
By Mr. Hansen of Waltham, petition of Edward T. Ryan that the number of tuberculin tests of animals by the Division of Animal Industry be limited. Agriculture.

The Commonwealth of Massachusetts

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

An Act limiting the Number of Tuberculin Tests of Animals by the Director of the Division of Animal Industry.

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-three of chapter one hundred and
2 twenty-nine of the General Laws, as most recently
3 amended by section one of chapter three hundred
4 and thirty-two of the acts of nineteen hundred and
5 twenty-eight, is hereby further amended by insert-
6 ing after the word "director" in the tenth line the
7 following:—No person who has animals shall,
8 after two annual, three semiannual or so many
9 tests as may be necessary to make a clean tuber-
10 culin free herd, be entitled to any further tests by
11 the director,—so as to read as follows:—*Section*
12 *33.* Except as otherwise provided, a person who
13 has animals tested with tuberculin shall not be en-
14 titled to compensation from the commonwealth for
15 any animals which react to the tuberculin test un-
16 less they have been tested by the director or quali-

17 fied veterinarians acting under his authorization
18 and have been owned and kept by the owner ap-
19 plying for the test on the premises where tested
20 for a period of not less than sixty days next prior
21 to the date of said test or have been admitted to
22 the herd on a test approved by the director. No
23 person who has animals shall, after two annual,
24 three semiannual or so many tests as may be nec-
25 essary to make a clean tuberculin free herd, be en-
26 titled to any further tests by the director. The
27 director may prescribe rules and regulations for
28 the inspection of cattle by the application of the
29 tuberculin test and for the segregation or slaugh-
30 ter of reacting animals; but no inspection by the
31 application of such test shall be made unless an
32 agreement has previously been entered into for
33 such inspection and application with the owner of
34 the animals, except as provided in section thirty-
35 three B. If, in the opinion of the director, any of
36 the animals react to the test and are slaughtered
37 in consequence thereof, the owner shall be reim-
38 bursed by the commonwealth in the manner herein-
39 after provided. The director may appoint per-
40 sons to make appraisals of reacting cattle in con-
41 junction with the owner or his authorized repre-
42 sentative. Such appraisal shall be subject to the
43 rights of arbitration and petition set forth in sec-
44 tion thirty-one; provided, that the award or dam-
45 ages shall be within the limits prescribed by this
46 section. The commonwealth shall pay to the owner
47 of any animal slaughtered under authority of any
48 rules or regulations made hereunder one half of
49 the difference between the amount received by the
50 owner for the carcass of the animal and the value of

51 the animal as determined by appraisal as afore-
52 said; provided, that payment by the common-
53 wealth hereunder shall not exceed fifty dollars for
54 any grade animal or seventy-five dollars for any
55 pure-bred animal; and provided, further, that the
56 owner or his representative has not, in the opinion
57 of the director, by wilful act or neglect, contributed
58 to the spread of bovine tuberculosis.

