Sec. 46-A. Exemptions.

I. Producers selling eggs of their own producing direct to household users are exempt from the provisions of sections 42 to 49, inclusive, except when they are marked as to grade or size.

II. All sales by a producer or shipper to other than a retailer or consumer are exempt except when they are marked as to grade or size.'

Sec. 3. R. S., c. 27, § 48, amended. Section 48 of chapter 27 of the revised statutes is hereby amended to read as follows:

'Sec. 48. Penalty. Any person, firm, partnership, association or corpo-

ration who shall violate any of the provisions of sections 42 to 49, inclusive, or shall neglect or refuse to comply with the provisions thereof or any rule or regulation promulgated hereunder shall be punished by a fine of not more than ~~\$10~~ \$50 for the 1st offense, and not more than ~~\$50~~ \$200 for ~~the~~ 2nd offense, and not more than ~~\$100~~ for any each subsequent offense.'

Sec. 4. R. S., c. 27, § 50, repealed. Section 50 of chapter 27 of the revised statutes is hereby repealed.

Sec. 5. Appropriation. There is hereby appropriated from the general fund to carry out the purposes of this act the sum of \$5,000 for the fiscal year ending June 30, 1950 and \$5,000 for the fiscal year ending June 30, 1951.