

HOUSE No. 2802

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 10, 1955.

The committee on Agriculture, to whom was referred the petition (accompanied by bill, House, No. 488) of the Massachusetts Farm Bureau Federation Inc. for clarification of the law relative to the sale and transportation of poultry and the bonding of licensees engaged in the business of buying or selling poultry, report the accompanying bill (House, No. 2802).

For the committee,

THOMAS E. ENRIGHT.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

AN ACT CLARIFYING THE POULTRY BONDING LAW TO MAKE THE PROTECTION OFFERED THEREUNDER APPLICABLE ONLY TO POULTRY PRODUCERS.

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 152A of chapter 94 of the General
2 Laws, as most recently amended by section 1 of chapter
3 446 of the acts of 1949, is hereby further amended by
4 adding the following paragraphs:—

5 The words “poultry sold or used for food” as used in
6 this section are hereby defined to mean poultry raised to
7 a marketable weight for meat purposes.

8 The word “producer” as used in this section means a
9 person who raises poultry on land situated within the
10 commonwealth.

1 SECTION 2. Said chapter 94 is hereby further amended
2 by inserting after section 152D the following sections:—
3 *Section 152E.* Any person, including a merchant, who
4 contracts with a producer, both as defined in section
5 one hundred and fifty-two A, for the raising and delivery
6 of poultry whereby the producer shall, upon delivery of
7 such poultry, receive a part of his payment for the raising
8 of such poultry, be subject to the provisions of sections
9 one hundred and fifty-two A and one hundred and fifty-
10 two D, and any contract made under this section shall be
11 in a form approved by the commissioner of agriculture.

12 *Section 152F.* The commissioner may determine in
13 all cases the applicability of the provisions of sections
14 one hundred and fifty-two A to one hundred and fifty-

15 two G, inclusive, and may utilize the security or bonds
16 solely in protection of the poultry producers including
17 contractual producers, but excluding any interest of feed
18 manufacturers or dealers, hatchery or other parties in
19 interest deemed by him not to fall within the purview
20 of the meaning of said sections.

21 “Contractual producers” shall mean poultry producers
22 who raise poultry for meat under contract with the ulti-
23 mate purchaser.

24 *Section 152G.* The commissioner or his duly author-
25 ized assistant may investigate the financial standing
26 and past conduct of any person applying for or holding
27 a license under this section or any transaction by him
28 in connection with the operation of a poultry plant or
29 business and in such investigation may examine the
30 books of account or other documents or records of any
31 applicant or licensee, and may take testimony therein
32 under oath; but information relating to the general
33 business of any applicant or licensee disclosed by such
34 investigation and not relating to the purposes of this
35 section shall be treated by the commissioner as confi-
36 dential.

