

The Commonwealth of Massachusetts

REPORT

OF THE

SPECIAL COMMISSION ESTABLISHED FOR
STUDY AND INVESTIGATION OF THE
DAIRY FARM INSPECTION
LAWS

CREATED BY CHAPTER 49, RESOLVES OF 1931

DECEMBER, 1931

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REPORT OF THE COMMISSION ON THE
ACTS AND INTERRELATIONS OF THE
UNITED STATES AND THE
WORLD

Presented to the President and the
Congress

1945

The Commonwealth of Massachusetts

DECEMBER 31, 1931.

To the General Court of Massachusetts.

We have the honor to submit herewith the report required by the provisions of chapter 45 of the Resolves of 1931, providing for a thorough study of the laws relating to the inspection of dairy farms producing milk and cream for distribution in the Commonwealth.

THOMAS H. JOHNSTON, *Chairman.*
MARY LIVERMORE BARROWS.
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WILLIAM CASEY.
JAMES O'BRIEN.
HELEN I. D. MCGILLICUDDY.
JOHN T. GOGGIN.

J. C. CORT,
Secretary.

The Constitution of Massachusetts

It is the duty of every citizen to know the Constitution of his State, and to be ready to defend it against all attacks. The Constitution is the foundation of our government, and it is the duty of every citizen to know it, and to be ready to defend it against all attacks.

- THOMAS W. WILKINSON
- MARY WILKINSON
- WILLIAM WILKINSON
- WILLIAM WILKINSON
- JAMES WILKINSON
- HENRY WILKINSON
- JOHN WILKINSON

THE COURT

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The Commonwealth of Massachusetts

REPORT OF THE SPECIAL COMMISSION ON DAIRY FARM INSPECTION.

RESOLVE CREATING THE COMMISSION.

The Special Commission on Dairy Farm Inspection Laws was created under provision of chapter 45 of the Resolves of 1930, which follows:

RESOLVE PROVIDING FOR A THOROUGH STUDY OF THE LAWS RELATING TO THE INSPECTION OF DAIRY FARMS PRODUCING MILK AND CREAM FOR DISTRIBUTION IN THE COMMONWEALTH.

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established for the purpose of making a thorough study and investigation relative to the enforcement and adequacy of the laws of the commonwealth relating to the inspection of dairy farms producing milk and cream for distribution in the commonwealth, and of recommending such changes in said laws or such additions thereto as it may deem advisable. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings and shall avail itself of the services of the regular clerical staff of the department of agriculture for such clerical assistance as it may need in the course of its investigation. Said commission may expend for travel and other necessary expenses incurred by its members in the discharge of their duties hereunder such sums, not exceeding in the aggregate fifteen hundred dollars, as may hereafter be appropriated, and shall report to the general court its findings and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year. [Approved June 9, 1931.]

APPOINTMENT AND ORGANIZATION OF COMMISSION.

In accordance with the terms of chapter 43 of the Resolves of 1931, the President of the Senate appointed the Hon. Thomas H. Johnston of Clinton; the Speaker of the House appointed Representatives Mary L. Barrows of Melrose, William Casey of Spencer, Winfred F. Forward of Granby; and the Governor appointed Dr. Helen I. D. McGillicuddy of Boston, Mr. James O'Brien of Lee, and Mr. John T. Goggin of Seekonk. The Commission met and organized on July 7, 1931, at the State House and elected Senator Johnston as chairman of the Commission. Joseph C. Cort was appointed secretary to the Commission.

PRELIMINARY REPORT OF COMMISSION.

The following extract is taken from the preliminary report of the Commission, filed in the State House, Clerk of the Senate, on November 27, 1931:

As a result of many public hearings and conferences, and after considerable deliberations in executive session, the Commission found that there was a definite need for legislation within the scope of the Commission's inquiry, but the unusual interest evidenced by those agencies representing the milk producer, the milk dealer and distributor, and the consumer would indicate that the findings and recommendations of this Commission should not be subject to hasty conclusions. It is evident that the final report cannot be completed by December first because of the number of recommendations being considered and the necessity of drafting proposed new legislation.

STATUS OF DAIRY INDUSTRY IN MASSACHUSETTS.

The dairy industry of Massachusetts is the third largest in the State, and has been an important factor for three hundred years in supporting every progressive development by the ever willingness of its members to contribute generously in taxes, man power and services. A recent agricultural census has shown that the value of dairy farm property approximates \$203,329,707, and it

further indicates that more than 52,000 wage earners were employed at wages totaling \$39,720,000 in 1925. There has been a decrease in the number of dairy cows on our Massachusetts farms for the past thirty years, and on many of our dairy farms there are empty stanchions which clearly indicate that the production of milk in Massachusetts could be greatly increased without additional overhead to our local dairy farmers.

THE NEED OF LEGISLATION.

The business of dairying in this State is on a decline, and not only the farmers but far-sighted business men are apprehensive of the damage that might be occasioned by the uninterrupted continuity of this decline. Preceding the depression there was a steady increase in the consumption of milk in our urban centers, but the local farmers, who are most interested, have not benefited. Instead, the territory supplying Metropolitan centers has gradually expanded until at present over 50 per cent of our milk supply comes from outside of the State. In February, 1931, a mass meeting of producers, dealers and others interested in the milk problem was called at Springfield for the purpose of discussing the evils that had crept into the policies and methods of marketing milk. Farmers and dealers from every New England State attended this meeting, but no tangible solution was offered for remedying a rather discouraging situation. The Massachusetts farmers assembled at Worcester in March to discuss the dairy situation as it applied to this State, and it was the consensus of opinion that legislation relative to the inspection of dairy farms producing milk and cream for distribution in the Commonwealth should be provided. A committee of two men from each county represented at this meeting was selected and organized into a legislative group. Their efforts resulted in the resolve creating a State Dairy Commission for the purpose of studying the laws of the Commonwealth relating to dairy farm inspection.

PUBLIC HEARINGS, CONFERENCES AND INSPECTION TRIPS.

- July 7. Organization meeting in State House.
- Sept. 2. Dairy farm inspections in Worcester County, and conferences with Commissioner of Agriculture and representatives of the New England Milk Producers' Association at Worcester.
- Sept. 3. Dairy farm inspections in Hampden and Hampshire counties, and conference with representatives of Hampshire County Dairymen's Association at Northampton.
- Sept. 4. Dairy farm inspections in Hampshire and Franklin Counties, and conference with representatives of the Franklin County Dairymen's Association at Greenfield.
- Sept. 30. Dairy farm inspections in Middlesex County. Public hearing at Acton.
- Oct. 1. Dairy farm inspections in Essex County. Public hearing at Hathorne.
- Oct. 8. Public hearing at Pittsfield.
- Oct. 9. Dairy farm inspections in Berkshire and Hampshire counties. Public hearing at Northampton.
- Oct. 14. Two public hearings at Boston.
- Oct. 15. Dairy farm inspections in Norfolk and Bristol counties. Public hearing at Taunton.
- Oct. 16. Dairy farm inspections in Bristol County, and conference with officials of Rhode Island Department of Agriculture at Providence. Public hearing at Worcester.
- Oct. 20. Public hearings at Boston.
- Oct. 21. Dairy farm inspections in Brattleboro and Bellows Falls, Vt., Sullivan County, New Hampshire, and Windsor County, Vermont.
- Oct. 22. Dairy farm inspections in Laconia, Lyme and Haverhill, N. H., and South Royalston, Tunbridge, Bethel, Montpelier, Waterbury and Richmond, Vt. Conference with officials of Vermont Department of Agriculture.
- Oct. 23. Dairy farm inspections in Addison and Chittendon counties, Vermont, and Milton, St. Albans, White River Junction, Burlington, East Berkshire, Wells River, and Vergennes, Vt.
- Nov. 4. Boston: Conference with small group of milk inspectors and a number of milk dealers.
- Nov. 10. Albany: Conference with officials of New York State Departments of Agriculture and Public Health.
- Nov. 12. Boston: Conference with group of milk dealers.
- Nov. 17. Boston: Executive session.
- Dec. 15. Boston: Executive session.
- Dec. 16. Boston: Executive session.

- Dec. 22. Providence, R. I.: Conference with Rhode Island Department of Agriculture.
- Dec. 23. Hartford, Conn.: Conference with Connecticut Dairy and Food Commission.
- Dec. 29. Boston: Executive session.
- Dec. 30. Boston: Executive session.

GENERAL SURVEY OF PROBLEM.

The initial activity of the members of the Commission was to familiarize themselves with the scope of their powers and duties under the resolve, the various aspects of the problems of dairy farm inspection, and the existing Massachusetts dairy laws. The Department of Agriculture supplied material covering the dairy laws of Rhode Island, Connecticut, New York, New Jersey, California, Pennsylvania, Maryland, Virginia, Vermont, Maine and New Hampshire, and the United States Public Health Standard Milk Ordinance and Code.

Following their analysis of these dairy laws and regulations the Commission set out September 2 on a dairy farm inspection trip in Worcester County. In the evening they conferred at Worcester with the Commissioner of Agriculture and representatives of the New England Milk Producers' Association on some of the problems connected with dairy farm inspection work. The New England Milk Producers' Association presented the Commission with data regarding sources and supplies of cream in New England markets.

After dairy farm inspections in Hampden and Hampshire counties on September 3, the Commission conferred at Northampton with representatives of the Hampshire County Dairymen's Association on some of the general aspects of milk inspection in this section.

The Commission continued its dairy farm inspections on September 4 in Hampshire and Franklin counties. The conference in the evening was with representatives of the Franklin County Dairymen's Association.

In the afternoon of September 30 the Commission inspected dairy farms in Middlesex County, and proceeded

to Acton for a public hearing in the evening with the milk producers.

Several Essex County dairy farms were visited by the Commission on October 1, followed by a public hearing in the evening at the Essex County Agricultural School in Hathorne.

In the evening of October 8 the Commission held a public hearing in Pittsfield before a large and representative group of dairymen. The next day they proceeded to inspect a number of dairy farms in Berkshire and Hampshire counties, ending with a public hearing at Northampton in the evening.

The Commission held a special public hearing for milk inspectors in the State House on October 14. Although not State-wide in representation, the inspectors present promised to place before the Commission an official statement of their associations' position in regard to dairy farm inspection.

The Commission, *en route* to the public hearing on October 15 at Taunton, visited a number of dairy farms in Norfolk and Bristol counties. The following morning, after several visits with the Bristol County dairymen, the Commission went to Providence, where they were very cordially received by officials of the Rhode Island Department of Agriculture. The members of the Commission were able to discuss at first hand the problems of dairy farm inspection in Rhode Island, especially with reference to their recent laws for the inspection and registration of milk producers and distributors supplying the Rhode Island markets. The Commission held a public hearing that evening, October 16, at Worcester.

In the morning of October 20 the Commission held a hearing at the State House especially for milk dealers. In the afternoon the session was devoted to hearings for representatives of milk producers' organizations, the Farm Bureau Federation and the Grange.

Because such a large part of the milk coming into our markets is from the northern New England States, it was imperative that the Commission personally investi-

gate conditions under which this milk is produced. The following trip was taken. Four members of the Commission set out on the afternoon of October 21 for Brattleboro, Vt., visiting Vermont dairy farms supplying milk for Massachusetts markets. They were joined the next morning by two more of the Commission, and the party, dividing into four car units, traveled north, visiting forty-nine dairy farms in the Brattleboro and Bellows Falls, Vt., sections. On October 22, dividing into three groups, the Commission worked toward the second objective, Burlington, Vt., visiting forty-five farms in the vicinity of Laconia, Thetford, Lyme and Haverhill, N. H., and South Royalston, Tunbridge, Bethel, Montpelier, Waterbury and Richmond, Vt. Officials of the Vermont Department of Agriculture in Montpelier were called on by two members of the Commission.

Again, on October 23, the Commission divided into three groups, one going south to Massachusetts, the second east to Lancaster, N. H., and the third north and east through northern Vermont. A total of thirty-five dairy farms and four creameries were visited in the towns of Burlington, White River Junction, Milton, St. Albans, Enosberg, East Berkshire, Stowe, Morrisville, St. Johnsbury, Shelburne, New Haven and Vergennes, Vt.

This concluded the work of actual dairy farm inspection made by the Commission. In all, the members of the Commission traveled approximately 3,000 miles by auto, visiting nearly 200 dairy farms and 10 milk plants, covering nine counties in Massachusetts, seven counties in Vermont, and four counties in New Hampshire.

The Commission met with a small group of milk inspectors on November 4 at the State House to discuss the problems of dairy farm inspection and the enforcement and operation of minimum requirements for the State. Later in the afternoon a group of milk dealers were present and expressed their ideas on the general subject of dairy farm inspection.

One member of the Commission conferred on November 10 at Albany with officials of the New York

State Departments of Agriculture and Public Health. Valuable information was supplied by officials in these two departments, particularly in regard to the operation of the New York State milk dealers bonding law, the weight and test law, and the control of western cream shipments.

The final public hearing was held at Boston on November 12, at which a group of milk dealers declared themselves in favor of a uniform system of dairy farm inspection that would be constructive and not destructive. They felt that they had a responsibility both to the consumer and the producer.

On December 22 three members of the Commission went to Providence, R. I., for a second conference with officials of the Rhode Island Department of Agriculture. Commissioner Harry R. Lewis gave further information dealing with the operation of their dairy farm inspection law. The next day, December 23, a conference was held at Hartford, Conn., with Mr. W. J. Warner, Dairy and Food Commissioner of Connecticut, who explained the enforcement of the Connecticut dairy laws.

SPECIAL INVESTIGATIONS.

Special investigators of the Department of Agriculture working for the Commission collected, tabulated and summarized data relative to the problem of dairy farm inspection. This information was obtained by personal interviews with milk inspectors or members of the boards of health, with Massachusetts milk producers and distributors.

Summary of Milk Control Procedure in Ninety-four Massachusetts Communities.

(See Questionnaire No. 1, Appendix A.)

	Per Cent.
1. Percentage of boards of health with full-time milk inspector (21 of 94 reporting)	22.3
2. Percentage of boards of health with part-time milk inspector (66 of 94 reporting)	70.2

	Per Cent.
3. Percentage of boards of health with no milk inspector (7 of 94 reporting)	7.4
4. Percentage of communities receiving milk from outside local milk shed (69 of 89 reporting)	77.5
5. Percentage of communities with regulations requiring milk sold be pasteurized or from T. B. tested cattle (58 of 94 reporting)	61.7
6. Percentage of communities requiring all milk sold be pasteurized or certified (2 of 94 reporting)	2.1
7. Percentage of communities with regulations requiring all milk sold be from T. B. tested cattle (1 of 94 reporting)	1.1
8. Percentage of communities with no regulations except State standards on kind of milk sold (33 of 94 reporting)	35.1
9. Percentage of communities consuming more than 25 per cent raw milk (42 of 86 reporting)	48.8
10. Percentage of milk inspectors granting licenses to sell milk to producer-dealers (73 of 93 reporting)	78.5
11. Percentage of milk inspectors granting licenses to sell milk to dealers (85 of 93 reporting)	91.4
12. Percentage of milk inspectors granting licenses to sell milk to stores (86 of 93 reporting)	92.5
13. Percentage of boards of health issuing permits to producer for sale or delivery of milk (52 of 94 reporting)	55.3
14. Percentage of boards of health issuing permits to dealer for sale or delivery of milk (35 of 94 reporting)	37.2
15. Percentage of milk inspectors revoking licenses in 1930 (8 of 94 reporting)	8.5
16. Percentage of boards of health revoking permits for sale or delivery of milk in 1930 (14 of 94 reporting)	14.9
17. Percentage of boards of health reissuing permits for sale or delivery of milk in 1930 (11 of 94 reporting)	11.7
18. Percentage of boards of health which inspect milk before issuing permit to producer or dealer (34 of 94 reporting)	36.2
19. Percentage of boards of health which inspect places where and circumstances under which milk is produced and handled before issuing permits to producer or dealer (57 of 94 reporting; most of these inspect local places only)	60.6
20. Percentage of boards of health issuing Grade A Massachusetts milk permits (27 of 94 reporting)	28.7
21. Percentage of boards of health revoking Grade A Massachusetts milk permits in 1930 (2 of 94 reporting)	2.1
22. Percentage of boards of health issuing Grade A permits (32 of 94 reporting)	34.0
23. Percentage of boards of health revoking Grade A permits in 1930 (4 of 94 reporting)	4.3

	Per Cent.
24. Percentage of boards of health with no appropriation for dairy farm inspection (52 of 94 reporting; 3 of these allow mileage only)	55.3
25. Percentage of boards of health with appropriation of \$1,000 or less for dairy farm inspection (39 of 94 reporting)	41.4
26. Percentage of boards of health with appropriation of \$1,001 to \$5,000 for dairy farm inspection (2 of 94 reporting)	2.1
27. Percentage of boards of health with appropriation of \$5,001 or more for dairy farm inspection (1 of 94 reporting)	1.0
28. Percentage of boards of health with no appropriation for milk inspection (8 of 94 reporting)	8.5
29. Percentage of boards of health which include appropriations for milk and dairy inspections in general boards of health appropriations (9 of 92 reporting; including Marlborough, Salem, West Springfield, Weymouth, Foxborough, Franklin, Norwood, Chelsea and Marblehead)	9.6
30. Percentage of boards of health with appropriations of \$1,000 or less for milk inspection (55 of 94 reporting)	58.4
31. Percentage of boards of health with appropriations of \$1,001 to \$5,000 for milk inspection (14 of 94 reporting)	14.8
32. Percentage of boards of health with appropriations of \$5,001 to \$10,000 for milk inspection (7 of 94 reporting)	7.4
33. Percentage of boards of health with appropriation of more than \$10,000 for milk inspection (1 of 94 reporting)	1.1
34. Percentage of communities having dairies (supplying milk) located outside of State (69 of 87 reporting)	79.3
35. Percentage of boards of health giving actual dairy farm inspection to each producer one or more times in 1930 (17 of 93 reporting)	18.3
36. Percentage of boards of health having authorized agent giving dairy farm inspections in 1930 (6 of 94 reporting)	6.4
37. Percentage of boards of health giving actual dairy farm inspections to out-of-State dairies in 1930 (18 of 94 reporting)	19.2
38. Percentage of communities having laboratory equipment for chemical examinations of milk (49 of 94 reporting)	52.1
39. Percentage of communities having laboratory equipment for bacteriological examinations of milk (40 of 94 reporting)	42.6
40. Percentage of communities having bacteriological examinations of individual producer's milk <i>less than three times</i> in 1930 (85 of 93 reporting)	91.4
41. Percentage of communities with milk regulations unchanged for past five years (12 of 81 reporting)	14.8
42. Percentage of communities having no milk regulations (17 of 81 reporting)	18.1

Summary of Massachusetts Dairy Farm Survey.

(See Questionnaire No. 2, Appendix A.)

This summary covers a census of 1,280 dairy farms in the Commonwealth from the viewpoint of physical equipment, dairy inspection requirements, and milk sales procedure and methods.

	Per Cent.
1. Percentage of dairy farms having stanchions in excess of cows (672 of 1,280 reporting)	52.5
2. Percentage of dairy farms having inspections by two or more cities or towns (253 of 1,277 reporting)	19.8
3. Percentage of dairy farms having permits to produce milk (559 of 1,275 reporting)	43.8
4. Percentage of dairy farms receiving inspections not more than once a year (587 of 1,260 reporting)	46.6
5. Percentage of dairy farms reporting no dairy farm inspections (185 of 1,260 reporting)	14.7
6. Percentage of dairy farms reporting inspection is uniform from year to year (838 of 983 reporting)	85.2
7. Percentage of dairy farms reporting uniformity of dairy farm inspections by different cities and towns (134 of 186 reporting)	72.0
8. Percentage of dairy farms reporting improvements involving cash expenditures as result of inspections (152 of 787 reporting)	19.3
9. Percentage of dairy farms reporting improvements, whether result of inspections or not (243 of 474 reporting)	51.3
10. Percentage of dairy farms having milk house (1,051 of 1,256 reporting)	83.7
11. Percentage of dairy farms having ice (821 of 1,276 reporting)	64.3
12. Percentage of dairy farms having small-top milk pail (544 of 1,277 reporting)	42.6
13. Percentage of dairy farms having cooling tank (977 of 1,277 reporting)	76.5
14. Percentage of dairy farms having mechanical refrigerator (152 of 1,277 reporting)	11.9
15. Percentage of dairy farms having strainer flannel (93 of 1,271 reporting)	7.3
16. Percentage of dairy farms having strainer cloth (284 of 1,271 reporting)	22.3
17. Percentage of dairy farms having strainer cotton disc and flannel (65 of 1,271 reporting)	5.1

	Per Cent.
18. Percentage of dairy farms selling milk on weight and test (554 of 1,042 reporting)	53.2
19. Percentage of dairy farms reporting satisfaction with butter fat test results (386 of 504 reporting)	76.6
20. Percentage of dairy farms reporting check tests having been made on their milk (91 of 1,236 reporting)	7.4
21. Percentage of milk check tests made by New England Milk Producers' Association (25 of 53 reporting)	47.0
22. Percentage of milk check tests made by Massachusetts State College (31 of 53 reporting)	58.4
23. Percentage of dairy farms reporting sale of milk on rating plan (425 of 1,050 reporting)	40.5

Summary of Milk Dealers' Farm Inspection Survey.

(See Questionnaire No. 3, Appendix A.)

	Per Cent.
1. Percentage of dealers purchasing milk outside State in 1930 (13 of 27 reporting)	43
2. Percentage of dealers purchasing milk outside State in 1930 who purchased all milk within the State in 1920 (3 of 12 reporting)	10
3. Percentage of dealers purchasing cream outside State in 1930 (13 of 27 reporting)	43
4. Percentage of dealers purchasing cream outside State in 1930 who purchased all cream within the State in 1920 (3 of 14 reporting)	11
5. Percentage of dealers purchasing milk or cream from Vermont producers (6 of 24 reporting)	22
6. Percentage of dealers purchasing milk or cream from New Hampshire producers (6 of 24 reporting)	22
7. Percentage of dealers purchasing milk or cream from Maine producers (2 of 24 reporting)	7
8. Percentage of dealers purchasing milk or cream from Connecticut producers (6 of 24 reporting)	22
9. Percentage of dealers purchasing milk or cream from New York producers (2 of 2 reporting)	7
10. Percentage of dealers having full-time persons doing dairy farm inspection (3 of 27 reporting)	11
11. Percentage of dealers having part-time persons doing dairy farm inspection (20 of 28 reporting)	71
12. Percentage of dealers making no dairy farm inspections of producers (6 of 28 reporting)	22
13. Percentage of dealers making less than three dairy farm inspections of all producers in 1930 (7 of 28 reporting)	25

	Per Cent.
14. Percentage of dealers making weekly sediment tests of each producer's milk in 1930 (3 of 27 reporting)	11
15. Percentage of dealers making weekly acidity tests of each producer's milk in 1930 (3 of 25 reporting)	11
16. Percentage of dealers making weekly methylene blue test of each producer's milk in 1930 (4 of 26 reporting)	14
17. Percentage of dealers having monthly bacteriological examinations of each producer's milk in 1930 (2 of 27 reporting)	7
18. Percentage of dealers being check tested less than three times on producers' butter fat test in 1930 (13 of 19 reporting)	46
19. Percentage of dealers purchasing milk on basis of weight and test (14 of 28 reporting)	50
20. Percentage of dealers paying premium to producer for production of low bacteria count milk (3 of 28 reporting)	11
21. Percentage of dealers having maximum farm shipping temperature requirement of 50° F. for milk (6 of 25 reporting)	22
22. Percentage of dealers requiring milk to be from T. B. tested cattle (7 of 27 reporting)	25
23. Percentage of dealers holding license to sell milk and cream in three or more cities or towns (12 of 28 reporting)	43
24. Percentage of dealers holding permits to sell and deliver milk and cream in cities and towns (4 of 18 reporting)	14
25. Percentage of dealers holding temporary permits to sell western cream in cities and towns (0 of 19 reporting)	-

United States Public Health Service Survey.

The United States Public Health Service, in co-operation with the State Departments of Agriculture and Public Health (from April 10 to July 7, 1930), made a survey of milk sanitation in twenty cities and towns in widely separated sections of the Commonwealth. Using the grade sheets of the Standard Milk Ordinance with the United States Public Health Service Standard Milk Control Code as the basis, a significant number of dairy farms supplying each section were inspected. This survey was made under much more exacting requirements than are now in force in the Commonwealth, and it was to be expected that it would show defects in the milk supply of the sections visited. However, the United States Public Health Service Standard Milk Control

Code is successfully in operation in many States and cities, and its use in a study of Massachusetts milk sanitation conditions offers a sound method of comparison.

A copy of the dairy inspection form used by the United States Public Health Service covering items in the United States Public Health Service Standard Milk Control Code will be found in Appendix A.

Summary of the United States Public Health Service Survey.

This summary shows the total number of items in the United States Public Health Standard Milk Ordinance which were being violated on 658 Massachusetts dairy farms supplying milk to 17 Massachusetts cities and towns.

Item No.	<i>Cows.</i>	Number of Violations.
1.	Tuberculin testing and physical examination	431

Dairy Barn.

2.	Lighting (3 square feet per stallion)	406
3.	Ventilation	289
4a.	Floor construction (concrete or other impervious material; graded)	536
4b.	Floor cleanliness (no accumulations beyond one milking; no chickens)	642
5.	Walls and ceiling (painted; whitewashed; clean; ceiling tight if feedstuffs over)	554
6a.	Barnyard (graded; drained)	122
6b.	Barnyard (cleanliness)	118
7.	Manure (minimum fly breeding)	547

Milk Room.

8a.	Floors (concrete or other impervious material; graded to drain)	438
8b.	Walls and ceiling (painted or other approved finish, easily cleaned)	526
8c.	Lighting (ample)	415
8d.	Screening (effective)	591
8e.	Miscellaneous requirements.	426
9.	Cleanliness and flies (all necessary fly control methods)	442

Toilet.

10.	Location, construction and operation (fly-tight; no overflow)	295
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Item No.	<i>Water Supply.</i>	Number of Violations.
11.	Accessibility, adequacy, quality	250

Utensils.

12.	Construction (easily cleaned; good repair; seams soldered flush; narrow mouth pails)	596
13.	Cleaning (must look and feel clean)	514
14.	Disinfection (steam, chlorine, hot water)	648
15.	Storage (no recontamination)	505
16.	Handling (no handling of surfaces to which milk is exposed)	3

Milking.

17.	Udders and teats (clean)	406
18.	Flanks, etc. (free from visible dirt)	483
19.	Hands (clean; disinfected; dry)	648
20.	Clothing (clean)	637
21.	Milk stools (clean)	639
22.	Immediate removal of milk to milk house (no straining in barn)	284

Employees.

25.	Health certificates (once each year)	655
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Summary of the United States Public Health Service Survey.

This summary shows the total number of items of the United States Public Health Standard Milk Ordinance which were being violated on 109 out-of-State dairy farms supplying milk for 3 Massachusetts cities.

Item No.	<i>Cows.</i>	Number of Violations.
1.	Tuberculin testing and physical examination	39

Dairy Barn.

2.	Lighting (3 square feet per stanchion)	71
3.	Ventilation	66
4a.	Floor construction (concrete or other impervious material; graded)	93
4b.	Floor cleanliness (no accumulations beyond one milking; no chickens)	109
5.	Walls and ceiling (painted; whitewashed; clean; ceiling tight if feedstuffs over)	103

Item No.	<i>Dairy Barn — Con.</i>	Number of Vio- lations.
6a.	Barnyard (graded; drained)	28
6b.	Barnyard (cleanliness)	19
7.	Manure (minimum fly breeding)	103

Milk Room.

Sa.	Floors (concrete or other impervious material; graded to drain)	84
Sb.	Walls and ceiling (painted or other approved finish, easily cleaned)	100
Sc.	Lighting (ample)	86
Sd.	Screening (effective)	99
Se.	Miscellaneous requirements	86
9.	Cleanliness and flies (all necessary fly control methods)	90

Toilet.

10.	Location, construction and operation (fly-tight; no overflow)	55
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Water Supply.

11.	Accessibility, adequacy, quality	81
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Utensils.

12.	Construction (easily cleaned; good repair, seams soldered flush, narrow mouth pails)	105
13.	Cleaning (must look and feel clean)	108
14.	Disinfection (steam, chlorine, hot water)	108
15.	Storage (no recontamination)	97
16.	Handling (no handling of surfaces to which milk is exposed)	0

Milking.

17.	Udders and teats (clean)	108
18.	Flanks, etc. (free from visible dirt)	108
19.	Hands (clean; disinfected; dry)	108
20.	Clothing (clean)	109
21.	Milk stools (clean)	109
22.	Immediate removal of milk to milk house (no straining in barn)	74

Employees.

25.	Health certificates (once each year)	109
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FINDINGS.

The widespread dissatisfaction with the present method of dairy farm inspection of milk and cream sold in the Commonwealth was, of course, directly responsible for the creation of the Special Commission to study this whole problem and report back to the Legislature its findings and possible recommendations. The importance of the problem to the dairymen of the State cannot be too strongly emphasized. Dairymen came to every public hearing to offer their sincere protests and dissatisfaction with what they honestly believed to be an unjust system of dairy farm inspection. They stated that the present system would eventually force them into a very unfavorable economic position in regard to adequately supplying their proportionate share of the Massachusetts milk market.

In practically every hearing the Commission heard from milk producers the story of the lack of uniformity in the milk regulations of the boards of health of different communities. Hence large numbers of milk producers whose product is sold in two or more cities or towns come under two or more sets of regulations which may be quite lacking in their uniformity and emphasis upon certain specific requirements. This, of course, adds to the confusion and unjust burden which the dairy farmer may have to bear in relation to another producer who has to comply with the less rigid milk requirements of another board of health.

For example, the Dairy Farm Survey revealed only 43 per cent of the producers having permits from the board of health to produce milk. The Commission was also forcibly impressed in its hearings and investigations not only with the lack of uniformity in milk regulations among the boards of health, but more especially with the lack of uniformity in interpretation and application of the milk regulations by board of health officials.

On the dairy farm survey 28 per cent of the producers reported a lack of uniformity in dairy farm inspections

by milk inspectors in different cities and towns. The Commission read with interest the communication from the Board of Health of Swampscott:

That approximately 80 per cent of the cities and towns are making no attempt to comply with the provisions of the Dairy Laws, . . . and it is preposterous to suppose that a producer or dealer of milk or cream can or will attempt to comply with the varying opinions and whims and rules and regulations of each individual city and town in which his product is sold.

At the close of each hearing the chairman of the Commission asked for the reaction of the group present in regard to the adequacy of the present system of milk inspection, and in every case producers and distributors alike were unanimous in their opinion that the present system of milk inspection is inadequate.

The Dairy Farm Survey showed 46 per cent of the farms received not more than one inspection per year, and in the summary of the same survey 14 per cent of the farms reported no inspection.

The summary of milk control procedure shows that there were 55 per cent of the boards of health with no appropriation for dairy farm inspection. Out of the 44 per cent of boards of health reporting appropriations for dairy farm inspection, 41 per cent of these were appropriations of \$1,000 or under.

It is also interesting to note the fact that only 36 per cent of the boards of health in the same survey inspect milk before issuing permit to producer or dealer, and only 60 per cent of the boards of health report that they inspect place where and circumstances under which milk is produced and handled before issuing permits to producer or dealer. This survey likewise showed that only 22 per cent of the boards of health had full-time inspectors, and that 7 per cent of the boards of health had no milk inspector.

The summary of the dairy farm survey shows that 20 per cent of the dairy farms receive inspection by two or more boards of health. A typical condition to be found

throughout many sections of the Commonwealth is like that of a Plymouth County dealer who stated to the Commission that "His producers were subject to inspection by nine different inspectors from nine different cities and towns."

In every hearing the Commission heard producers report that their dairy farms receive duplicate inspection by anywhere from three to perhaps nine or ten boards of health each year.

One of the most significant statements milk producers made in the various hearings was the fact that the present milk inspection system worked a greater hardship on the local Massachusetts producer than upon the out-of-State dairymen shipping their milk into the Massachusetts markets.

The contention, of course, was that the milk inspectors of various Massachusetts cities and towns, being handicapped by limited appropriations for dairy farm inspection work, were obliged to center their attention and activities in dairy farm inspection work with the near-by Massachusetts producer. The summary of milk control procedure shows that 79 per cent of the Massachusetts communities covered have dairies supplying them with milk, located outside of the State. The same summary shows that only 19 per cent of these Massachusetts boards of health give actual dairy farm inspection to out-of-State dairies.

The Commission found that there were a few of the larger cities which did have sufficiently large appropriations to allow them to do considerable dairy inspection work on out-of-State dairies. In many cases other smaller cities and towns depend upon this out-of-State inspection by Boston, Springfield, Brookline, or others, to give them adequate dairy farm inspection and protection on their out-of-State milk supply. It becomes clear that the taxpayers of a large number of cities and towns are thus receiving a very important public health service at the expense of some few other cities and towns.

There exists, however, a grave danger in this sup-

posedly practical arrangement. The tremendous amount of territory to be covered, the large number of dairy farms concerned, and the limit upon the resources for appropriations to carry on such work, makes it extremely difficult for such a very small number of boards of health to truly achieve adequate results. The very fact that they alone must spread their activities and efforts to cover as large a territory as possible must, of necessity, limit the amount of inspection that any one section or producer group receives.

The Commission found that a detailed analysis of the summary of the United States Public Health milk survey showed the largest number of Massachusetts dairy farmers generally violating most frequently the items in the standard milk code, as follows:

Dairy Barns. — Floor construction, cleanliness, walls and ceilings, manure disposal.

Milk Room. — Walls and ceiling, screening.

Utensils. — Construction, cleaning, disinfection, storage.

Milking. — Hands, clothing, milk stools.

It is also very important to note that in the same survey the largest number of out-of-State dairy farmers were generally violating most frequently the same items as noted above in the case of the Massachusetts dairymen.

The Department of Agriculture made a survey of thirty-five dairy farms in Middlesex County supplying milk for Massachusetts markets. These farm inspections were made in December, 1931, using a modified United States Public Health Standard Milk Ordinance and Dairy Inspection Form No. 5 in Appendix A.

A detailed summary of this survey will be found in Appendix D.

This survey shows individual dairy farm violations of from 28 to 74 per cent of the regulations. The following items were found to be most generally violated on these thirty-five Middlesex County dairy farms:

Stable and Premises. — Cubic space, light, ventilation, cleanliness, floors, gutters, manger, ceilings, walls.

Cows. — T. B. tested, cleanliness, bedding.

Milk Room, Storage and Handling. — Location, drainage, construction, equipment, cooling tank, screens, cleanliness, ventilation, light, facilities for cleansing and sterilizing.

The Commission visited dairy farms in Vermont and New Hampshire and found that the inspection lacked uniformity, co-ordination and centralization.

There was evidence that certain out-of-State farms visited by the Commission were inspected and making every effort to supply our consumers with quality milk, and yet neighboring farms were producing a part of the milk supply under unsanitary conditions with no inspection or very poor inspection.

The good milk and the poor milk is often mixed together in some of our markets, and the salable product is strongly influenced by the milk of poor quality.

The summary of these Vermont and New Hampshire dairy farm inspections shows that in general there are large numbers of dairy farms with poor manure disposal, poorly ventilated and equipped milk rooms, poorly constructed and maintained dairy barns, and definite lack of adequate Massachusetts board of health inspection.

For the detailed summary covering conditions which the Commission found on the Vermont and New Hampshire dairy farm inspection trip, see Appendix D.

The summary of milk control procedure brings out another very important fact in regard to milk control work by Massachusetts boards of health. The summary shows that only 52 per cent of the cities and towns have laboratory equipment for chemical examination of milk, and, still more important, only 42 per cent of cities and towns have laboratory equipment for bacteriological examination of milk.

The Commission found that in most of the smaller communities there is little, if any, laboratory supervision of milk to reinforce what dairy farm inspection is given.

Mention should be made, however, of the large proportionate share of laboratory supervision which a few cities

and towns are providing as a constant index of the condition and quality of their local milk supply. Yet the summary indicates that 91 per cent of the communities had bacteriological examinations of each individual producer's milk less than three times in 1930.

The Commission, in both its dairy farm inspection trips and its public hearings throughout the Commonwealth, was continually informed by large numbers of Massachusetts dairy producers that it was their desire to produce clean, safe milk of good quality in order to assure consumers the proper public health protection. In order to achieve this end they were also willing to have adequate and equitable milk inspection ably enforced.

It was inevitable that the Commission would find certain extremely important factors affecting other aspects of the whole milk industry which were not specifically connected with dairy farm inspection laws and hence not directly within the scope of the Commission as set forth in the resolve creating said body. For this reason, the legislative recommendations of the Commission as such will not cover certain points in its findings, although it is the desire of this Commission to go on record in favor of legislation to correct conditions and practices which they feel are doing grave injustice to the Massachusetts dairymen.

The first factor covers the pressing need of more adequate supervision and enforcement of the existing laws relating to the sale of milk on the basis of weight and test. The Massachusetts Agricultural Experiment Station at Amherst has general supervision at the present time over both the certification of persons eligible to make tests as a basis for payment and also of the equipment itself.

The dairy farm survey shows that of the 554 producers selling milk on the basis of weight and test, only 91 reported check tests being made on their product, yet the same survey shows that 25 per cent of the dairy farms reported dissatisfaction with butter fat tests of their milk.

The Commission is convinced from evidence brought out in the hearings that there are a large number of dairy

producers that should receive more adequate protection in the matter of supervising and testing of their milk as a basis for payment.

The second factor is concerned with the advisability of requiring all persons who buy milk from Massachusetts producers to provide a surety bond. In this way the Commission feels that all Massachusetts producers would have a much needed protection against the activity of unscrupulous, irresponsible and insolvent milk distributors.

Such milk distributor bonding laws are in effect in a number of States, including Vermont and New York. This also would fit in with the weight and test law, where it had been definitely proven that if a producer had been defrauded he could take the proper legal steps and be assured of financial redress. In other States the Commission learned such a bonding law had definitely increased the financial stability and character of persons engaging in the milk distributing business.

The third factor deserving careful attention concerns the advisability of changing the present laws in regard to Grade A milk and Grade A Massachusetts milk.

In most of the hearings the Commission found expressed sentiment in favor of some equitable change in regard to the present requirements for Grade A milk sold in Massachusetts markets. The two existing Grade A's cause much misunderstanding and confusion, both in the minds of the consuming public and even some public health officials.

The Commission was deeply interested in the report of the New England Milk Producers' Association on the western cream situation. The point especially significant deals with the question of inspection of this product which at certain seasons of the year is sold in large volume in a number of Massachusetts markets. It is clear that the sources and conditions relating to the production, handling and shipping of this out-of-State cream are not subject to the supervision and inspection of Massachusetts boards of health, and for that reason under the present conditions it is a potential public health menace.

It is admitted, of course, that certain sources of this western cream are receiving inspection and supervision by their own State and local health officials, and these sections have in the past furnished a considerable amount of good quality cream for certain markets. During the past year uninspected cream from western and southern sources was shipped into Massachusetts markets when there was available in some parts of the normal New England milk shed a surplus of inspected milk and cream which it seems might have been used in place of this southern or western product. The complete report on western cream submitted to the Commission by the New England Milk Producers' Association will be found in Appendix C.

SUMMARY OF FINDINGS.

For the sake of clarity it seems well to briefly summarize the various outstanding points which the Commission feels should be emphasized in its findings. In general, they follow in this order:

1. There is widespread dissatisfaction on the part of Massachusetts dairymen with the present system of dairy farm inspection.
2. The present rules and regulations as adopted by local Massachusetts boards of health are not uniform.
3. The present rules and regulations of Massachusetts boards of health are not uniformly interpreted by milk inspectors of different cities and towns.
4. The present system of milk inspection and supervision in Massachusetts is inadequate to meet the needs of public health protection.
5. There is duplication of milk inspection under the present system.
6. There is a large amount of out-of-State milk sold in Massachusetts markets.
7. There is inadequate inspection and supervision of the sources of this out-of-State milk by Massachusetts boards of health.
8. There are a few large cities carrying the total finan-

cial burden of out-of-State milk inspection and control work.

9. There are many small Massachusetts cities and towns which, because of limited appropriations and personnel, make very few dairy farm inspections.

10. There are a large number of the smaller Massachusetts cities and towns which rely on the out-of-State milk inspection service of a few of these large cities.

11. There are a few large Massachusetts cities and towns carrying the total financial burden of maintaining laboratory equipment for adequate milk control work.

12. There is a lack of laboratory equipment for adequate milk control work in many of the smaller Massachusetts cities and towns.

13. There is an evident desire on the part of Massachusetts dairy farmers to produce clean, safe milk of good quality for public health protection, and a willingness to have adequate, well-enforced milk inspection.

14. There is need for more adequate supervision and enforcement of the existing laws relating to the sale of milk on the basis of weight and test.

15. There is need for legislation providing a bonding law to cover distributors purchasing milk from Massachusetts dairymen.

16. There is need for a revision and clarification of the present Massachusetts laws covering Grade A and Grade A Massachusetts milk.

17. There is a large volume of cream coming into Massachusetts markets from southern and western sources which does not come under the inspection and supervision of Massachusetts boards of health.

RECOMMENDATIONS.

(See Appendix E.)

1. That a Milk Regulation Board be created with power to establish and promulgate rules and regulations and uniform minimum requirements for the inspection of dairy farms supplying milk and cream for Massachusetts markets.

2. That the Milk Regulation Board be empowered to act as an appeal board in cases of disagreement on the issuance, revocation, and suspension of certificates of registration to dairy farms, and permits to producers of milk to sell and deliver milk in towns and cities.

3. That the Director of Dairying and Animal Husbandry in the Department of Agriculture be authorized to make and cause to be made adequate inspection of dairy farms producing milk for sale in Massachusetts as the basis of uniform minimum requirements established by the Milk Regulation Board.

4. That the Director of Dairying and Animal Husbandry be given authority to issue certificates of registration to dairy farmers producing milk for sale in Massachusetts when such farms show a satisfactory compliance with uniform minimum requirements.

5. That the milk producers and dealers and distributors of milk and cream be required to submit definite information regarding the production, distribution and sale of milk, cream and milk products.

6. That the consumers of milk be guaranteed a safe, healthy adequate supply of milk and of cream from sources that can be inspected most effectively and economically.

7. That a bond be required of milk dealers and distributors to properly protect a continuing supply of quality milk from the producer to the consumers. Dealers and distributors of known financial responsibility should be exempt from the bond requirement.

8. That the regulatory enforcement of the present law relative to the weighing and testing of milk or cream as a basis for payment in buying or selling should be placed in the Department of Agriculture.

9. That the present Grade A and Grade A Massachusetts laws be repealed, and a new legal grade be made for a high quality milk produced in Massachusetts.

APPENDIX A.

QUESTIONNAIRES AND INSPECTION FORMS.

QUESTIONNAIRE No. 1.

Milk Control Procedure.

- City or town
- Milk inspector Full time or part time
- If part time, how much time is devoted to milk inspection?
- Number of quarts of milk sold daily
- Number of quarts coming from outside local milk shed
- Do your regulations require that all milk sold be —
- Pasteurized
- From T. B. tested cattle
- Certified
- Number of quarts sold as raw milk
- Number of quarts sold as pasteurized milk
- Does milk inspector grant licenses to sell milk to —
- Producer-dealer
- Dealer
- Stores
- Number of licenses revoked in 1930-31
- Does Board of Health have established regulations on the subject of the granting of such licenses by the milk inspector?
- Does Board of Health issue permits for the sale or delivery of milk to —
- Producer
- Dealer
- Does Board of Health, before issuing such a permit for sale or delivery of milk to producer or dealer
- Inspect milk
- Inspect place where and circumstances under which it is produced and handled
- Has the Board of Health authorized an agent to do this inspection?
- Number of permits revoked in 1930-31
- Number of permits reissued in 1930-31
- Number of Grade A Massachusetts milk permits
- Number of Grade A Massachusetts permits revoked in 1930-31

Number of Grade A milk permits issued
 Number of Grade A milk permits revoked in 1930-31

Does Board of Health issue permits for sale of any other grade or
 classification of milk?

The amount of the annual appropriation for dairy farm inspec-
 tion

Total amount of annual appropriation for milk inspection

Total number of dairies supplying milk

Total number of dairies located outside the State supplying milk

Total number of dairies receiving actual dairy farm inspection by
 local Board of Health

Total number of dairies receiving actual dairy farm inspection by
 authorized agents of local Board of Health

Total number of dairies outside the State receiving actual farm dairy
 inspection by local Board of Health or authorized agent

Is the local Board of Health laboratory equipped to make chemical
 examinations of milk? (and number, 1930-31)

Is the local Board of Health laboratory equipped to make bacterio-
 logical examinations of milk? (and number,
 1930-31)

Date of last change in regulations

QUESTIONNAIRE NO. 2.

Massachusetts Dairy Farm Survey.

Date

Town

Name

Post office address

1. Number of cows over 2 years, 1931 1925

2. Number of heifers under 2 years, 1931 1925

3. Number of pure breds Number of pure sires

4. Number of idle stanchions

5. Production of milk yesterday in quarts

6. Is farm located on hard surfaced road (or distance from)?

7. To whom is milk sold? Address

8. What city or town milk inspectors inspect your farm?

.

9. How often does each milk inspector inspect your dairy barn?

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10. When was last inspection made?
11. When was previous inspection made?
12. Has dairy farm a permit to produce milk?
13. Who issued permit?
14. When was permit issued?
15. Do milk inspectors apply uniform requirements and uniform interpretations in their dairy farm inspections from year to year?
16. Is there lack of uniformity in requirements and interpretations of dairy farm inspection among inspectors of different cities or towns?
17. What dairy farm inspection requirements are now causing the most difficulty or complaint?
18. What dairy improvements or changes have you been required to make as result of milk inspection in past two years?
- Cost
19. Equipment on your farm:

Milk house	Cooling tank
Ice	Mechanical refrigerator
Small-top milk pail	Strainers Type
20. Is milk sold on weight and test?
21. Who tests butter fat?
22. Are you satisfied with results?
23. Have any check tests been made of your milk?
24. Who did this check testing?
25. When was last payment made?
26. Net price per quart of milk received at farm at last payment for per cent butter fat
27. Are you a member of a dairy marketing association?
28. Are you a member of your county dairy association?
29. Do you sell your milk on a rating plan?
30. What per cent of surplus milk did you have for last payment period?

QUESTIONNAIRE No. 3.

Milk Dealers' Farm Inspection Survey.

Name

Address

Approximate daily (November) purchases of milk in quarts

Approximate daily (November) purchases of cream in quarts

Percentage of your milk purchased outside of State in —

1920

1930

- Percentage of your cream purchased outside of State in —
 1920
 1930
- Number of producers in —
 Vermont Massachusetts (by counties)
 New Hampshire
 Maine
 Connecticut
- Total number of producers supplying milk and cream (as of November)
- Cities or towns in which you sell milk and cream
- Grade of milk sold:
 Reg.
 Grade A
 Mass. Grade A
 Cert.
 Other Grades
- Number of full-time persons doing dairy farm inspection work
 Number of part-time persons doing dairy farm inspection work
 Number of dairy farm inspections made in 1930
 Number of persons making butter fat tests
 How often do you make butter fat tests as basis for payment?
- The following number of tests were made of producers' milk in 1930:
 Butter fat tests
 Sediment tests
 Acidity tests
 Methylene blue tests
- Number of bacteriological examinations of producers' milk in 1930
 How many times were you check tested on butter fat tests in 1930?
 Who did this check testing?
- Purchase milk on basis:
 Weight and test
 Measure
- Do you pay premium for low bacteria count?
 What is the maximum shipping temperature you allow at farm for milk?
 Do you require all milk to be from T. B. tested cattle?
 Are you required to be bonded in order to purchase milk in —
 Vermont
 New Hampshire
 Maine
 Connecticut

From what cities or towns do you hold licenses to sell milk and cream?

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From what cities or towns do you hold permits to sell milk and cream?

.....

From what cities or towns do you hold temporary permits to sell western cream?

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Remarks.

.....

Inspector.

NOVEMBER 10, 1931.

UNITED STATES PUBLIC HEALTH SERVICE.

DAIRY INSPECTION FORM NO. 4.

Item No.	Cows.	Grade if Defective.	Cross Mark means Defect.
(1)	Tuberculin testing and physical examination .	C	()
<i>Dairy Barn.</i>			
(2)	Lighting (3 square feet per stanchion) . . .	B	()
(3)	Ventilation	B	()
(4a)	Floor construction (concrete or other impervious material; graded)	B	()
(4b)	Floor cleanliness (no accumulations beyond one milking; no chickens)	D	()
(5)	Walls and ceiling (painted; whitewashed; clean; ceiling tight if feedstuffs over)	B	()
(6a)	Barnyard (graded; drained)	B	()
(6b)	Barnyard (cleanliness)	D	()
(7)	Manure (minimum fly breeding)	C	()
<i>Milk Room.</i>			
(8a)	Floors (concrete or other impervious material; graded to drain)	D	()
(8b)	Walls and ceiling (painted or other approved finish, easily cleaned)	D	()

Item No.	Milk Room—Con.	Grade if Defective.	Cross Mark means Defect.
(8c)	Lighting (ample)	D	()
(8d)	Screening (effective)	D	()
(8e)	Miscellaneous requirements	D	()
(9)	Cleanliness and flies (all necessary fly control methods)	D	()

Toilet.

(10)	Location, construction and operation (fly-tight; no overflow)	D	()
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Water Supply.

(11)	Accessibility, adequacy, quality	D	()
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Utensils.

(12)	Construction (easily cleaned; good repair; seams soldered flush; narrow mouth pails)	C	()
(13)	Cleaning (must look and feel clean)	D	()
(14)	Disinfection (steam, chlorine, hot water)	C	()
(15)	Storage (no recontamination)	D	()
(16)	Handling (no handling of surfaces to which milk is exposed)	D	()

Milking.

(17)	Udders and teats (clean)	D	()
(18)	Flanks, etc. (free from visible dirt)	D	()
(19)	Hands (clean; disinfected; dry)	D	()
(20)	Clothing (clean)	D	()
(21)	Milk stools (clean)	D	()
(22)	Immediate removal of milk to milk house (no straining in barn)	D	()

Bottling and Capping.

(24)	Method (full credit given if milk delivered in cans)	C	()
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Employees.

(25)	Health certificates (once each year)	C	()
Date.....		

Inspector.

MASSACHUSETTS DEPARTMENT OF AGRICULTURE DAIRY FARM
INSPECTION REPORT — FORM NO. 5.

Producer Town
P. O. address
Total number of cows Number milking
Quarts of milk produced daily Dealer

Stables and Premises.

Location
Construction
Cubic space Light
Ventilation
Cleanliness
Floors Gutter Manger
Ceilings Walls
Cellar, drainage and yard
Disposal of manure
General conditions, toilet, etc.

Cows.

Tuberculin tested Date
General condition
Cleanliness
Bedding Kind
Food
Water

Milk Room, Storage and Handling.

Location Drainage
Construction
Equipment Cooling tank
Screens
Cleanliness
Ventilation
Light
Facilities for cleansing and sterilizing
Care of utensils
Milking Small-top pails Teats and hands washed
Cooling Straining
Ice Water supply

Remarks.

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Date

Inspector.

APPENDIX B.

COMMUNICATIONS.

The following communications were officially received by the Commission:

WEBSTER, MASS.

Special Legislative Committee on Dairy Farm Inspection, the Honorable
THOMAS H. JOHNSON, *Chairman*.

DEAR SENATOR:— Allow me to recommend for your consideration the following changes in the law, regarding milk production:

1. The compulsory appointment of inspectors of milk and dairies.

To encourage several small towns to act co-operatively in the appointment of a full-time inspector, with a view to bringing home the necessity of cleanliness in milking and handling of milk, the health of cows and the milk handlers.

2. No milk or *cream* to be produced for consumption in this State without a permit to do so.

Outside dairies to receive the same inspection as local ones, eliminating unfair competition which tends to break the morale of local producer as well as the price.

3. A compulsory attendance of a two weeks' short course at the State College by all newly appointed inspectors, with the granting of a certificate of capacity, all present inspectors to qualify or take the course, a competent examiner to conduct the examination of present inspectors. A tactful inspector that knows his work can accomplish wonderful results. I believe this is no time to let up on dairy inspection, but that a high standard of uniform regulations and inspections will tend to stabilize the price of milk, regulate production, and eliminate inferior quality of milk.

Yours for more and better Massachusetts milk.

L. A. PAQUIN, *President*,
Massachusetts Milk Inspectors' Association.

SWAMPSCOTT, MASS., October 9, 1931.

Mr. J. C. CORT, *Secretary of the Recess Commission on Dairy Farm Inspection, State House, Boston, Mass.*

MY DEAR MR. CORT:— I received your notice relative to the hearing to be held on October 14, and I regret very much that I shall be unable to be present as I have already made arrangements to

accompany Mr. Emery of the Vermont Department of Agriculture on an inspection of the dairies of the Trout Brook Creamery Company, Concord, Vt., the week of October 12.

If it is possible I should like very much to be recorded as strongly in favor of the repeal of section 43 of chapter 94 of the General Laws, and the enactment of a new law prohibiting the sale of milk and cream in any city and town in this Commonwealth until the milk inspector of the city or town in which the milk or cream is to be sold has been provided with a certificate from the Commissioner of the Department of Agriculture or his duly appointed representative, stating that the place where and the circumstances under which the milk or cream has been produced and handled has been inspected by an authorized agent of the Department of Agriculture and the sale of milk and cream produced thereon has been approved.

The fact that approximately 80 per cent of the cities and towns are making no attempt to comply with the provisions of the law, and the fact that the same per cent of producers and dealers are violating the law as well, should be unmistakable evidence that the law should be repealed and the responsibility and supervision of our milk supply put where it belongs,—under the State, preferably the Department of Agriculture.

During the past ten or more years this town has made every effort to comply with the law, but it has found that it is too large a job not only for this town but the majority of the cities and towns, and it is also preposterous to suppose that a producer or dealer of milk or cream can or will attempt to comply with the varying opinions and whims and rules and regulations of each individual city and town in which his product is sold. I firmly believe that the producer and dealer are both anxious and perfectly willing to do everything in their power to improve the quality of their product and the health of the consumer if they can be certain that when they have done what has been requested it will be both satisfactory and final and not subject to likes and dislikes of several inspectors of the different communities in which the milk and cream is sold.

I firmly believe that by placing the control and supervision of the place and circumstances under which the milk and cream is produced under the State Department of Agriculture you will not only relieve the producer and dealer of the unending amount of annoyance and trouble he has been experiencing under the present law, but you will have taken a decided step in the right direction to obtain a quality of milk that has so long been desired but impossible to obtain.

Uniform regulations, uniform inspections, and with but one control, are what is needed most, and I sincerely hope that the members of the Commission will direct their efforts toward the best interests of the producer and consumer rather than to the desires and interests of the milk inspectors, the majority of whom are only interested in their own jobs and what they will bring them, either in the way of

a nice soft bed and plenty of good food in a country hotel, with little or actual work in return, at the expense of the taxpayers, or in what they may be able to gather for being a good fellow and keeping their eyes full of dirt so that they cannot see what is going on.

I further hope that the Commission will not confine their investigations to this State because there are millions of quarts of milk produced outside this State and sold here that is as badly in need of inspection and supervision as that produced here.

Yours very truly,

CLARENCE W. HORTON,
Milk Inspector.

OCTOBER 29, 1931.

Mr. J. C. CORT, *Secretary of the Recess Commission on Dairy Farm Inspection, State House, Boston, Mass.*

DEAR MR. CORT:— In view of our mutual interest in the Massachusetts farmer, I am advising you as follows:

I had an application from a dealer to qualify twenty Massachusetts dairies for Grade A Massachusetts milk. We had inspected the dairies and found them in good sanitary condition, and I encouraged the distributor to have them qualified. As you know, the law requires that five samples on five successive days be taken. Of these twenty dairies only three qualified, some of the counts being over a million per cubic centimeter. The samples were taken September 14 to 18, inclusive. About the same time I had an application to qualify thirteen Vermont dairies for regular Grade A milk. The highest count in the series of samples taken was but 85,000.

I am hoping that the Special Milk Commission will find out that the trouble with the Massachusetts supply is that the producers do not properly cool and care for their milk, and that, on their trip to Vermont and New Hampshire, they will recognize the fact that they can not judge a milk supply by inspecting the premises, and that our Massachusetts farm buildings are, on the whole more attractive in appearance than those in Vermont and New Hampshire.

Yours truly,

W. E. WARD,
Agent.

NOVEMBER 5, 1931.

Mr. J. C. CORT, *Secretary of the Recess Commission on Dairy Farm Inspection, State House, Boston, Mass.*

DEAR MR. CORT:— I am very sorry that I was unable to attend the conference with the Dairy Commission on Wednesday, but I had arranged to inspect some dairies at Oxford. It is probably just as well, as my views regarding needed legislation are not in accord

with those of some of the others invited to attend the conference. I am giving you my views as concisely as possible, with some of the reasons therefor, but, no doubt, some of them will be a reiteration of phases already presented.

A proposed legislation should be based upon assistance to the Massachusetts producer in —

1. Improving the quality of milk.
2. Eliminating, as far as possible, the surplus.
3. Protecting him as to butter fat content.
4. Eliminating inspection of dairy farms by inspectors who know nothing about milk production.
5. Adopting uniform minimum dairy farm regulations to be made and enforced by the Department of Agriculture.

6. The prompt tuberculin testing of herds upon application.

As experience during the past ten years has shown that my proposed legislation which would tend to nullify or curtail the authority of local officials has invariably met with defeat, the legislation which those of us most interested would like to see enacted would undoubtedly fail of passage. It is my opinion, therefore, that the new legislation should apply primarily to dairy farm conditions and marketing. My idea of needed legislation is as follows: The State Department of Agriculture should be given authority in the following matters:

(a) Making and enforcing regulations pertaining to dairy farm inspection.

(b) Placing men in the field to assist Massachusetts farmers to produce a higher quality of milk for which the Department should be provided with sufficient funds and personnel. At the same time, regulations should be enforced that would insure such quality.

(c) Supervision and regulation of the butter fat test; encouragement of organization among groups of producers to establish receiving plants where surplus milk can be made available and what is not sold manufactured at a greater return than the ridiculously low price paid for surplus milk.

(d) To make provision for requiring the approval of the State Department of Agriculture before any regulation pertaining to dairy farm inspection can be adopted by a local board of health. (This, I fear, would be strenuously opposed.)

Regarding inspection of dairy farms, there are too many milk inspectors who know little or nothing about the inspection of milk. The tendency is too general for inspectors to advertise the need of drainage, ventilation, smooth interiors of barns, location and type of milk room, etc., rather than the cleanliness and proper care of the product itself.

I would like to see arrangements made with the State College whereby every milk inspector in the State would be obliged to obtain a certificate of approval, and those who upon examination could not qualify required to take a two weeks' or more course of training

at the college. Those who are efficient would have no difficulty in receiving certification.

Regarding out-of-State production, if dealers were obliged to obtain a permit from the State Department of Agriculture for the purchase of out-of-State milk or cream, the Department would have an excellent opportunity to insist that the Massachusetts surplus be made use of first. This would also enable the Department to refuse to admit milk unless adequate inspection of dairies had been made.

Regarding quality, my records show that raw milk from those stations in Vermont that come under my supervision reaches the pasteurizing plant in far better condition than the Massachusetts supply. There is certainly something wrong when milk produced in Massachusetts, a day or more fresher than Vermont milk, will average a far higher bacterial count and more bacterial contamination. This is, in my opinion, the greatest drawback to the Massachusetts producer. It should be realized that when a milk control official takes his oath of office to enforce the milk laws and regulations, he must necessarily insist upon adherence thereto, the result being, in my own case at least, that dealers prefer the supplies of uniform good quality, regardless of where they are produced. It is evident from observation in other States that the first step is to improve the quality of Massachusetts milk, which can well be done by our State Department of Agriculture starting along educational lines.

In general comment, I think a system similar to that used in Vermont would work wonders in Massachusetts. In addition, if our State Department is given the suggested authority, I feel that it would tend to eliminate many of the freak regulations adopted by local boards, and, in general, provide a co-operation between the State Department and local inspectors that would make for uniformity in inspection, an increased demand and better market for Massachusetts produced milk and in time, clarify the entire situation, which is now admittedly very unfavorable for our Massachusetts producers. The inspectors could go along as they are now, but would have the guidance of the State Department officials.

Another suggestion would be to pass legislation making it obligatory for every municipality of reasonable population to appoint a qualified inspector of milk (or, as the case of Sealers of Weights and Measures, two or more municipalities could employ the same inspector). Then, as in the case of Weights and Measures, have the State Department of Agriculture empowered to see that the dairy inspection laws be enforced, and if the local inspector is not competent to do the work properly, have it done by the State Department, after giving a hearing to the local board of health, and the cost charged to the delinquent town.

Yours truly,

W. E. WARD, *Agent,*
Board of Health, Brookline.

NEEDHAM, MASS., November 13, 1931.

Mr. J. C. CORT, *Secretary of the Recess Commission on Dairy Farm Inspection, State House, Boston, Mass.*

MY DEAR MR. CORT:— I trust it is not too late to submit to the State Dairy Commission my ideas relative to improving the inspection of dairies producing milk and cream for consumption in Massachusetts.

As I have stated to you personally, I am very much in favor of having a standard set of milk production regulations in force throughout the Commonwealth. Such a code would serve as a uniform guide to all milk inspectors. If such standard regulations were enacted, I believe their enforcement should be under either State or local control. A joint enforcement might be worked out, but such a plan has many weaknesses.

A Board of Inspection (or Appeal) might be established, its members to be representatives of the Commonwealth, the producers and the inspectors. Such a Board would interpret the above-mentioned standard inspection code and could also serve as an educational group.

In order to augment the powers of and also advise local inspectors, and also to educate the producers, I would welcome an increased State inspection service.

I hope that these suggestions will meet the approval of the Commission.

Very sincerely yours,

G. DONALD BUCKNER,
Milk Inspector.

WORCESTER, MASS.

Mr. JOSEPH CORT, *Secretary of the Recess Commission on Dairy Farm Inspection, 136 State House, Boston, Mass.*

MY DEAR MR. CORT:— The Jersey Club Dairies, Inc., of Massachusetts in conference in Springfield, November 4, 1931, voted to heartily endorse the program of uniform State inspection of farms under the direction of the State Department of Agriculture.

Very truly yours,

RUTH I. DERBY,
Clerk, Governing Board.

WORCESTER, MASS.

Mr. JOSEPH C. CORT, *Secretary of the Recess Commission on Dairy Farm Inspection, 136 State House, Boston, Mass.*

MY DEAR MR. CORT:—I have been instructed to forward to you the following resolution:

Resolved, That the Executive Committee of the Massachusetts Jersey Cattle Club in session at the Hotel Kimball, Springfield, Mass., Nov. 12, 1931, are in favor of uniform inspection of all farms selling milk in Massachusetts, and wish to thank the Recess Commission for their interest and the thoroughness of their investigations.

Very truly yours,

RUTH I. DERBY,
Secretary.

FALL RIVER, MASS., NOV. 25, 1931.

Mr. J. C. CORT, *Secretary of the Recess Commission on Dairy Farm Inspection, 136 State House, Boston, Mass.*

DEAR MR. CORT:—Our association wishes to ask the Special Commission appointed by the Legislature to study the dairy laws that they recommend the following to the Legislature when they report back:

That there be a uniform inspection of all farms producing milk for Massachusetts consumption, the expense of inspecting farms out of the State to be borne by the producers. Argument: Why should this State stand the expense of inspecting farms in other States? This would help as much as anything to protect milk from coming in from the northern territories.

Bonding of milk dealers would be a great protection and benefit to the producer. Another great protection would be a check on the weight and butter fat test which the dealer pays. We believe that this work should be carried on by the Department of Agriculture.

We are sending copies of this letter to our Senator and Representatives asking their co-operation.

Sincerely yours,

ISAAC TRIPP, JR., *President,*
Fall River Milk Producers' Association.

CHARLESTOWN, MASS., October 19, 1931.

We suggest for the consideration by the State Dairy Commission the following:

1. A program for uniform quality regulations for the production of all milk and cream² sold within the State regardless of the source from which it comes.

2. A program which will require all cream to come from whole milk delivered daily and separated at the receiving station rather than on the farm.

3. A program which will require that the sources of cream shall be of equal standards to those of milk.

H. P. HOOD & SONS, INC.

AMHERST, MASS, December 7, 1931.

Mr. J. C. CORT, *Secretary of the Recess Commission on Dairy Farm Inspection, 136 State House, Boston, Mass.*

DEAR MR. CORT:—At a meeting of the Board of Directors of the Holyoke Producers' Dairy Company on Friday, December 4, it was voted to recommend to this committee for consideration the fee for licensing milk dealers. "This Board unanimously recommends to your Commission that legislation be proposed to increase the fee of such a license, from the local board of health, from \$0.50 to \$100, and to exempt only those farmers who are distributing their own milk."

It is the belief of the officers of this company that such an increase in fee would be no hardship on the responsible dealers in milk, and would further be a protection to the consumers and the producers of milk, in that it would eliminate from the business many irresponsible milk peddlers who have no investment in their business, and who are a menace to the industry, both from a health standpoint and from the standpoint of the producer. It is further pointed out that the fee of \$0.50 was established a great many years ago, when practically all milk was delivered to the consumer by the producer, which is not now the case. The \$100 fee would also furnish a substantial income to the local board of health, which would, in turn, enable it to render a greater service to the consumer.

Cordially yours,

SUMNER R. PARKER, *Secretary,*
Board of Directors of
Holyoke Producers' Dairy Company.

RESOLUTION PRESENTED TO THE SPECIAL DAIRY COMMISSION.

OCTOBER 9, 1931.

Whereas, The present system of dairy farm inspection affords unnecessary duplications; and

Whereas, The present system of dairy farm inspection does not apply equally to dairy farms within and without the Commonwealth; and

Whereas, Many impractical requirements now in force create an unjust burden to the Massachusetts farmers; therefore, be it

Resolved, That we, the Hampden County Dairyemen's Association, go on record as favoring the enactment of a Massachusetts Milk Inspection Law, creating a Milk Control Board similar to that of the State of Connecticut, which board will have the authority to promulgate and administer uniform regulations for the inspection of all dairy farms supplying milk for sale in the Commonwealth of Massachusetts.

FRANKLIN COUNTY DAIRYMEN'S ASSOCIATION,

FRED B. DOLE,
President.

HAMPDEN COUNTY DAIRYMEN'S ASSOCIATION,

T. J. DEWEY,
President.

HAMPSHIRE COUNTY DAIRYMEN'S ASSOCIATION,

CHAS. NORRIS,
President.

SUGGESTIONS WITH REGARD TO MILK INSPECTION PRESENTED BEFORE THE HONORABLE COMMISSION ON DAIRY INSPECTION, OCTOBER 20, 1931, BY HOWARD S. RUSSELL, SECRETARY OF THE MASSACHUSETTS FARM BUREAU FEDERATION.

WALTHAM, MASS.

The matter of milk and dairy inspection before your Commission is a most pressing and important subject.

Uniform System of Inspection. — From the many witnesses whom you have heard at previous hearings, I am sure that you are convinced that all milk which is consumed in Massachusetts should receive careful inspection and supervision, whether it is produced in Massachusetts or out of the State. Not only should these standards apply to milk, but also to cream. Certainly if milk can carry bacteria which is harmful or dangerous, cream can do likewise.

Not only is it important that inspection be required from a health standpoint, but it is also important from a competitive standpoint. Many of our farmers have spent hundreds or even thousands of dollars in altering their buildings to suit the

requirements of certain Massachusetts cities. Milk should not be allowed to be brought in either from Massachusetts points or from outside the State which comes from other dairies that have not been compelled to adhere to similar standards.

Your Commission has heard a good deal about out-of-State milk. I want to point out to you, however, that there is much unfair competition right in the State. In many cases small dairies conducted under unhealthful conditions without proper equipment are allowed to sell milk in competition with carefully conducted dairies. This is particularly true in the case of milk sold in the tenement districts of some of our larger towns and smaller cities. Such milk may be dangerous to health, and it exercises a constantly unsettling influence on prices, because it has been produced without sufficient attention to sanitation and similar details which take time and money.

If all dairies producing milk for Massachusetts markets are to be inspected, what is to be the basis of inspection? Is it to be the appearance of the barn, the distance of the manure pit, and various other physical factors, or the number of bacteria present in the milk?

Although it is important to have barns clean, the cattle clean, and to have manure promptly removed, it is far more important, in my opinion, that milk should be subjected to a bacteria test as a criterion of its healthfulness.

There are men in the State using old-fashioned equipment and sub-standard barns who, nevertheless, on account of their care and cleanliness, produce milk of very low bacteria count. On the other hand, there are dairies with every modern appliance and plenty of money to work with, which, on account of carelessness or indifference, produce milk having a high bacteria count.

Weight and Test. — One complaint that constantly comes to our ears is that there is no way at present to secure an official check with regard to the weight and test of milk. A continually larger percentage of the milk sold in this State is paid for in accordance with its weight and its test as to butter fat content. Farmers again and again allege that whereas private tests show that their milk is, say, of 4.8 per cent butter fat content, the dealer pays them on, say, a 4.0 content, or even lower. That this is a general practice among milk dealers I do not wish to imply, but so many complaints are received that there is little doubt that it does occur in some instances.

If a man is a member of a cow-testing association he can

protest at any difference between his cow test figures and the figures paid by the dealer. The New England Milk Producers' Association also checks up in certain instances.

Nevertheless, there is no legal and official way in which such a discrepancy can be checked.

We have State or United States inspectors of apples, onions, potatoes, hay, eggs and many other agricultural commodities. Milk, however, which runs into values far beyond any of the others, is without any official inspection service.

The Farm Bureau wishes to suggest that standards should be provided for this immense business by law, and that official inspection be provided to see that the standards are lived up to.

The State has sealers of weights and measures in every single town, and measurers of wood and bark, etc., to whom any citizen who feels aggrieved can appeal.

Why should not the State provide official testers at convenient points to whom any farmer or milk dealer can apply for an official test of his product? Such an official tester should be available in every county, at least, with a larger number, if necessary. He should be a sworn officer. Competent persons for this purpose might be provided by giving commissions to testers of herd improvement associations or to resident commercial chemists.

Mechanics of Inspection. — Who is to carry on the inspection of dairies and the inspection of milk as to its healthfulness? Is it to be done by the State, by the county, by the community, or some two of these three?

In my opinion, State inspection is best. The State will be less apt than any smaller body to permit favoritism or local neglect. Local politics will be less apt to enter in.

Many cities and large towns, however, already have efficient inspection service which has been operating to their satisfaction for many years. I see no reason why this service cannot be permitted to continue, provided it reaches the State's standards.

In time, as the State inspection becomes more efficient and shows its economy, such local inspection will tend to be discontinued.

Who is to Administer Inspection? — Such inspection is as much an agricultural matter as a health matter. We suggest that it be considered in these two divisions. Have farm inspection and checking of weight and test under the Department of Agriculture, which is accustomed to dealing with farmers and which has police powers with regard to apple inspection, in-

spection of other fruits and vegetables, and many other such things. Then have the necessary inspection of dealers and of milk after it reaches the dealer's hands under the Department of Health. But in any case, have responsibility definitely lodged in a department head rather than in a mixed board.

How is Cost to be Met? — Although this is a highly important matter, the General Court will not be in a mood to welcome an increase in expenditure such as is likely to be entailed by the plan presented without some idea of where the money is to come from.

The proposed inspection is important from the standpoint of health. Therefore a substantial part of it should come from the tax levy, its cost to be prorated to the cities and towns according to their population.

On the other hand, milk producers will receive a benefit. Massachusetts producers are to be benefited by having their market protected. Out-of-State producers permitted to ship in milk are benefited by finding a market. In each case I believe that a nominal inspection fee should be paid, perhaps on the basis of the number in the herd. The out-of-State producer might properly be charged the extra expense involved in distant inspection service rather than having it come from Massachusetts taxpayers.

In connection with the proposal we have made for sworn officials to check weight and test, let the man who asks for the test pay the laboratory fee. If the farmer asks for it, let him stand the cost of the chemical analysis; the dealer likewise, if he asks for it. Such a test once made can well stand until one or the other asks for a new one, but a test should be compulsory at stated intervals so as to avoid the possibility of continued fraud. The system might well be worked out along lines already laid out in connection with the sealing of scales all over the State.

Let me say in closing that it has been a pleasure to present these few suggestions to a body which has displayed such interest in the subject, and which is so well qualified to point the way to improvements that will lead us out of the present chaotic condition of the dairy business.

HOWARD S. RUSSELL.

APPENDIX C.

REPORT ON THE WESTERN CREAM SITUATION
BY THE NEW ENGLAND MILK PRODUCERS'
ASSOCIATION.

61 CORNHILL, BOSTON, MASS., September 2, 1931.

In the calendar year of 1930 cream received at Metropolitan Boston from midwestern points was valued at \$1,018,000, and for the first seven months of this year the value of cream arriving at Boston from midwestern points totals \$926,000. This represents the amount of money that went out of the normal New England milk shed for the payment of cream.

The first western cream arriving in Metropolitan Boston as reported by the railroads was for the year 1925, when approximately 5,000 cans of western cream reached Boston, equal to about 1 per cent of Boston's receipts. The amount doubled each year up through 1929, with the total that year reaching 155,000 40-quart cans, constituting 26 per cent of the total receipts of cream at Boston for that year. In 1930, under the cream exclusion ruling of the Boston Board of Health, the receipts decreased to 59,000 cans, constituting 10 per cent of the Metropolitan Boston receipts of cream. Thus far in 1931, through July, under the modified exclusion order of the Boston Board of Health, 73,695 cans of western cream have been received at Boston, which is a greater amount than was received during the entire year of 1930. Receipts for the first seven months of 1931 constitute 20 per cent of the total cream receipts at Metropolitan Boston.

During the greater part of 1930 the sale of uninspected cream was not allowed by the Boston Board of Health. In December, 1930, this restriction on the sale of cream from uninspected sections was removed as a result of the ruling that when any particular dealer had used up the supply available from his own producers, he could then go West for cream and was not obliged to clean up the available inspected cream in New England before bringing in uninspected supplies. The effect of this

ruling is shown by the very marked increase in receipts of cream at Metropolitan Boston from midwestern points which have been running from double to five times as much this year as last year. For the first seven months of this year, western cream receipts were more than double the receipts for the same period in 1930, receipts totaling 73,695 cans this year as compared with 35,349 cans last year.

Of the total milk required to cover Metropolitan Boston's milk and cream needs, the uninspected western cream in 1925, the first year of western receipts, constituted one-half of 1 per cent. The percentage increased each year up to 1929, when it totaled 13.7 per cent from uninspected sources. Under the Boston exclusion order it decreased to 5 per cent in 1930, but in 1931 the percentage has increased to where July uninspected supplies were 17 per cent of the total arrivals at Boston.

The midwestern States from which cream was received at Boston thus far in 1931 are as follows:

Michigan.	Tennessee.	Kentucky.
Wisconsin.	Alabama.	Pennsylvania.
Ohio.	Arkansas.	Kansas.
Missouri.	Illinois.	Minnesota.
Indiana.		

We are now in the stage of the dairy cattle cycle, when the number of cows are on the increase again in New England, due to the increase in the number of young stock being raised. It is probable for the next year or so, not considering the question of the effect of the price of milk on numbers, that the number of cows producing will increase.

To offset this increase in number of cows there has been a large shift of producers and milk from the Boston market to the New York market as a result of the better prices being paid by the New York market. This has removed a considerable volume of product that would otherwise be available for the Boston market.

One of the important reasons for the higher prices paid by the New York market is the fact that cream sold in the New York market must all come from inspected dairies in the New York milk shed. This ruling of the New York City Board of Health has resulted in a better return to producers for milk used for cream purposes in the New York milk shed. With a wide open market in Boston, and no requirements that cream come from inspected territory, New England milk for cream

purposes brings materially lower prices than does the same grade of milk used for cream purposes in the New York market. The lower price return on milk used for cream purposes has a direct effect upon the price which can be obtained for milk sold for fluid purposes, and thus one of the factors leading to our present low returns to dairy farmers is the fact that cream is brought in to the Boston market from territories not inspected by the Boston Board of Health and not required to meet the exacting regulations of the Boston Board of Health, thus depressing the price return to the New England producer.

Another disturbing factor in the general situation has been that while the cities and towns of Boston, Brookline, Lynn, Swampscott, Arlington and Belmont did not permit the sale of uninspected cream in their territory, other outlying cities of considerable size still allowed uninspected cream to be sold. Such cities as Somerville, Cambridge, Malden, Quincy, Newton and Medford did not require that their cream come from inspected territories.

Attached herewith are detailed tables bringing together the main statistical information in regard to the shipments of midwestern cream to the Boston market.

Receipts of Cream at Boston.

[Source: Massachusetts Department of Public Utilities.]

[100,000 quarts.]

YEAR.	Total.	Inspected.	Uninspected.	PERCENTAGE FROM —	
				Inspected.	Uninspected.
1925	246	244	2	99	1
1926	255	250	5	98	2
1927	246	233	13	95	5
1928	240	207	33	86	14
1929	237	175	62	74	26
1930	201	175	26	87	13

Receipts of Milk and Cream at Boston.

[Source: Massachusetts Department of Public Utilities.]

[Million quarts in terms of milk.]

YEAR.	Total.	Inspected.	Uninspected.	PERCENTAGE FROM —	
				Inspected.	Uninspected.
1925	379	377	2	99.5	.5
1926	422	417	5	98.8	1.2
1927	429	415	14	96.7	3.3
1928	436	403	33	92.4	7.6
1929	451	389	62	86.3	13.7
1930	453	427	26	95.0	5.0

Daily Receipts of Cream at Metropolitan Boston — 40-Quart Cans.

[Source: U. S. D. A. Bureau of Agricultural Economics.]

	Total Daily Receipts.	Inspected.	Uninspected.	PERCENTAGE FROM —	
				Inspected.	Uninspected.
1929.					
August	1,824	1,330	494	73	27
September	1,659	1,156	503	70	30
October	1,410	1,146	264	81	19
November	1,423	901	522	63	37
December	1,398	1,024	374	73	27
1930.					
January	-	1,145	207	85	15
February	1,352	1,159	252	82	18
March	1,411	1,369	113	92	8
April	1,482	1,572	73	96	4
May	1,645	2,010	151	93	7
June	2,126	1,994	132	94	6
July	1,773	1,529	244	86	14
August	1,612	1,401	211	87	13
September	1,606	1,319	287	82	18
October	1,443	1,300	143	90	10
November	1,201	1,133	68	94	6
December	1,326	1,255	71	95	5

*Daily Receipts of Cream at Metropolitan Boston — 40-Quart Cans —
Concluded.*

[Source: U. S. D. A. Bureau of Agricultural Economics.]

	Total Daily Receipts.	Inspected.	Uninspected.	PERCENTAGE FROM —	
				Inspected.	Uninspected.
1931.					
January	1,332	1,203	129	90	10
February	1,353	1,026	327	76	24
March	1,518	1,150	368	76	24
April	1,848	1,488	360	80	20
May	2,020	1,564	456	77	23
June	2,055	1,793	262	87	13
July	1,785	1,262	523	71	29
August	1,830	835	995	46	54

APPENDIX D.

DAIRY FARM INSPECTIONS.

Summary of Out-of-State Dairy Farm Inspections made by the Commission.

FARM NUMBER.	Milk House.	Cooling System.	Condition of Barn.	Manure.	Remarks.
1	No windows in milk house.	Cement cooling tank	Not whitewashed	In basement	-
2	-	-	Fairly good place	-	-
3	Good	-	Good	50 feet from barn	Frequent Massachusetts inspection.
4	No screens, flies bad	-	Very dirty	Piled outside window	-
5	-	Ice not required	Satisfactory	-	Massachusetts yearly inspection.
6	O. K.	-	O. K.	Stored under barn	-
7	-	-	Below average	50 feet from barn	-
8	None	-	Fair	-	-
9	-	-	Fair	-	-
10	No windows	Wooden tank	Not whitewashed; horses next to cows.	Piled outside barn door	-
11	-	-	Satisfactory	-	-
12	-	-	Has basement ventilator.	-	-
13	Building new milk house	-	Very clean, well lighted	-	-

Summary of Out-of-State Dairy Farm Inspections made by the Commission — Continued.

FARM NUMBER.	Milk House.	Cooling System.	Condition of Barn.	Manure.	Remarks.
14	-	-	Milks out of doors	-	T. B. tested.
15	-	-	Clean	-	T. B. tested.
16	New, with steam boiler	-	-	-	T. B. tested, yearly Massachusetts inspection. Never inspected.
17	-	-	-	-	-
18	Strains milk in door yard.	-	-	-	Two Massachusetts inspections in five years. No Massachusetts inspection.
19	-	-	Dirty	-	-
20	-	-	Horse manure in gutter	-	-
21	Cat in milk room	-	Horses next to cows	-	-
22	-	-	Horses next to cows	-	-
23	-	Refrigeration	Good	-	Yearly Massachusetts inspection.
24	-	-	Good	-	Yearly Massachusetts inspection.
25	-	-	Good	-	-
26	None	-	Very bad	-	Never inspected.
27	Using dirty strainer	-	Very bad, no light	-	-
28	Very small	-	Very dirty	-	-
29	Satisfactory	Frigidaire	Very good	-	-
30	Satisfactory	-	Very good	-	-

31	.	.	.	.	.	.	.	.	.	Very poor; horses next to cows.	Stored in open basement	Never inspected.
32	.	.	.	.	.	.	.	.	.	Poor	-	Never inspected.
33	.	.	.	.	.	.	.	.	.	Fair; poor quality bedding.	-	Never inspected.
34	.	.	.	.	.	.	.	.	.	Very poor; poor light, poor ventilation.	-	Poor toilet facilities.
35	.	.	.	.	.	.	.	.	.	Good; well lighted	-	-
36	.	.	.	.	.	.	.	.	.	Fair	-	Lax gutter cleaning.
37	.	.	.	.	.	.	.	.	.	Very clean	Thrown out of window	No Massachusetts inspection since 1927.
38	.	.	.	.	.	.	.	.	.	Fair	-	-
39	.	.	.	.	.	.	.	.	.	-	-	Scored 73 by one Massachusetts inspection.
40	.	.	.	.	.	.	.	.	.	Fair; poor ventilation	Adjoining barn	-
41	.	.	.	.	.	.	.	.	.	Poor floor; very dirty	-	Rhode Island inspection.
42	.	.	.	.	.	.	.	.	.	Very clean	-	Rhode Island inspection.
43	.	.	.	.	.	.	.	.	.	Satisfactory	-	-
44	.	.	.	.	.	.	.	.	.	Satisfactory	-	Never inspected.
45	.	.	.	.	.	.	.	.	.	Clean, small windows and low ceiling.	-	-
46	.	.	.	.	.	.	.	.	.	Very dark	-	-
47	.	.	.	.	.	.	.	.	.	Very poor	-	-
48	.	.	.	.	.	.	.	.	.	Clean	-	-
49	.	.	.	.	.	.	.	.	.	Fair; horse manure in gutter.	-	-
50	.	.	.	.	.	.	.	.	.	Good	-	-
51	.	.	.	.	.	.	.	.	.	Dirty	-	Massachusetts inspection once in two years.

Summary of Out-of-State Dairy Farm Inspections made by the Commission — Concluded.

FARM NUMBER.	Milk House.	Cooling System.	Condition of Barn.	Manure.	Remarks.
52	-	-	Only fair	-	Could not pass good inspection.
53	-	-	Only fair	-	Could not pass good inspection.
54	-	-	Only fair	-	Could not pass good inspection.
55	None	Iron kettle in barnyard.	Very poor	-	No inspection.
56	No screens	Stock watering tank	-	Under barn and in barnyard.	-
57	Poor location	-	Fair	Under barn	Poor drainage.
58	Single door	Dirty tank	Udders not washed	Poor drainage	Massachusetts inspection yearly; Grade A farm.
59	No screens, broken window.	-	Barn very dirty; no ventilation, poor drainage.	-	-
60	Dirty	-	-	-	-
61	Poor construction; no screens.	-	Dirty; poor drainage	-	Poor storage utensils; Massachusetts inspection two years ago.
62	-	-	Dirty; very poor light.	-	Very dirty barnyard.
63	No doors	-	Very dirty; horses tied with cows.	Piled around doors	-
64	Stagnant water in milk room.	-	Udders not washed	-	Massachusetts inspection yearly; Grade A farm.
65	Dirt and cobwebs	-	Fair	Stored in barn	-
66	-	Half of tank used for stock watering.	Chickens in barn	Poor drainage	Massachusetts inspection yearly.

APPENDIX E.

DRAFTS OF PROPOSED LEGISLATION.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Two.

An Act relative to the Production, Sale and Distribution
of Milk and Cream.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter ninety-four of the General
2 Laws is hereby amended by adding to section one the
3 following definitions:

4 "Dairy farm" is a place or premise where more
5 than one cow is kept and a part or all the milk and
6 (or) cream from which is sold or delivered for sale to
7 any person.

8 "Director" in sections sixteen to sixteen K, inclu-
9 sive, shall mean the director of the division of dairy-
10 ing and animal husbandry.

1 SECTION 2. Chapter ninety-four of the General Laws
2 is hereby amended by striking out section sixteen and
3 inserting in place thereof the following ten sections:

4 *Section 16.* The commissioner of agriculture, the
5 commissioner of public health, and three other persons

6 appointed by the governor, with the advice and con-
7 sent of the council, one for a period of one year, one
8 for a period of two years, and one for a period of three
9 years, and thereafter each member for a period of
10 three years, shall constitute the milk regulation
11 board. Two of the persons so appointed shall be
12 actively engaged in the production of milk, and the
13 other person shall be a woman representing the milk-
14 consuming public. The board shall serve in the de-
15 partment of agriculture, and the appointive members
16 thereof shall receive actual traveling expenses and
17 five dollars a day while in the performance of official
18 duties.

19 *Section 16A.* Said board shall establish and pro-
20 mulgate rules and regulations including uniform
21 minimum requirements for the inspection of dairy
22 farms producing milk and (or) cream for distribution,
23 sale or exchange in the commonwealth, and may from
24 time to time amend, modify, repeal or suspend such
25 rules and regulations and minimum requirements.
26 Said board shall provide suitable uniform score cards
27 for the classification of dairy farms producing milk
28 and (or) cream for sale or distribution within the
29 commonwealth and shall be prepared to furnish
30 suitable plans, information and advice relative to the
31 construction, installation and development of facili-
32 ties for improving the quality of milk and (or) cream.
33 Before establishing, amending, modifying, repealing
34 or suspending any rule or regulation or minimum re-
35 quirement, the board shall hold a public hearing in
36 Massachusetts, notice of which shall be given by
37 publication in a newspaper in general circulation in
38 each county in this commonwealth at least two weeks
39 before such hearing.

40 *Section 16B.* No milk and (or) cream shall be
41 sold, offered or exposed for sale unless it has been
42 produced on an inspected dairy farm holding an
43 official certificate of registration in full force and
44 effect issued by the director of the division of dairying
45 and animal husbandry in the department of agricul-
46 ture. No dairy farm shall be issued a certificate of
47 registration by said director except as hereinafter
48 provided until he has made or caused to be made an
49 initial inspection, and thereafter not less than one
50 adequate inspection each year of such dairy farm, and
51 said inspection clearly indicates a satisfactory com-
52 pliance with the uniform minimum requirements for
53 dairy farm inspection as provided in section sixteen A.
54 The director may authorize milk inspectors and
55 agents of local boards of health in Massachusetts to
56 inspect certain dairy farms within and without the
57 commonwealth, and certificates of registration shall
58 issue when inspection reports on score cards provided
59 by the milk regulation board indicate to the director's
60 satisfaction that such dairy farms have complied with
61 the minimum requirements as provided by section
62 sixteen A. All dairy farms registered by the director
63 shall receive a numbered certificate of registration
64 which shall be conspicuously posted at all times in the
65 dairy farm milk house. Each certificate of registra-
66 tion issued to dairy farms in Massachusetts shall
67 expire June thirtieth of each year, and each certificate
68 of registration issued to dairy farms outside of Mas-
69 sachusetts shall expire on December thirty-first of
70 each year. Annual applications for renewal of certifi-
71 cates shall be made not less than fifteen days prior to
72 expiration date on forms provided by the director.
73 If a certificate of registration is lost, duplicate copies

74 may be obtained from the director at a cost of fifty
75 cents each.

76 *Section 16C.* Certificates of registration may be
77 suspended or revoked for failure to satisfy the require-
78 ments of established rules, regulations and uniform
79 minimum requirements; provided, that before any
80 suspension or revocation becomes effective, or upon
81 the refusal of the director to issue a certificate of
82 registration, the parties concerned be given an oppor-
83 tunity to be heard before the said director or a person
84 designated by him for such purpose. The parties
85 concerned shall be given a reasonable notice of the
86 hearing, specifying the day, hour and place thereof
87 and accompanied by a description of the alleged viola-
88 tion. The director may allow a period of not more
89 than thirty days from the date of the hearing within
90 which to obtain a substantial compliance of all rules,
91 regulations and uniform minimum requirements.
92 Appeal from the decision of the director may be made
93 to the milk regulation board, whose decision shall be
94 final. Notice of suspension or revocation of certifi-
95 cates of registration shall be given to each distributor
96 or dealer of record handling milk and (or) cream from
97 such dairy farm, and to the board of health of each
98 town or towns of record where milk and (or) cream
99 from such dairy farm is sold, offered or exposed for
100 sale.

101 *Section 16D.* Every person engaged in the produc-
102 tion of milk, which milk or the products thereof are to
103 be used or disposed of elsewhere than on the premises
104 where such milk is to be produced, shall make appli-
105 cation to the director for a certificate of registration.
106 Such application shall contain, in addition to such
107 other information as may be required by the director,

108 a statement of the name, place of residence and
109 address of the applicant, the amount of milk and (or)
110 cream produced during the last calendar month pre-
111 ceding the date of application, the number of dairy
112 cows more than two years of age and the number of
113 heifers less than two years of age kept on the dairy
114 farm during said month, the names and addresses of
115 dealers, distributors or wholesale purchasers who
116 receive milk and (or) cream from said dairy farm,
117 together with a statement of the estimated amount of
118 milk and (or) cream to be supplied each dealer, dis-
119 tributor or wholesale purchaser. Such statement shall
120 be verified by oath or written declaration that it is
121 made under the penalties of perjury.

122 *Section 16E.* Registered producers shall submit
123 upon a form provided by the director at such other
124 times as he may request a complete statement for any
125 one calendar month made in accordance with the pro-
126 visions and requirements of section sixteen D.

127 *Section 16F.* Each person engaged in the sale,
128 handling and distribution of milk and (or) cream shall
129 register with said director during the month of June
130 of each year, and shall state the address, the place or
131 places of business, the quarts of milk and (or) cream
132 received at each place during the last calendar month
133 preceding registration, the names and addresses of
134 producers supplying the milk and (or) cream, with
135 the amount supplied by each producer during the last
136 calendar month preceding registration. The director
137 may require each such person to prepare and submit
138 to him upon a form provided therefor at such other
139 times as he may require a further statement of similar
140 information relating to any one calendar month. All
141 such statements shall be verified by oath or written

142 declaration that it is made under the penalties of per-
143 jury. Registrations made under this section shall
144 expire on June thirtieth of each year, and annual
145 application shall be made on forms provided by the
146 director.

147 *Section 16G.* No person shall sell or distribute
148 milk and (or) cream until registered with said director,
149 or sell, distribute or mix with any product for resale
150 in this state, milk and (or) cream unless the pro-
151 ducers of such milk and (or) cream shall exhibit a
152 certificate of registration issued by said director that
153 is in full force and effect. The provisions of this
154 section shall not apply to stores selling milk and (or)
155 cream at retail when such milk and (or) cream has
156 been purchased or received from registered dealers or
157 distributors or from dairy farms exhibiting a certifi-
158 cate of registration in full force and effect, nor shall
159 the provisions of this section apply to hotels, restau-
160 rants, soda fountains, boarding houses or other places
161 where milk is served when such milk is to be con-
162 sumed on the premises thereof and has been purchased
163 or received from a dealer or distributor registered
164 with the director or from a dairy farm exhibiting a
165 certificate of registration in full force and effect.

166 *Section 16H.* The director may issue a temporary
167 certificate of registration to any person registered
168 under the provisions of section sixteen B pending an
169 official inspection and such consequent action as may
170 be necessary relative to the renewal or non-issuance
171 of a renewal of the certificate of registration.

172 *Section 16I.* In case of an acute shortage of milk
173 and (or) cream from registered dairy farms, the milk
174 regulation board may authorize the director to issue
175 emergency certificates of registration to non-regis-

176 tered dairy farms. Such emergency certificates of
177 registration shall be specific and limited as to time,
178 amount of milk and (or) cream to be supplied, and
179 quality of product. The milk regulation board shall
180 confer with health officials of the states wherein non-
181 registered dairy farms are granted emergency certifi-
182 cates of registration regarding the quality and source
183 of such milk and (or) cream supply.

184 *Section 16J.* Nothing in sections sixteen to six-
185 teen K shall be deemed or construed to prevent the
186 several cities and towns from regulating the sale and
187 distribution of milk and (or) cream under existing
188 laws so far as such laws and regulations are not in-
189 consistent with the provisions of these sections.

190 *Section 16K.* Any person violating any provisions
191 of sections sixteen to sixteen J, inclusive, shall for the
192 first offence be fined not more than one hundred
193 dollars, and for any subsequent offence not less than
194 one hundred dollars or more than five hundred dol-
195 lars, and imprisonment for not more than three
196 months, or be punished by both fine and imprison-
197 ment in the discretion of the court, and if such person
198 be a registrant hereunder upon his second or any
199 subsequent conviction hereunder, his registration
200 shall be forthwith suspended for one month and for a
201 longer period not exceeding a total of three months in
202 the discretion of the milk regulation board.

1 SECTION 3. Notwithstanding the provisions of the
2 foregoing sections sixteen to sixteen K, inclusive, any
3 person producing milk and (or) cream for sale or dis-
4 tribution within the commonwealth under a permit
5 issued by local boards of health in Massachusetts as
6 of the effective date of the aforesaid sections may con-

7 tinue to supply such milk and (or) cream for sale or
8 delivery during a period not to exceed one year from
9 such effective date pending the issuance or non-
10 issuance of certificates of registration by the director
11 of the division of dairying and animal husbandry of
12 the department of agriculture.

1 SECTION 4. Notwithstanding the provisions of the
2 foregoing sections sixteen to sixteen K, inclusive, each
3 person engaged in the sale, handling and distribution
4 of milk and (or) cream as of the effective date of the
5 aforesaid sections may continue to sell, handle and
6 distribute such milk and (or) cream unregistered for a
7 period not to exceed three months pending official
8 registration with said director in accordance with the
9 provisions of section sixteen F.

1 SECTION 5. For the purposes of this act, there
2 may be expended during the current fiscal year, sub-
3 ject to appropriation, a sum not exceeding one hun-
4 dred thousand dollars.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Two.

An Act relative to Permits for the Sale of Milk and Cream.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter ninety-four of the General Laws is hereby
2 amended by striking out section forty-three and insert-
3 ing in place thereof the following section: —
4 *Section 43.* No producer of milk and (or) cream
5 shall sell or deliver for sale in any town any milk and
6 (or) cream produced or dealt in by him without first
7 obtaining from the board of health of such town a
8 permit authorizing such sale or delivery. Such board
9 of health may issue such permit after an inspection of
10 milk and (or) cream has been made by it or its author-
11 ized agent. The issuance of a certificate of registration
12 under the provisions of section sixteen B shall be a
13 condition precedent to the issuance of a permit by the
14 board of health of any town. No producer shall be
15 entitled to such permit unless he has a certificate of
16 registration in full force and effect issued by the direc-
17 tor of the division of dairying and animal husbandry
18 of the department of agriculture under the provisions
19 of section sixteen B. Permits issued under this section
20 shall expire on June thirtieth of each year.

21 Any permit so granted may contain such reasonable
22 conditions as said board deems suitable for protecting

23 the public health, and may be revoked for failure to
24 comply with any of such conditions. After a permit
25 has been revoked, it may be reissued in the same
26 manner in which the original permit was issued. The
27 board revoking or reissuing said permit shall immedi-
28 ately send notice thereof to the department of public
29 health, which may enforce this provision. The depart-
30 ment shall at once inform the board of health of any
31 other town where, in its judgment, milk and (or) cream
32 produced by the person to whom the permit relates
33 would be likely to be sold or delivered for sale, and it
34 shall also give notice of such revocation or reissue to
35 any dealer in milk and (or) cream who in its judgment
36 would be likely to purchase milk and (or) cream from
37 such person; and after receipt of notice of revocation
38 no dealer so notified shall sell or offer for sale such milk
39 and (or) cream. If the board of health of any town
40 refuses to issue a permit under this section or a permit
41 previously issued is revoked by it, an appeal may be
42 taken to the milk regulation board whose decision
43 shall be final. Violation of any provision of this section
44 shall be punished by a fine of not more than one hun-
45 dred dollars.

23 the public health, and may be required for failure to
 24 comply with any of such conditions. After a month
 25 has been required, it may be released in the same
 26 manner in which the original permit was issued. The
 27 board, exercising its discretion, may permit that person
 28 after such a period to the department of public
 29 health, which may release the person. The depart-
 30 ment shall also give notice to the board of health of any
 31 order to any person in its jurisdiction, and may
 32 suspend the person at whom the permit was
 33 issued, or may order the person to be vaccinated, and it
 34 shall also give notice of such vaccination to persons to
 35 any other person who is in its jurisdiction.
 36 It shall be the duty of the person to whom the permit
 37 was issued to comply with the conditions of the permit.
 38 The board of health shall have the right to require
 39 and (or) require the person to be vaccinated, and it
 40 shall also give notice of such vaccination to persons to
 41 any other person who is in its jurisdiction.
 42 The board of health shall have the right to require
 43 and (or) require the person to be vaccinated, and it
 44 shall also give notice of such vaccination to persons to
 45 any other person who is in its jurisdiction.