

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature
AT THE FIRST SPECIAL SESSION
January 19, 1976 to April 29, 1976
AND THE SECOND SPECIAL SESSION
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

Sec. 11. P&SL 1975, c. 90, § 7 is repealed.

Effective July 29, 1976

CHAPTER 687

AN ACT to Promote the Sale of Maine Potatoes.

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

Sec. 1. 7 MRSA § 954-A, as enacted by PL 1965, c. 219, § 6, is amended to read:

§ 954-A. Seizure of misbranded, mislabeled or misrepresented product

Whenever the commissioner or his duly authorized representative shall find from inspection, as authorized in section 956, that potatoes are being sold, exposed for sale, or shipped for sale in containers, and the containers bear any statements, design or device regarding such potatoes which shall be false or misleading, in any particular, or if potatoes are packed in such manner that the face or shown surface is not an average of the contents of the package, or if such potatoes fail to meet the minimum grade requirements established as a state grade by the ~~Commissioner of Agriculture~~ commissioner, or if the potatoes are not accompanied by a proper bill of lading or invoice as provided by section 952, then the commissioner, or his duly authorized representative, may seize such potatoes so that they cannot be sold, offered, exposed for sale or transported ~~until such potatoes have been regraded or relabeled and accompanied by a federal state inspection certificate showing that the potatoes in such containers conform in every particular to the markings on such containers, or until a proper bill of lading or invoice is produced.~~ Any potatoes seized by the commissioner or his duly authorized representative for failure to meet the minimum grade requirements established by the commissioner shall be returned to the person, firm, or corporation responsible for packing the potatoes at the point of origin. Misbranded potatoes shall not be exposed or offered for sale or transported until such potatoes have been regraded and are accompanied by a federal-state inspection certificate showing that the potatoes meet the minimum grade requirements specified on the container.

Sec. 2. 7 MRSA § 957, as amended by PL 1965, c. 219, § 8, is repealed and the following enacted in place thereof:

§ 957. Penalties

Any person, firm or corporation who shall violate any of the provisions of sections 951 to 957 or neglect or refuse to comply with any of the provisions required therein or in any way violate any of those provisions shall be punished by a fine of not less than \$100 nor more than \$200 for the first offense, and a fine of not less than \$400 nor more than \$500 for the 2nd offense, and a fine of not less than \$1,000 for the 3rd and subsequent offenses committed during the year from September 1st to August 31st.

Effective July 29, 1976