

HOUSE No. 910

By Mr. Alfred M. Bessette of New Bedford, petition of Alfred M. Bessette that persons from whom milk and milk containers are taken by inspectors for analysis be compensated by the Commonwealth. Agriculture and Public Health, sitting jointly.

The Commonwealth of Massachusetts

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

An Act providing for Compensation for Milk and Containers taken by Inspectors for Analysis.

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 thirty-five of chapter ninety-four of the
2 General Laws, as appearing in the Tercentenary
3 Edition, is hereby amended by inserting after the
4 word "analysis" in the eleventh line the following
5 new sentence:— Compensation for the milk and
6 container shall be paid to the owner or person from
7 whose possession the same are taken, — so as to read
8 as follows:— *Section 35.* Each inspector of milk
9 shall enforce in his town the laws as to the milk supply,
10 and shall make complaint for a violation of any pro-
11 vision of sections nineteen to twenty-eight, inclusive,
12 thirty-three, thirty-eight to forty, inclusive, and
13 forty-three, upon the information of any person lay-
14 ing before him satisfactory evidence whereby to sus-
15 tain such complaint. He shall keep an office and

16 shall record, in books kept for the purpose, the name
17 and place of business of each person engaged in the
18 sale of milk within such town. Each inspector of
19 milk or collector of samples of milk may enter each
20 place where milk is produced, stored or kept for sale
21 and each vehicle used for its conveyance, and
22 take therefrom samples for analysis. Compensation
23 for the milk and container shall be paid to the owner
24 or person from whose possession the same are taken.
25 Upon request made when any sample is taken, he
26 shall seal and deliver to the owner or person from
27 whose possession the milk is taken a portion of each
28 sample, and a receipt therefor shall be given to him.
29 Each inspector of milk shall cause each sample to be
30 analyzed or otherwise satisfactorily tested, and shall
31 record and preserve as evidence the results thereof;
32 but no evidence of the result of such analysis or test
33 shall be received if such inspector or collector refuses
34 or neglects to seal and deliver, upon request as above
35 provided, a portion of such sample to the owner or
36 person from whose possession it is taken. This sec-
37 tion shall not apply to milk in the course of interstate
38 commerce.