

# MAINE STATE LEGISLATURE

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## CHAPTER 563

SLAUGHTERHOUSES AND MEAT PROCESSING  
PLANTS

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## § 2531. Definitions

Each word or term defined in this section has the meaning indicated in this section for the purposes of this chapter, unless a different meaning is plainly required by the context.

**1. Commissioner.** "Commissioner" shall mean the Commissioner of Agriculture or his authorized agent.

**2. Custom slaughterhouse.** "Custom slaughterhouse" or "custom meat processing plant" shall mean an establishment in which animals are slaughtered or products processed for owners for consumption by the owner or his family. Carcasses slaughtered or products processed in such establishments shall not be stamped or sold in trade. Such establishments shall display at all times, a sign in the slaughtering room or processing room, in a conspicuous manner stating in block letters 2 inches high, CARCASSES (OR PRODUCTS) PROCESSED HERE NOT LEGAL FOR SALE.

**3. Humane method.** "Humane method" shall mean a method whereby the animal, other than poultry, is rendered insensible to pain by mechanical, electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast or cut; or a method of slaughtering, including handling and other preparation for slaughtering, required by or used in connection with the ritual of the Jewish faith or any other religious faith whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

**4. Meat processing plant.** "Meat processing plant" shall mean any place where meat or meat products are prepared, processed, manufactured, packaged or frozen, for human consumption, except custom meat processing plant.

**5. Slaughter.** "Slaughter" shall mean the butchering of animals or poultry for human consumption.

**6. Slaughterhouse.** "Slaughterhouse" shall mean any establishment wherein animals or poultry are slaughtered for human consumption except custom slaughterhouse.

R.S.1954, c. 32, § 250; 1955, c. 107, § 2; 1959, c. 357, § 2; 1961, c. 161, § 1.

### § 2532. Licenses; registration; carcasses

No person, firm, partnership, corporation, association or society shall operate a slaughterhouse or meat processing plant within the State unless such person, firm, partnership, corporation, association or society be licensed by the commissioner. A license shall not be required of any farmer or other person who raises and slaughters his own domestic animals on his farm or premises for consumption as human food by himself or his family; nor of any retail sales establishment; nor the home kitchen operated only by the owner and his immediate family; nor of the farmer or other person who raises and slaughters his own poultry for consumption or sale; nor a custom slaughterhouse, nor a custom meat processing plant. An application for a license, or renewal of license, shall be made each year upon a form prescribed by the commissioner. Such license shall commence upon the first day of August. With the application, there shall be paid to the commissioner a license fee of \$5. Upon receipt of the application for a license, or renewal of same, the commissioner shall issue a license after being satisfied that the applicant has complied with section 2534 and the regulations promulgated thereunder. Each such license shall cover a group of buildings or parts thereof, in one location, constituting a slaughterhouse, meat processing plant, or both, operated by the licensee. Said license shall run for one year from the first day of August in each year, or unless sooner revoked as provided in section 2533. The owner of a custom slaughterhouse or custom meat processing plant shall register with the commissioner annually on August 1st on forms supplied by the commissioner signifying intent to operate his establishment in accordance with the definition of custom slaughterhouse or custom meat processing plant as defined in section 2531.

All carcasses of meat from animals, except poultry, that are slaughtered in a licensed slaughterhouse in Maine and which are to be used for human consumption shall be stamped with the license number issued by the commissioner to the licensed establishment, type and design of stamp to be approved by the commissioner. The meat shall be stamped on all parts that are to be portioned in wholesale cuts and the edible meat by-products shall be so stamped. The provisions of the stamping requirement shall not apply to meat or meat by-products held for custom processing, storage, packaging or freezing for owners of the products which shall not be for sale, and shall be marked with the name and address of the owner. No person, firm, partnership, corporation, association or society shall have in his possession for sale, sell, offer or expose for sale or hold for further processing for subsequent sale any meat or meat by-products, except poultry, which comes from carcasses or parts not bearing approved state or federal marks. All carcasses of meats or parts, except poultry, found in wholesale or retail sales outlets which do not bear the approved state or federal marks may be condemned for sale and destroyed for food purposes.

Any slaughterhouse operator shall call a veterinarian or state inspector to examine any animal or carcass and its parts to determine the wholesomeness and fitness for food whenever the operator notices there is an abnormality which may cause the animal or its carcass to be unacceptable for human food. Any carcass or parts determined to be unfit for human consumption shall be destroyed for human food by the slaughterhouse operator, under the supervision of the examiner of the meat.

R.S.1954, c. 32, § 248; 1955, c. 107, § 1; 1959, c. 357, § 1; 1963, c. 89.

**Director's note:** See P.L.1963, c. 89 as to changes in the 2nd sentence of this section as they apply to Washington County until December 31, 1965.

### **§ 2533. Revocation and suspension of license; appeals; hearing**

The commissioner shall have the power to revoke or suspend any license issued under this chapter whenever it is determined by himself or any of his deputies that any of its 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 this chapter has been complied with and a new license issued or the suspension removed. The commissioner may revoke

or suspend such license temporarily until there is a compliance with this chapter or permanently for the unexpired period of such license. Before revoking or suspending any license, the commissioner 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 the Superior Court by filing a complaint. The court shall fix a time and place for hearing and cause notice thereof to be given to the said commissioner. After hearing, the court may affirm or reverse the decision of said commissioner and the decision of the court shall be final. Pending judgment of such court, 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 court a certified copy of the proceedings.

R.S.1954, c. 32, § 249; 1961, c. 317, § 73; c. 417, § 101.

**§ 2534. Sanitary equipment; advertising; inspections; humane methods**

The floors, walls, ceilings, partitions, posts, doors, equipment and other parts of all licensed slaughterhouses or meat processing plants shall be of such materials, construction and finish as will make them susceptible of being readily and thoroughly cleaned. Said establishments shall at all times be maintained and operated in a sanitary manner and in compliance with the Maine Food Law. Meat or meat products shall be prepared, processed, handled, packaged and transported in such manner as to protect them from rapid decomposition, adulteration or contamination.

Licensed slaughterhouses shall be equipped with a refrigerated room of sufficient size for the immediate cooling of freshly slaughtered carcasses. Both hot and cold water, clean and potable, shall be distributed through the plant under adequate pressure and in quantities sufficient for all operating needs, including attached hose connections installed conveniently for cleaning purposes. There shall be an approved type of sink with hot and cold water for washing of equipment. Lavatory and toilet facilities shall be available on the premises and installed in compliance with the rules and regulations of the Department of Health and Welfare.



Meat or meat products for which a definition of standard of quality and identity has been established under this chapter shall be identified when sold or offered for sale with the common or usual name of the product and type or grade, and such other labeling information as is required by the regulations.

Meat or meat products for which a definition of standard of quality and identity has been established under this chapter shall be identified in any advertisement with the common or usual name followed by the type or grade, when applicable.

The commissioner shall promulgate regulations for carrying out this chapter, fix standards of quality and identity for meat and meat products, and by adequate inspection, enforce this chapter.

The commissioner shall, after hearing, promulgate regulations governing humane method of slaughter and may from time to time revise regulations which shall conform substantially to the rules and regulations promulgated by the Secretary of Agriculture of the United States pursuant to the Federal Humane Slaughter Act of 1958, Public Law 85-765, 72 Stat. 862, and any amendments thereto. The use of a manually operated hammer, sledge or poleax shall not be deemed to be a humane method of slaughter within the meaning of this chapter. Any state humane agent may witness the slaughtering methods in any licensed slaughterhouse and may report to the commissioner who may permit said agent to submit testimony at a hearing held under section 2533.

It shall be unlawful in any licensed slaughterhouse to shackle, hoist or otherwise bring animals, other than poultry, into position for slaughter by any method which shall cause injury or pain, nor bleed or slaughter any animals, other than poultry, except by a humane method. This paragraph shall not apply to animals slaughtered by or for the owner, the meat and meat products from which are not sold or offered for sale.

R.S.1954, c. 32, § 251; 1955, c. 107, § 3; 1959, c. 357, § 3; 1961, c. 161, § 2.

### § 2535. Ritual slaughter

Nothing contained in this chapter shall be construed to prohibit, abridge or in any way hinder the religious freedom of any person or group. In order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this chapter.

For the purposes of this section the term "ritual slaughter" means slaughter in accordance with the ritual requirements of a religious faith.

1961, c. 161, § 3.

### **§ 2536. Inspectors and authority**

The commissioner 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. For this purpose the commissioner 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.

R.S.1954, c. 32, § 252.

### **§ 2537. Disposition of fees**

All license fees and all money received under this chapter and all fines which shall be collected in any proceeding or proceedings to enforce this chapter shall be paid over to the commissioner or his agent, and by him deposited with the Treasurer of State to be credited to the General Fund.

R.S.1954, c. 32, § 253.

### **§ 2538. Penalties**

Any person, firm, partnership, corporation, association or society who shall conduct, operate or manage a slaughterhouse or slaughter animals in a slaughterhouse without the license provided for in section 2532, or who shall violate any of the provisions of this chapter, or neglect or refuse to comply with any of the provisions thereof, or 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, shall be punished by a fine of not more than \$100 for the first offense, and not more than \$200 for each subsequent offense.

Whoever hinders, obstructs or in any way interferes with the commissioner 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 en-

ter, 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 first offense and \$200 for each subsequent offense.

R.S.1954, c. 32, § 254; 1959, c. 357, § 4.