

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

Chapter 351

AN ACT Relating to Slaughterhouses.

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

Sec. 1. Licenses for slaughterhouses and meat processing plants. No person, firm, partnership, or corporation shall operate a slaughterhouse, abattoir, or other place or establishment where animals are slaughtered or where meat or meat products are prepared or processed for food within the state unless such person, firm, partnership, or corporation be licensed by the commissioner of agriculture. An application for a license shall be made upon a form prescribed by the commissioner of agriculture each year for the license commencing upon the 1st day of August. With the application, there shall be paid to the commissioner of agriculture a license fee of \$5. Each such license shall cover 1 group of buildings constituting a slaughterhouse and/or meat or meat products processing plant in 1 location. Said license shall run for 1 year from the 1st day of August in each year, and unless sooner revoked as herein provided, shall be renewed annually thereafter.

Sec. 2. Revocation and suspension of license; appeals; hearing. The commissioner of agriculture shall have the power to revoke or suspend any license issued under the provisions of this act whenever it is determined by himself or any of his deputies that any of said provisions have been violated. Any person, firm, partnership, corporation, association, or society whose license has been revoked or suspended shall discontinue slaughtering, butchering, operating, and processing until the provisions of this act have been complied with and a new license issued or the suspension removed. The commissioner of agriculture may revoke or suspend such license temporarily until there is a compliance with the provisions of this act as hereinafter provided, or permanently for the unexpired period of such license. Before revoking or suspending any license, the commissioner of agriculture shall give written notice to the licensee affected stating that he contemplates the revocation or suspension of the same and giving his reasons therefor; such notice shall appoint a time for hearing before said commissioner. On the date of hearing the licensee may present such evidence to the commissioner as he deems fit, and after hearing all the testimony, the said commissioner shall decide as to whether the license shall be revoked or not. Any licensee who is aggrieved by the decision of the commissioner may within 10 days thereafter appeal to any justice of the superior court, by presenting to him a petition therefor, in term time or vacation. Such justice shall fix a time and place for hearing, which may be in term time or vacation, and cause notice thereof to be given

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to the said commissioner; and after hearing such justice may affirm or reverse the decision of said commissioner and the decision of such justice shall be final. Pending judgment of such justice, the decision of such commissioner shall remain in full force and effect. The commissioner shall, within 3 days after notice of such appeal, forward to such justice a certified copy of the proceedings.

Sec. 3. Definition. The term "slaughterhouse" shall be held to include any establishment wherein animals or fowl are slaughtered for human consumption; or where meat or meat products for human food are processed or prepared; provided, however, that the provision of this act requiring a license shall not apply to any bona fide farmer who butchers or has butchered for him, his own domestic animals or fowl on his farm, or elsewhere for consumption or sale, as incidental to, and in the general conduct of his business of farming. Nor shall it apply to persons who raise and kill or have killed for him their own animals and fowls on their own premises or elsewhere for their own consumption or sale.

Sec. 4. Commissioner of agriculture to inspect; make rules. The commissioner of agriculture shall by adequate inspection see that animals are slaughtered, and licensed slaughterhouses are constructed, maintained and operated in a manner satisfactorily sanitary, to protect meat and meat products from contamination and adulteration according to the laws of this state and the provisions of this act. He shall make uniform rules and regulations for carrying out the provisions of this act, and shall fix standards of quality for the meat and meat products prepared in licensed slaughterhouses and meat processing plants, and for the sanitation of said slaughterhouses and meat processing plants.

Sec. 5. Inspectors and authority. The commissioner of agriculture shall have authority to employ inspectors in sufficient numbers so that adequate inspection can be performed. The compensation of the inspectors shall be fixed by said commissioner, and it shall be the duty of said inspectors to inspect all slaughterhouses and processing plants where meat and meat products are manufactured and prepared for food, and for this purpose the commissioner of agriculture and all of his inspectors and agents shall have free access, ingress, and egress, at all reasonable hours to any slaughterhouse or meat processing plant.

Sec. 6. Appropriation; disposition of fees. For carrying out the provisions of this act, there shall be appropriated the sum of \$8,000 for the year 1943 and \$8,000 for the year 1944. All license fees and all money received under the provisions of this act, and all fines which shall be collected in any proceeding or proceedings to enforce the provisions of this act, shall be paid over to the commissioner of agriculture or his agent, and

by him deposited with the treasurer of state; and the same are hereby appropriated for carrying out the provisions of this act.

Sec. 7. Penalty. Any person, firm, partnership, corporation, association, or society who shall conduct, operate or manage a slaughterhouse, or slaughter animals in a slaughterhouse in the state of Maine without the license provided for in this act, or who shall violate any of the provisions of this act, or neglect or refuse to comply with any of the provisions hereof, shall be punished by a fine of not more than \$100 for the 1st offense and not more than \$200 for each subsequent offense. Any bona fide farmer or other person not operating a slaughterhouse as defined in this act, who sells, offers for sale, keeps with intent to sell, transports or gives away any carcass or part thereof, or any meat product, for human food that is not sound, healthful, wholesome and fit for human food according to the standards provided for in this act, shall be subject to the same penalties as provided for in the above paragraph. Whoever hinders, obstructs, or in any way interferes with the commissioner of agriculture, or his agents or assistants in the performance of his or their duty by refusing entrance to any slaughterhouse or meat processing plant or any place where he is authorized to enter, or access to any place, or by refusing to deliver to him, or his agents, or assistants a sample of meat or meat products if the value thereof is tendered, or in any other manner hinders, obstructs, or interferes with said commissioner, or his agents or assistants in the performance of any of said duties, shall be punished by a fine of \$100 for the 1st offense and \$200 for each subsequent offense.

Sec. 8. Jurisdiction. Trial justices shall have original jurisdiction concurrent with municipal courts and the superior court of actions brought for the recovery of penalties imposed by this act and all prosecutions for violations hereof.

Effective July 9, 1943

Chapter 352

AN ACT Relating to the Retirement System for State Police.

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

Sec. 1. P. L., 1933, c. 1, § 233-A, amended. Section 233-A of chapter 1 of the public laws of 1933, as enacted by chapter 182 of the public laws of 1935 and amended by chapter 225 of the public laws of 1939, is hereby further amended to read as follows:

‘Sec. 233-A. State police retirement system. Any member of the state police who shall have served as a member thereof for 20 or more years