

MAINE STATE LEGISLATURE

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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. 1057

S. P. 525

In Senate, February 25, 1949

Referred to the Committee on Sea and Shore Fisheries. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Larrabee of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Regulating the Sale of Clams for Eating Establishments.

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

R. S., c. 34, §§ 89-A-89-B, additional. Chapter 34 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered 89-A to 89-B, inclusive, to read as follows:

'Sec. 89-A. Sale of clams for eating establishments regulated. No wholesale or retail dealer in shellfish and no person, firm or corporation as proprietor of a hotel, restaurant, tavern, cafeteria or other eating or drinking establishment, shall receive any shucked clams or clams in the shell unless such clams bears a label or tag legibly marked with the source of supply, the date when taken, the certificate number and name and address of the producer or shipper. A wholesale or retail dealer in shellfish, or an eating house proprietor, shall for 60 days after receipt of such shellfish, keep in his place of business, a record of the markings on such tags or labels, which records shall at all reasonable times be open to inspection by inspectors from the department of agriculture.

No wholesale or retail dealer in shellfish or proprietor of an eating or drinking establishment shall receive any shucked clams, to sell or to serve

to his patrons, unless said shucked clams are offered in a clean, new container and bearing a certificate number. The clams so purchased, shall not be transferred to any other container, but shall be taken from the original container until the container has been emptied and the container destroyed therewith.

Sec. 89-B. Penalty. Any person, firm or corporation who violates any provision of section 89-A or fails or neglects to furnish the required label or tag or furnish such a label or tag bearing false or misleading information, shall be punished by a fine of not more than \$100 for the first offense and by a fine of not more than \$200 for each subsequent offense. Trial justices shall have original jurisdiction, concurrent with municipal courts and the superior court, of the above offense.'