

HOUSE No. 2447

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 5, 1949.

The committee on Public Health, to whom was referred so much of the report of the special commission (including members of the General Court) established (under Chapter 73 of the Resolves of 1947 and revived and continued under Chapter 78 of the Resolves of 1948) to study public health laws and policies of the Commonwealth (House, No. 2100) as relates to slaughtering (App. 10), report the accompanying bill (House, No. 2447).

For the committee,

ANGELO V. BERLANDI.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Nine.

AN ACT RELATIVE TO SLAUGHTERING.

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. Section 119 of chapter 94 of the
2 General Laws, as amended by section 2 of chapter
3 332 of the acts of 1943, is hereby further amended
4 by striking out, in lines 8 and 9, the words "one
5 dollar" and inserting in place thereof the words:—
6 ten dollars, — so as to read as follows:— *Section 119.*
7 The aldermen, selectmen, or such other officers as
8 they shall designate, or, in a town having a popula-
9 tion of more than five thousand, the board of health,
10 if any, may annually issue licenses to carry on the
11 business of slaughtering neat cattle, horses, mules,
12 sheep or swine to applicants therefor. Except as
13 provided in sections one hundred and twenty and one
14 hundred and twenty A, the fee for each license shall
15 be ten dollars. The license shall name the persons
16 licensed to conduct such business, and the building
17 or establishment where it is to be carried on, and it
18 shall continue in force until May first of the year
19 next ensuing, unless sooner forfeited or rendered void.
20 A record shall be kept by the board or officers au-
21 thorized to issue such licenses of all applications

22 for licenses under section one hundred and eighteen
23 and of all licenses issued, which shall be evidence of
24 the issue of any such license. Such board or officers
25 shall annually, on or before June first, send to the
26 department of public health a copy of each applica-
27 tion made to them under section one hundred and
28 eighteen and of their action thereon, together with a
29 list of the names and addresses of all persons who,
30 although engaged in the business named in said
31 section on the preceding April thirtieth, failed to
32 make application for a license.

1 SECTION 2. Said chapter 94 is hereby further
2 amended by striking out section 120, as amended
3 by section 3 of said chapter 332, and inserting in
4 place thereof the following:—

5 *Section 120.* In cities and towns which accept this
6 section the annual license fee for carrying on the busi-
7 ness of slaughtering neat cattle, horses, mules, sheep
8 or swine shall be such sum, not exceeding one hundred
9 dollars, as the aldermen or selectmen fix.

1 SECTION 3. Said chapter 94 is hereby further
2 amended by striking out section 120A, as amended
3 by section 4 of said chapter 332, and inserting in
4 place thereof the following:—

5 *Section 120A.* A city or town which accepts this
6 section may, in addition to the annual fee under section
7 one hundred and nineteen or one hundred and twenty,
8 for a license to carry on the business of slaughtering
9 neat cattle, horses, mules, sheep or swine, require the
10 payment by the licensee of a further fee of not exceed-
11 ing one dollar for each animal slaughtered under such
12 license, but such further fee shall not be required for

13 any animal slaughtered under federal inspection. Ad-
14 ditional fees provided for under this section shall be
15 paid only by the licensee or his authorized agent and
16 only to the city or town treasurer at such times and in
17 such manner as the aldermen or selectmen by vote
18 determine. The inspector referred to in section one
19 hundred and twenty-six shall not act in the capacity
20 of such authorized agent.

1 SECTION 4. Section 129 of said chapter 94, as
2 amended by section 3 of chapter 213 of the acts of
3 1946, is hereby further amended by striking out, in
4 line 9, the word "human," — so as to read as fol-
5 lows:— *Section 129.* Carcasses of animals slaugh-
6 tered under sections one hundred and eighteen, one
7 hundred and nineteen, one hundred and twenty-five
8 to one hundred and twenty-seven, inclusive, and one
9 hundred and thirty-three and not stamped or branded
10 as provided in section one hundred and twenty-seven,
11 and all other carcasses of neat cattle, horses, mules,
12 sheep or swine which have not been slaughtered, in-
13 spected and stamped or branded, as provided in said
14 sections, shall be deemed unfit for food and shall not
15 be sold or offered for sale.

1 SECTION 5. Section 130 of said chapter 94, as
2 amended by section 4 of said chapter 213, is hereby
3 further amended by striking out, in line 4, the word
4 "human," — and by inserting after the word "coun-
5 terfeits" in line 13 the words:— , procures or has in
6 his possession, — so as to read as follows:— *Section*
7 *130.* Whoever sells, or offers for sale, or has in his
8 possession with intent to sell, a carcass or any part

9 thereof deemed unfit for food, as provided in section
10 one hundred and twenty-nine, or whoever, not being
11 a member of a local board of health or a duly appointed
12 inspector, stamps or brands a carcass or any part
13 thereof required by section one hundred and twenty-
14 seven, or one hundred and thirty-three to be stamped
15 or branded, or whoever being a member of a board
16 of health or a duly appointed inspector permits or
17 allows the use of his stamp or brand by one not a
18 member of a board of health or a duly appointed in-
19 spector, or whoever counterfeits, procures or has in
20 his possession any stamp or brand required by sec-
21 tion one hundred and twenty-seven, or whoever stamps
22 or brands any carcass or any part thereof with any
23 counterfeit stamp or brand, shall be punished by a fine
24 of not more than one hundred dollars or by imprison-
25 ment for not more than two months, or both.

1 SECTION 6. Said chapter 94 is hereby further
2 amended by striking out section 131, as amended by
3 section 6 of chapter 332 of the acts of 1943, and in-
4 serting in place thereof the following: —
5 *Section 131.* Carcasses of neat cattle, horses, mules,
6 sheep or swine slaughtered without the commonwealth
7 shall be deemed unfit for food, and shall not be sold
8 or offered for sale unless they have been inspected at
9 the time of slaughter by an inspector of the Bureau
10 of Animal Industry of the United States Department
11 of Agriculture and have been stamped or branded by
12 said inspector; or, in the case of carcasses slaughtered
13 outside the United States, unless they have been in-
14 spected at the time of slaughter in a manner and under
15 certification acceptable to the Bureau of Animal In-

16 dustry of the United States Department of Agriculture
17 and have subsequently been examined and stamped or
18 branded by said Bureau of Animal Industry.

1 SECTION 7. Section 132 of said chapter 94, as
2 appearing in the Tercentenary Edition, is hereby
3 amended by inserting after the word "sale" in line 1
4 the word: — , handles, — so as to read as follows: —
5 *Section 132.* Whoever sells or offers for sale, handles,
6 or has in his possession with intent to sell, a carcass, or
7 any part thereof, required by the preceding section
8 to be stamped or branded and which has not been
9 stamped or branded as therein provided, shall be
10 punished by a fine of not more than one hundred
11 dollars or by imprisonment for not more than two
12 months, or both.

1 SECTION 8. Section 137 of said chapter 94, as so
2 appearing, is hereby amended by inserting after the
3 word "section" in line 1 the words: — one hundred
4 and thirty, — so as to read as follows: — *Section 137.*
5 A conviction under section one hundred and thirty,
6 one hundred and thirty-four or one hundred and
7 thirty-five of any person licensed under section one
8 hundred and nineteen shall render his license void,
9 and no new license shall be granted to him for the
10 balance of the term of the license so rendered void.

1 SECTION 9. Section 1 of said chapter 94 is hereby
2 amended by striking out the paragraph defining
3 "Food", as appearing in the Tercentenary Edition,
4 and inserting in place thereof the following: —
5 "Food", in sections one hundred and eighteen to
6 one hundred and fifty-one, inclusive, one hundred and

7 fifty-four to one hundred and fifty-six, inclusive, one
8 hundred and eighty-one, and one hundred and eighty-
9 six to one hundred and ninety-six, inclusive, includes
10 all articles, whether simple, mixed or compound, used
11 for food or drink, confectionery or condiment, by man
12 or animal.

