

By Mr. Thomas of Sherborn, petition of A. W. Gilbert for an amendment of the law relative to the marking of packages of apples. Agriculture. Jan. 17.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Eight.

An Act relative to the Marking of Packages of Apples.

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 one hundred and three of
2 chapter ninety-four of the General Laws, as amended
3 by chapter two hundred and sixty-four of the acts of
4 nineteen hundred and twenty-six, is hereby further
5 amended by striking out section one hundred and
6 three and inserting in place thereof the following:—

7 *Section 103.* The minimum size of all apples in
8 all grades, including unclassified apples as defined
9 in section one hundred and one, shall be marked upon
10 the package, and shall be determined by taking the
11 transverse diameter of the smallest fruit in the pack-
12 age at right angles to the stem and blossom end,
13 except that the minimum size of all apples packed in
14 boxes need not be marked on the box if the box is
15 marked with a statement of the number of apples
16 contained in the box. Minimum sizes shall be stated
17 in variations of one quarter of an inch, such as two
18 inches, two and one quarter inches, and so forth,
19 in accordance with the facts. Minimum sizes may

20 be designated by figures instead of words. The word
21 “minimum” may be designated by using the ab-
22 breviation “min.”

1 SECTION 2. Said chapter ninety-four is hereby
2 further amended by striking out section one hundred
3 and four, as amended by chapter one hundred and
4 nineteen of the acts of nineteen hundred and twenty-
5 four, and inserting in place thereof the following:—
6 *Section 104.* Each closed package of apples packed
7 or repacked within the commonwealth and intended
8 for sale within or without the commonwealth shall be
9 marked or branded at the time of packing, repacking
10 or closing with a statement of the quantity of the
11 contents, and, except as otherwise provided in this
12 chapter, the name and address of the person by whose
13 authority the apples were packed, the true name of the
14 variety, and the grade and minimum size of the
15 apples contained therein, in accordance with sections
16 one hundred and one and one hundred and three, and
17 the name of the state where they were grown. If the
18 true name of the variety is not known to the packer
19 or other person by whose authority the apples are
20 packed, the statement shall include the words “variety
21 unknown”, and if the name of the state where the
22 apples were grown is not known, this fact shall also
23 be set forth in the statement. If apples are re-
24 packed, the package shall be marked “repacked”,
25 and shall bear the name and address of the person by
26 whose authority it is repacked, in place of that of the
27 person by whose authority it was originally packed.

