

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1502

S. P. 532

In Senate, April 18, 1957.

Reported by Senator Bailey of Sagadahoc from Committee on Agriculture and printed under joint rules No. 10.

CHESTER T. WINSLOW, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Grading, Packing and Advertising Apples.

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

Sec. 1. R. S., c. 32, § 32, amended. The 1st sentence of section 32 of chapter 32 of the Revised Statutes is hereby amended to read as follows:

‘The Commissioner may establish and promulgate official grades and standards for farm products, excepting dairy products ~~and apples~~, produced within the State for the purposes of sale, and may from time to time amend or modify such grades and standards.’

Sec. 2. R. S., c. 32, § 269, amended. Section 269 of chapter 32 of the Revised Statutes is hereby amended to read as follows:

‘**Sec. 269. 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 ~~and such other grades or standards as may be promulgated by the Commissioner under the provisions of sections 32 to 38, inclusive~~, are made the official state grades for apples of the State presented for intrastate or interstate shipment; ~~and all~~. All containers as presented for shipment whether by truck, train or boat shall have written, stamped or attached thereon the provisions required in section 270.’

Sec. 3. R. S., c. 32, § 272-A, additional. Chapter 32 of the Revised Statutes is hereby amended by adding thereto a new section to be numbered 272-A, to read as follows:

‘**Sec. 272-A. Advertising.** When apples are advertised for sale by radio, television, newspapers or any other medium in which the price is to be quoted, such advertisement must state the correct grade, size and variety.’

No signs, flyers, advertisements or false labels shall be used to sell or offer for sale or expose for sale any apples which do not conform to the standards as established in section 269. When signs, flyers or posters are used to advertise the price of apples, the variety, size and grade must be shown on such signs, flyers and posters.'

Sec. 4. R. S., c. 32, § 273, amended. Section 273 of chapter 32 of the Revised Statutes is hereby amended to read as follows :

'Sec. 273. Sale and movement of apples. No person, firm or corporation shall within this State sell, distribute, transport, offer or expose for sale, distribution or transportation any apples that ~~were grown outside of the State, which~~ do not conform to the apple grades established in section 269; ~~provided, however, nothing.~~ **Nothing** in this section shall apply to any person, firm or corporation supplying apples consigned to a processing plant for use therein. **No provisions of sections 268 to 276, inclusive, shall be construed to prevent a grower or shipper of apples from delivering the same to a packing house for grading or to a processing plant or cold storage plant where apples are stored and prepared for market. Apples which do not meet the established grades or classifications as provided by section 269 may be sold as culls provided the package or container is conspicuously marked with the word "Culls".** The Commissioner shall diligently enforce the provisions of this section and 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 stored, transported, sold, offered or exposed for sale or for transportation. He may also in person or by deputy upon tendering the market price take samples of apples therefrom.'