

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Ninth Legislature

OF THE

# STATE OF MAINE

1919

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Published by the Secretary of State, in accordance with the Resolves of the Legislature  
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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Ninth Legislature

**1919**

[supplied from page 3 of volume]

**Sec. 17. Emergency.** In view of the emergency expressed in the preamble hereof, this act shall take effect when approved.

Approved April 4, 1919.

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## Chapter 170.

An Act Relating to the Inspection of Creameries, Cheese Factories, Condensaries or Receiving Stations for Milk or Cream.

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

**Sec. 1. Commissioner of agriculture may take samples from creameries, cheese, or condensed milk factories for purpose of testing butter fat contents; owner may require duplicate test.** The commissioner of agriculture, or his deputy, may enter upon the premises of any creamery, cheese factory, condensary or receiving station for milk or cream, and may take possession of any or all samples of milk or cream drawn for the purpose of testing their butter fat contents, which are on the premises or in the possession of any employee, or may take samples from patrons' deliveries, and then and there test the same. The owner, operator or manager of any creamery, cheese factory, condensary or receiving station for milk or cream shall, if requested by said commissioner or his deputy, give him full access to all creamery records appertaining to the tests thereof, and said commissioner or his deputy may make transcripts therefrom. The results of the tests made by said commissioner or his deputy may, at the discretion of said commissioner, be communicated to the owner, operator or manager or to any of the patrons of the creamery, cheese factory, condensary or receiving station for milk or cream from which such samples have been taken and tested, or to all of them. The owner, operator or manager of any creamery, cheese factory, condensary or receiving station for milk or cream at which tests, under the provisions of this section, are made by said commissioner or his deputy, may require said commissioner or his deputy to take duplicate sealed sub-samples of all samples thus tested and to promptly forward the same to the Maine Agricultural Experiment Station for further test, in which case no communication of the results of the tests made by said commissioner or his deputy shall be made to the patrons of the creamery, cheese factory, condensary or receiving station for milk or cream, unless the same shall substantially agree with the results of the tests made by said Maine Agricultural Experiment Station, or unless the commissioner is notified by the Maine Agricultural Experiment Station that the samples were received in a condition unfit to analyze. The owner, operator or manager of a creamery, cheese factory, condensary or receiving station for milk or cream, who shall require the taking and forwarding of sub-samples shall pay in advance all the carriage charges thereon and said Maine Agricultural Experiment Station for all tests made

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under the provisions of this section at the rate of ten cents for each milk sample and fifteen cents for each cream sample. **The money thus received** shall be used to defray the expenses incurred by said agricultural experiment station in connection with this act, but any balance that may remain after paying said expenses shall be paid by the director of said Maine Agricultural Experiment Station to the state treasurer. Said Maine Agricultural Experiment Station shall report in duplicate to the commissioner of agriculture and to the owner, operator or manager of any creamery, cheese factory, condensary or receiving station for milk or cream, the results of all tests made by it. If samples are received in poor condition said Maine Agricultural Experiment Station shall not be required to analyze the same, but in such case the advance payments required by this section shall be returned to the party making the same.

**Sec. 2. Commissioner may inspect testing apparatus and order same condemned.** The commissioner of agriculture, or his deputy, may enter the premises of any creamery, cheese factory, condensary or receiving station for milk or cream, and may inspect all apparatus and materials used for making tests for the purpose of determining the accuracy of the same, and for ascertaining whether the provisions of sections twenty-eight, twenty-nine, thirty and thirty-one of chapter thirty-seven of the revised statutes are being complied with. Said commissioner of agriculture may order any testing apparatus to be repaired or may condemn the same or any part thereof or any materials used in making tests, and may give such instructions regarding the making of tests as he deems proper.

**Sec. 3. Penalty for false tests or impeding officer.** Any owner, operator or manager of a creamery, cheese factory, condensary or receiving station for milk or cream, wherein milk or cream are bought and paid for on the basis of their butter fat contents, who credits any patron or patrons delivering milk or cream with a greater or less percentage of fat than is actually contained in the milk or cream so delivered, or who shall hinder, impede or obstruct said commissioner of agriculture, or his deputy, in the discharge of his duty under this act, or who shall refuse him access to his testing apparatus or his records of tests, or who shall neglect to follow the instruction given him by said commissioner of agriculture in accordance with the provisions of this act shall be fined not more than one hundred dollars nor less than twenty-five dollars for each offense.

Approved April 4, 1919.