

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 583**

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S. P. 217

In Senate, February 11, 1953.

Referred to Committee on Agriculture. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Fuller of Oxford.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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**AN ACT to Control Vesicular Diseases.**

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**Emergency preamble.** Whereas, vesicular exanthema has been positively diagnosed in Maine; and

Whereas, symptoms of vesicular exanthema and foot and mouth disease are identical; and

Whereas, approved diagnostic tests involve considerable expense and time of expensive personnel, and if this disease is allowed to become permanently established in the state of Maine, it would make annual high expenditures of money necessary to continually run diagnostic tests; and

Whereas, this condition has been declared an emergency by the secretary of agriculture in Washington, and cooperative steps are being taken to eradicate the disease in the states where it exists; and

Whereas, this disease is primarily spread by feeding of uncooked garbage to swine; and

Whereas, immediate action is necessary to check the spread of this disease and to protect the livestock industry of the state of Maine; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of the constitution of the state of Maine, and

require the following legislation as immediately necessary for the preservation of the public peace, economy and welfare; now therefore,

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

**Sec. 1. R. S., c. 27, §§ 76-A - 76-I, additional.** Chapter 27 of the revised statutes, as amended, is hereby further amended by adding thereto 9 new sections to be numbered 76-A to 76-I, inclusive, to read as follows:

**‘Vesicular Exanthema**

**Sec. 76-A. Vesicular exanthema.** As used in sections 76-A to 76-I, inclusive, the following words shall have the following meanings:

“Garbage” shall mean putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of foods including animal carcasses or parts thereof. This does not include fruits and vegetables which have not come in contact with any other products.

“Person” shall mean the state, any municipality, political subdivision, institution, public or private corporation, individual, partnership or other entity.

**Sec. 76-B. License to feed garbage; heating; inspection.** After May 1, 1953, no person shall feed garbage to swine without first securing a license therefor from the commissioner of agriculture or his duly authorized agent. Such licenses shall be secured annually for a fee of \$1 and shall be renewed on the 1st day of May of each succeeding year. The provisions of this section shall not apply to any person who feeds his own household garbage only to swine which are raised for such person’s own use.

Garbage, regardless of previous processing, shall before being fed to swine, be thoroughly heated to at least 212 degrees F. for at least 30 minutes unless treated in some other manner which shall be approved in writing by the commissioner or his duly authorized agent.

The commission or his duly authorized agent shall have the power to enter at reasonable times any private or public property for the purpose of investigating conditions relating to the treating or feeding of garbage.

**Sec. 76-C. Restocking infected premises.** Swine shall not be introduced onto infected premises until such premises have been thoroughly cleaned and disinfected and approved for restocking by the United States Bureau of Animal Industry or the commissioner or his duly authorized agent, who may require use of test animals before approving.

**Sec. 76-D. Animals infected.** Any animal infected with vesicular exanthema or infected with or exposed to foot and mouth disease shall be killed, buried, destroyed, rendered, processed or otherwise disposed of under the direct supervision of the commissioner or his duly authorized agent.

All swine in every herd that has been infected with vesicular exanthema shall be slaughtered and specially processed in plants approved by the commissioner or his duly authorized agent.

Animals or carcasses disposed of showing evidence of disease shall be condemned and destroyed or specially processed. "Specially processed" shall mean heated to at least 156 degrees F. for 15 minutes.

**Sec. 76-E. Owner to disinfect.** The owner shall clean and disinfect all facilities, including yards, pens, feeders, buildings, trucks and cars or other vehicles contaminated or exposed to contamination by these diseases in a method approved by and under the direction of the commissioner or his duly authorized agent.

**Sec. 76-F. Suppression and eradication.** The commissioner or his agent is authorized to conduct approved diagnostic tests, procure necessary animals, personnel, equipment and facilities and take other necessary precautions for the suppression and eradication of any vesicular disease.

**Sec. 76-G. Agreements with United States Department of Agriculture.** The commissioner or his agent is authorized to enter into agreements of cooperation in the name of the state of Maine with the United States Department of Agriculture.

**Sec. 76-H. Rules and regulations.** The commissioner is authorized to promulgate necessary rules and regulations to carry out the provisions of sections 76-A to 76-I, inclusive. Such rules and regulations shall become effective when approved in writing by the governor and council.

**Sec. 76-I. Penalty.** Whoever violates any provision of sections 76-A to 76-I, inclusive, or any rule and regulation promulgated thereunder shall be punished by a fine of not less than \$50, nor more than \$100 for the 1st offense; and shall, for the 2nd and subsequent offenses, be punished by a fine of not less than \$100, nor more than \$500, or by imprisonment for not less than 30 days, nor more than 6 months, or by both such fine and imprisonment.'

**Sec. 2. Removal of swine.** No swine shall be sold or removed from any farm or premises where raw garbage is fed without satisfactorily passing veterinary inspection at the owner's expense within 24 hours previous

to the time of removal. A special permit shall be required from the commissioner of agriculture or his duly authorized agent for such removal, and shall be granted only for animals for immediate slaughter or to other garbage feeders. The provisions of this section shall be effective only until May 1, 1953.

**Sec. 3. Appropriation.** There is hereby appropriated from the general fund to the department of agriculture the sum of \$40,000 to carry out the purposes of this act. Such appropriation shall not lapse but shall remain a continuing carrying account until June 30, 1955.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.