

MAINE STATE LEGISLATURE

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NINETY - NINTH LEGISLATURE

Legislative Document

No. 1193

S. P. 409

In Senate, March 11, 1959

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Brown of Washington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to Marking and Detention of Substandard Grade Sardines.

Emergency preamble. Whereas, the sardine industry is one of the important industries of the State of Maine; and

Whereas, the packing or canning of sardines is a seasonal operation extending from April 15th to December 1st of each year; and

Whereas, the inspection conducted by the Commissioner of Agriculture benefits both the packers and the public in helping to maintain and improve the quality of this important food product; and

Whereas, it is desirable to change the law to clarify the marking requirements for goods not in compliance with the sardine inspection law and the marking requirements of substandard grade sardines, and to enable the Commissioner of Agriculture to detain such goods until properly marked; and

Whereas, it is desirable and necessary that changes in the law affecting the packing of sardines and inspection thereof should be in effect at the beginning of the packing season or as soon thereafter as possible so that the benefits of such changes may be realized promptly and so that uniform policies can be followed during the entire packing season, and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., c. 32, § 263, amended. The 6th paragraph of section 263 of chapter 32 of the Revised Statutes is repealed and the following enacted in place thereof :

‘Fish packed which do not comply with sections 258 to 267 and which do not comply with the official standards of grade promulgated by the commissioner shall not be sold in the United States, its territories or possessions, unless each can in said cases is plainly and conspicuously marked with the word “Herring”. Neither the word “sardine” nor the word sardines” shall appear on the case or on the cans.

Sardines which are officially designated as substandard grade, for which a certificate is issued, shall not be sold in the United States, its territories or possessions, unless each can in the lot has the words “Substandard Grade, Good Food—Not High Quality” so placed as to be easily seen when the name of the product or pictorial representation thereof is viewed, and appear conspicuously enough to be seen under ordinary conditions of purchase. The words “Substandard Grade, Good Food—Not High Quality” shall be printed in 2 lines across the cover of all cans in letters not less than $\frac{1}{8}$ of an inch in height and be enclosed in lines which are not less than $\frac{1}{32}$ of an inch in width. The above wording shall be printed on all wrappers, labels, cartons or other outer coverings of the cans with a permanent type of indelible ink, or by means of other approved procedure. The words “Substandard Grade” shall appear in letters not less than one inch in height on both ends of the shipping container.

The commissioner, or any duly authorized agent of the commissioner, shall detain or place an embargo upon sardines officially designated as substandard grade, for which a certificate is issued, by marking or tagging the same and warning all persons not to remove or dispose of the same by sale or otherwise until permission for removal or disposal is given by the commissioner. Such sardines shall be detained or placed under embargo until the goods are marked in accordance with this section or the commissioner has received a bond covering the export provisions of this section.’

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