

MAINE STATE LEGISLATURE

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NEW DRAFT OF H. P. 397—L. D. 451—(NEW TITLE)

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

Legislative Document

No. 1410

H. P. 1226

House of Representatives, April 2, 1953.

Reported by Mr. Bearce from Committee on Agriculture and printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk.

Presented by Mr. Bearce of Hebron.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Amending Maine Apple Grading Laws.

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

Sec. 1. R. S., c. 27, § 206, repealed and replaced. Section 206 of chapter 27 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 206. Standard box for apples. The standard box for apples shall have the following inside dimensions when measured without distention of parts: length, 17 inches; width, 13 inches; height, 11 inches; provided, however, that a box having a capacity of 2,431 cubic inches shall be a lawful box.'

Sec. 2. R. S., c. 27, § 207, repealed. Section 207 of chapter 27 of the revised statutes is hereby repealed.

Sec. 3. R. S., c. 27, § 208, repealed and replaced. Section 208 of chapter 27 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof

'Sec. 208. Standard grades established. The grades for apples recommended by the United States Department of Agriculture and recognized in the central markets of the country as government grades are made the of-

official state grades for apples of the state presented for intrastate or interstate shipment and all containers as presented for shipment whether by truck, train or boat shall have written, stamped or attached thereon the provisions required in section 209.'

Sec. 4. R. S., c. 27, § 209, repealed and replaced. Section 209 of chapter 27 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

'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 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, together with the minimum volume or the numerical count of the apples in the container, and if the apples were grown in Maine, that fact shall be plainly designated.

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 variety and grade.'

Sec. 5. R. S., c. 27, § 213, amended. Section 213 of chapter 27 of the revised statutes is hereby amended to read as follows:

'Sec. 213. **Commissioner to have access to places where apples are packed.** The commissioner, in person or by deputy, shall have free access, ingress and egress at all reasonable hours to any place or any building wherein apples are packed, stored, transported, sold, offered or exposed for sale or for transportation. He may also, in person or by deputy, open any box ~~barrel~~ or other container and may, upon tendering the market price, take samples therefrom.'

Sec. 6. R. S., c. 27, § 215, amended. Section 215 of chapter 27 of the revised statutes is hereby amended to read as follows:

'Sec. 215. **Guaranty as bar to prosecution.** No person shall be prosecuted under the provisions of the 9 8 preceding sections ~~when~~ if he can establish a guaranty signed by the person from whom he received any such article, to the effect that the same is not adulterated or misbranded, within the meaning of section 211. Said guaranty, to afford protection, shall contain the name and address of the party or parties making the sale of such article to such dealer, and in such case said party or parties shall be

amenable to the prosecutions, fines and other penalties which would attach, in due course, to the dealer under the provisions of the § 8 preceding sections.'