

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-First Legislature

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teen hundred and twenty-four, seventy thousand dollars for the fiscal year nineteen hundred and twenty-five, and sixty thousand dollars annually thereafter, to be expended under the direction of the board of state normal school trustees, for extensions in buildings, repairs and equipment. The amount provided for in this chapter shall be deducted from the state school fund.'

Approved April 4, 1923.

Chapter 172.

An Act to Regulate the Sale of Vinegar.

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

Sec. 1. Sale of adulterated or misbranded vinegar prohibited. No person shall, within this state, manufacture, sell, distribute, transport, offer or expose for sale, distribution or transportation, any product known as vinegar which is adulterated or misbranded within the meaning of this act.

Sec. 2. Definitions of vinegars. The terms "cider vinegar," "apple vinegar" shall be construed to mean the product made exclusively from the expressed juice of clean whole apples, by alcoholic and subsequent acetous fermentations, the acidity, solids and ash of which have been derived exclusively from the apples from which it was fermented.

The term "sugar vinegar" shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations of solutions of sugar, syrup, molasses or refiner's syrup.

The term "malt vinegar" shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations of an infusion of barley malt.

The terms "wine vinegar" and "grape vinegar" shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations of the juice of grapes.

The term "glucose vinegar" shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations of solutions of corn sugar or glucose.

The terms "spirit vinegar," "distilled vinegar," "grain vinegar" shall be construed to mean the product made by the acetous fermentations of dilute distilled alcohol.

Sec. 3. Adulterations of vinegars defined. For the purpose of this act vinegar shall be deemed to be adulterated:

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First: If it contains any drugs, acids, coloring matter or ingredients not derived exclusively from the substances from which they were respectively made.

Second: If it contains less than four grains of acetic acid in one hundred cubic centimeters of the vinegar at seventy degrees Fahrenheit.

Third: If manufactured by the destructive distillation of wood, known as pyroligneous acid, or acetic acid derived from other sources than fruit, grain, vegetables, sugar or syrup.

Fourth: If it is found to contain any preparation of lead, copper, sulphur dioxide, sulphuric acid, other mineral acids or any substitute for vinegar produced other than by alcoholic and subsequent acetous fermentation or other ingredients injurious to health.

Sec. 4. Misbrandings of vinegars defined. For the purposes of this act vinegar shall be deemed to be misbranded:

First: If packages containing vinegar made from wine or fruits which have been reduced with water are not plainly marked or branded "Reduced to Four Per Centum Acid Strength" or "Reduced to Forty Grains," indicating the acidity to which it has been so reduced.

Second: If a product made from dried apples, or from apple skins, apple cores and chops by the process of grinding and soaking with subsequent alcoholic and acetous fermentations of the solution thus obtained is not plainly marked to show the material from which it is produced.

Third: If the package containing said vinegar or its label is not plainly branded with the name of the manufacturer or distributor and his place of business.

Fourth: If every container or receptacle which contains any vinegar other than pure cider or apple vinegar, except delivered to the purchaser in the unbroken package, does not bear plain or conspicuous marks or brands, showing the kind of vinegar so delivered and the substance or substances from which it was made.

Fifth: If mixtures of two or more of the vinegars, above defined, are not plainly and conspicuously branded with the word "compound" together with the proportions of the vinegars so mixed.

Sec. 5. Penalties. Any person who adulterates or misbrands, within the meaning of this act, any vinegar, or any person who manufactures, sells, distributes, transports, offers or exposes for sale, distribution or transportation any vinegar in violation of any of the provisions of this

act shall be punished by a fine not exceeding one hundred dollars for the first offense, and by a fine not exceeding two hundred dollars for each subsequent offense.

Sec. 6. Provisions of act not applicable to common carriers unless knowingly violated. The provisions of this act shall not apply to railroad companies, steamboat companies, express companies or other common carriers of property coming under the jurisdiction of the interstate commerce commission or the public utilities commission of the state of Maine unless they knowingly violate it.

Approved April 3, 1923.

Chapter 173.

An Act to Amend Section One Hundred and Sixteen of Chapter Four of the Revised Statutes, Pertaining to the Right to Kill Dogs.

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

R. S., c. 4, sec. 116; relating to when dogs may be lawfully killed, amended. Section one hundred sixteen of chapter four is hereby amended by striking out the entire section and inserting in place thereof the following:

'Sec. 116. Certain officers may kill dogs found chasing game or worrying domestic animals; other persons may kill dogs under certain conditions. Any inland game warden or deputy warden, sheriff, deputy sheriff or constable may at any time lawfully kill any dog he may find in the act of hunting or chasing moose, caribou or deer, or he may find worrying, wounding or killing any domestic animal, when said dog is outside of the enclosure or immediate care of its owner or keeper. Any owner of sheep, or any member of his family, or any person to whom is intrusted the custody of any sheep, shall have a right to kill any dog attacking any of said sheep. Any person having any evidence of any dog hunting or chasing moose, caribou or deer, or of any dog kept and used for that purpose, or of any dog worrying, wounding or killing any domestic animal or fowl, when said dog is outside of the enclosure or immediate care of his owner or keeper, may present said evidence to any trial justice or judge or recorder of any municipal court, which said trial justice, judge or recorder shall have power to issue a warrant against the owner of said dog, ordering him to appear before him and show cause why said dog should not be killed; and upon hearing the evidence in said case said court may order said dog killed. Any person may lawfully kill a dog which suddenly assaults him or another person when peaceably walking or riding.'

Approved April 3, 1923.