

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

Published by the Secretary of State, in accordance with the Resolves of the Legislature
approved June 28, 1820, March 18, 1840, and March 16, 1842.

KENNEBEC JOURNAL CO.
AUGUSTA, MAINE
1919

6939

PUBLIC LAWS
OF THE
STATE OF MAINE

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ized to draw their warrants for the same as above provided. A lien is created on all personal property for such taxes and expenses incurred in accordance with the provisions of section two, and such property may be sold for the payment of such taxes and expenses at any time after October first. When the time for the payment of the tax to the treasurer of state has expired, and it is unpaid, the treasurer of state shall give notice thereof to the delinquent property owner, and unless such tax shall be paid within sixty days, the treasurer of state may issue his warrant to the sheriff of the county, requiring him to levy by distress and sale upon the personal property of said property owner, and the sheriff or his deputy shall execute such warrants, but any balance remaining after deducting taxes and necessary additions made in accordance with the provisions of this act shall be returned to the owner or person in possession of such property.'

Approved March 29, 1919.

Chapter 126.

An Act for Better Protection against Adulterated, Misbranded or Inferior Commercial Fertilizers.

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

Sec. 1. R. S., c. 36, § 6; relating to the marking of packages of commercial fertilizer, amended. Section six of chapter thirty-six of the revised statutes is hereby repealed and the following enacted in place thereof:

'**Sec. 6. Formula to be displayed on outside of package.** Every lot or package of commercial fertilizer, which is manufactured, 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 giving the number of net pounds in the package; the name brand or trade-mark under which the fertilizer is sold; the name and principal address of the manufacturer or importer and a chemical analysis stating the minimum percentage of nitrogen, available as plant food, present as nitrates, ammonium salts or organic nitrogen, of potash, soluble in water, of phosphoric acid in available form, soluble and reverted, and of total phosphoric acid, the constituents to be determined by the methods adopted by the association of official agricultural chemists. If the fertilizer is sold in bulk or put up in containers furnished by the purchaser, the seller shall, upon request of the purchaser, furnish the latter with a copy of the statements named in this section.'

Sec. 2. R. S., c. 36, § 12; relating to when goods shall be deemed to be adulterated, amended. Section twelve of said chapter thirty-six of the revised statutes is hereby amended by adding a third clause to the third

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paragraph thereof, namely, the paragraph which defines certain adulterations of commercial fertilizers as follows: 'Third. If it is found to contain any pulverized leather, hair, ground hoofs, horns, wool waste, peat, garbage tankage, cyanamid, or any nitrogenous ingredients derived from any inert material whatsoever, unless the same has been so treated as to be available as plant food as determined by the methods adopted by the association of official agricultural chemists, without an explicit printed statement of the fact, conspicuously affixed to the package of such fertilizer and accompanying and going with every lot or package of the same, in which fertilizer the above named materials aid in making up the required or guaranteed analysis,' so that said section, as amended, shall read as follows:

'Sec. 12. Commercial fertilizer adulterated when it contains leather, hair, hoofs, horns, wool waste, peat, garbage, cyanamid, etc., unless treated for plant food. For the purpose of this chapter an article shall be deemed to be adulterated:

In case of AGRICULTURAL SEED: First. If its purity falls below its accompanying guaranty.

Second. If it contains the seed of any poisonous plant.

In case of COMMERCIAL FEEDING STUFF: First. If its weight, composition, quality, strength or purity do not conform in each particular to the claims made upon the affixed guaranty.

Second. If it be colored, coated, or stained in a manner whereby damage or inferiority is concealed.

Third. If it contains any poisonous or deleterious ingredients which may render such article injurious to the health of live stock or poultry.

Fourth. If any milling or manufactured offals or any foreign substance whatever have been added to any whole or ground grain or other commercial feeding stuff, unless the true composition, mixture or adulteration is plainly marked or indicated upon the container thereof.

In case of COMMERCIAL FERTILIZER: First. If its weight, composition, quality, strength or purity do not conform in each particular to the claims made upon the affixed guaranty.

Second. If it contains any material deleterious to growing plants.

Third. If it is found to contain any pulverized leather, hair, ground hoofs, horns, wool waste, peat, garbage tankage, cyanamid, or any nitrogenous ingredients derived from any inert material whatsoever, unless the same has been so treated as to be available as plant food as determined by the methods adopted by the association of official agricultural chemists,

without an explicit printed statement of the fact, conspicuously affixed to the package of such fertilizer and accompanying and going with every lot or package of the same, in which fertilizer the above named materials aid in making up the required or guaranteed analysis.

In the case of a DRUG: First. If, when a drug is sold under or by a name recognized in the United States pharmacopoeia or national formulary, it differs from the standard of strength, quality, or purity, as laid down in the United States pharmacopoeia, or national formulary official at the time of investigation, or as fixed by the commissioner of agriculture: provided, that no drug defined in the United States pharmacopoeia, the national formulary or by said commissioner shall be deemed to be adulterated under this provision if the standard of strength, quality, or purity be plainly stated, so as to be understood by the non-professional person, upon the bottle, box or other container thereof, although the standard may differ from that laid down in the United States pharmacopoeia, national formulary, or that fixed by said commissioner.

Second. If its strength or purity differs from the professed standard or quality under which it is sold.

In case of CONFECTIONERY: If it contains terra alba, barytes, talc, chrome yellow, or other mineral substances, or poisonous color or flavor, or other ingredients deleterious or detrimental to health, or any vinous, malt, or spirituous liquor or compound, or narcotic drug.

In case of FOOD: First. If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

Second. If any substance has been substituted wholly or in part for the article.

Third. If any valuable constituents of the article have been wholly or in part abstracted.

Fourth. If it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed.

Fifth. If it contain any poisonous or other added deleterious ingredient which may render such article injurious to health.

Sixth. If it consists in whole or in part of a filthy, decomposed or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter.

Seventh. If in the manufacture, sale, distribution, transportation, or in the offering or exposing for sale, distribution or transportation, it is

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not at all times securely protected from filth, flies, dust or other contamination, or other unclean, unhealthful or unsanitary conditions.

Eighth. If it does not conform to the standards of strength, quality, and purity, now or hereafter to be established by statute or fixed by the commissioner of agriculture: provided, that a food shall not be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated, so as to be understood by the non-professional person, upon the container thereof, although the standard may differ from that established by statute or fixed by said commissioner.

Ninth. If its strength or quality or purity fall below the professed standard or quality under which it is sold.

In case of FUNGICIDE OR INSECTICIDE: In case of PARIS GREEN:

First. If it does not contain at least fifty per centum of arsenious oxide. (As_2O_3 .)

Second. If it contains arsenic in water-soluble forms equivalent to more than three and one-half per centum of arsenious oxide (As_2O_3).

Third. If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

In the case of LEAD ARSENATE:

First. If it contains more than fifty per centum of water.

Second. If it contains total arsenic equivalent to less than twelve and one-half per centum of arsenic oxide (As_2O_5).

Third. If it contains arsenic in water-soluble forms equivalent to more than seventy-five one-hundredths per centum of arsenic oxide. (As_2O_5 .)

Fourth. If any substances have been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength: provided, however, that extra water may be added to lead arsenate if the resulting mixture is labeled lead arsenate and water, the percentage of extra water being plainly and correctly stated on the label.

In the case of FUNGICIDE OR INSECTICIDE OTHER THAN PARIS GREEN AND LEAD ARSENATE: First. If its strength or purity fall below the professed standard or quality under which it is sold.

Second. If any substance has been substituted wholly or in part for the article.

Third. If any valuable constituent of the article has been wholly or in part abstracted.

Fourth. If it is intended for use on vegetation and shall contain any substance or substances injurious to such vegetation.'

Approved March 29, 1919.

Chapter 127.

An Act Relating to Schooling in Unorganized Territory.

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

Sec. 1. I. Children between ages of five and twenty-one years in unorganized territory entitled to school privileges; term "unorganized territory" defined. All children between the ages of five and twenty-one years who reside with a parent or legal guardian in unorganized territory within this state (within the meaning of this act unorganized territory shall include all territory not a part of any city, town or plantation, and an unorganized unit shall be any unorganized township, gore, strip, tract, surplus, point, patent, peninsula, island, disorganized town or plantation, or any other distinct and separate portion of unorganized state territory) shall be entitled to school privileges which shall be provided under the direction of the state superintendent of public schools under such rules and regulations as may be made from time to time by him and approved by the governor and council.

II. Elementary schools to be established or children sent to schools already established; tuition, transportation, board. Elementary school privileges may be provided by the state superintendent of schools by establishing and maintaining in the unorganized territory such elementary schools, the minimum school year of which shall be thirty weeks, as may seem advisable and by sending such children to elementary schools anywhere within the state as tuition pupils as he may deem expedient. All children so sent by the state superintendent as tuition pupils to any public elementary school in the state shall be admitted by the school authorities having charge thereof upon receiving notice of such intention from the state superintendent or any of his duly authorized agents and they shall be entitled to all privileges and benefits, and be subject to the same rules and regulations as children residing in the municipality to which they are sent; tuition shall be paid by the state for said pupils in accordance with the proportional cost per pupil of the school attended unless a rate of tuition is otherwise agreed upon; transportation or board, in full or in part, may be paid for such pupils at the discretion of the state superintendent.

III. State to pay tuition in secondary school. Any youth who resides with a parent or legal guardian in the unorganized territory of this state and who may be judged by the state superintendent qualified to enter a