

HOUSE No. 1155

Bill accompanying the petition of the mayor of the city of Boston for further legislation relative to offensive trades. Public Health. January 14.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Thirteen.

AN ACT

To amend the Law relative to Offensive Trades.

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 ninety-nine of chapter seventy-
2 five of the Revised Laws is hereby amended by striking
3 out, in the fourth line of said section, the words " who
4 is ", and inserting in place thereof the following: — or
5 for the breaking or canning of eggs or for sorting, re-
6 handling or preparing of food articles to be again sold
7 to any person or persons, firm or corporation except the
8 consumer, and all who are; and by adding at the end
9 of said section the following: — The board of health of
10 a city or town may make and enforce such rules and
11 regulations as it deems necessary for the conduct of all
12 establishments mentioned in this section and the license

13 therefor may be revoked for any violation of such rules
14 and regulations after notice to the licensee and a hearing
15 before said board,— so that said section, as amended,
16 will read as follows:— *Section 99.* The proprietor of
17 every slaughterhouse, canning, salting, smoking or
18 rendering establishment, and of every establishment
19 used for the manufacture of sausages or chopped meat
20 of any kind, or for the breaking or canning of eggs or
21 for sorting, rehandling or preparing food articles to be
22 again sold to any person or persons, firm or corporation
23 except the consumer, and all who are engaged in the
24 slaughter of neat cattle, sheep or swine, the meat or
25 product of which is to be sold or used for food, shall
26 annually in April apply for a license to the mayor and
27 aldermen of the city, the selectmen of the town or, in
28 a town having a population of more than five thousand,
29 to the board of health, if any, in which such slaughter-
30 house or establishment is located. The application shall
31 be in writing, signed and sworn to by one or more of the
32 owners or by one or more of the persons carrying on such
33 business, or, if a corporation, by some authorized officer
34 thereof, shall state the name and address of all the owners
35 or persons carrying on said business, the location of the
36 slaughterhouse or establishment in which said business
37 is to be conducted, the estimated number of neat cattle,
38 sheep or swine to be slaughtered per week, the days of
39 the week upon which they are to be slaughtered and the
40 nature of the products thereof to be sold or used for
41 food. The board of health of a city or town may make
42 and enforce such rules and regulations as it deems neces-
43 sary for the conduct of all establishments mentioned in
44 this section and the license therefor may be revoked for
45 any violation of such rules and regulations after notice
46 to the licensee and a hearing before said board.

1 SECTION 2. Section one hundred and three of said
2 chapter seventy-five of the Revised Laws, as set forth
3 in chapter two hundred and twenty of the acts of the
4 year nineteen hundred and three, and as amended by
5 chapter four hundred and seventy-one of the acts of the
6 year nineteen hundred and nine and by chapter two hun-
7 dred and ninety-seven of the acts of the year nineteen
8 hundred and eleven, is hereby further amended by add-
9 ing after the word "therefor", in the thirteenth line
10 thereof, the following:— All packages containing meats
11 so stamped or branded by the inspector as aforesaid shall,
12 before they have been shipped from the slaughtering
13 establishment, have properly secured to them a tag bear-
14 ing the words "Massachusetts, Inspected, Passed",
15 which tag may be so attached by the licensee; and by
16 inserting after the word "stamps", in said thirteenth
17 line, the words:— and tags, — so that said section, as
18 amended, will read as follows:— *Section 103.* In a
19 slaughtering establishment wherein inspection and brand-
20 ing are not carried on under the rules and regulations
21 for the inspection of live stock and other products, estab-
22 lished by the United States department of agriculture
23 in accordance with the acts of congress, the carcasses of
24 animals slaughtered under the provisions of the four
25 preceding sections shall at the time of slaughter, if not
26 condemned, be stamped or branded by the inspector
27 thereof in like manner as those inspected by the United
28 States bureau of animal industry for interstate trade,
29 by a stamp or brand designated for the purpose by the
30 state board of health, which shall be furnished by it to
31 the board of health of a city or town applying therefor.
32 All packages containing meats so stamped or branded
33 by the inspector as aforesaid shall, before they have been
34 shipped from the slaughtering establishment, have prop-

35 erly secured to them a tag bearing the words " Massa-
36 chusetts, Inspected, Passed", which tag may be so
37 attached by the licensee. Such stamps and tags shall be
38 uniform in design throughout the commonwealth, but
39 shall contain the name of the city or town in which they
40 are used.

1 SECTION 3. Section one hundred and four of said
2 chapter seventy-five of the Revised Laws, as set forth in
3 chapter two hundred and twenty of the acts of the year
4 nineteen hundred and three, as amended by chapter four
5 hundred and seventy-six of the acts of the year nineteen
6 hundred and nine, is hereby further amended by insert-
7 ing after the word "section", in the fourth line, the
8 words:— and the carcass or any part thereof, of any
9 horse, ass or mule; and by inserting after the word
10 "provided", in the ninth line, the words:— or who
11 shall offer for sale the carcass or any part thereof, of any
12 horse, ass or mule for human food, — so that said section,
13 as amended, will read as follows:— *Section 104.* The
14 carcasses of animals slaughtered under the provisions of
15 the five preceding sections and not stamped or branded
16 as provided in the preceding section, and the carcass or
17 any part thereof, of any horse, ass or mule, shall be
18 deemed unfit for human food and shall not be sold or
19 offered for sale. Whoever sells or offers for sale, or has
20 in his possession with intent to sell, a carcass or any
21 part thereof required by the provisions of the preceding
22 sections to be stamped or branded, which has not been
23 stamped or branded as therein provided, or who shall
24 offer for sale the carcass or any part thereof, of any
25 horse, ass or mule for human food, or whoever not being
26 a member of a board of health, or a duly appointed in-
27 spector, stamps or brands a carcass or any part thereof

28 required by the provisions of the preceding section to be
29 stamped or branded, or whoever being a member of a
30 board of health or a duly appointed inspector permits
31 or allows the use of his stamp or brand by one not a
32 member of a board of health or a duly appointed in-
33 spector, or whoever counterfeits any stamp or brand
34 required by the provisions of the five preceding sections,
35 or whoever stamps or brands any carcass or any part
36 thereof with any counterfeit stamp or brand, shall be
37 punished by a fine of not more than one hundred dollars
38 or by imprisonment for not more than sixty days, or by
39 both such fine and imprisonment.

1 SECTION 4. Section one hundred and five of said chap-
2 ter seventy-five of the Revised Laws, as amended by
3 section two of chapter three hundred and twelve of the
4 acts of the year nineteen hundred and two, by section
5 two of chapter two hundred and twenty of the acts of
6 the year nineteen hundred and three and by section six
7 of chapter three hundred and twenty-nine of the acts of
8 the year nineteen hundred and eight, is hereby further
9 amended by adding after the word "inspected", in the
10 sixth line, the words: — and stamped in accordance with
11 the provisions of section one hundred and three of chap-
12 ter seventy-five of the Revised Laws; and by striking
13 out, in the last line, the words "unless said animal is
14 less than six months old", — so that said section, as
15 amended, will read as follows: — *Section 105.* The pro-
16 visions of the six preceding sections shall not apply to a
17 person not engaged in such business, who, upon his own
18 premises and not in a slaughterhouse, slaughters his own
19 neat cattle, sheep or swine, but the carcass of any such
20 animals shall be inspected and stamped in accordance
21 with the provisions of section one hundred and three of

22 chapter seventy-five of the Revised Laws by an inspector
23 at the time of slaughter.

1 SECTION 5. Section one hundred and eleven of said
2 chapter seventy-five of the Revised Laws is hereby
3 amended by inserting after the word " horses ", in the
4 second line, the words : — or in the business of removing
5 horses after the same have been killed, — so that said
6 section, as amended, will read as follows : — *Section 111.*
7 A person, partnership or corporation engaged in or de-
8 siring to engage in the business of killing horses, or in
9 the business of removing horses after the same have been
10 killed, or in the carrying on of a melting or rendering
11 establishment, shall annually in March, apply for a li-
12 cense to the board of health of the city or town in which
13 such business is to be carried on. The application shall
14 be in writing and signed by the person or persons who
15 desire to carry on such business, or, if the applicant is a
16 corporation, by a duly authorized officer thereof. It shall
17 state the names in full and the addresses of all the per-
18 sons who desire to carry on such business, or, if a cor-
19 poration is the applicant, the names of all the officers
20 thereof and the street or other place where the business
21 is to be conducted. The board of health of a city or
22 town may grant such licenses after it is satisfied that the
23 applicants have a suitable building and plant in a situa-
24 tion approved by said board and that they have suitable
25 trucks or wagons for the removal of dead animals. The
26 license shall state the name of the licensee, the situation
27 of the building or establishment in which the business
28 is to be carried on, and shall continue in force until the
29 first day of April in the year next ensuing, unless sooner
30 revoked. The board of health shall keep a record of such
31 licenses which are granted by it, and shall notify the

32 board of cattle commissioners of the granting of any such
33 license, giving the name and address of the licensee.
34 The fee for a license shall not exceed one dollar and a
35 license may be revoked at any time by the board of health.
36 Licensees shall report to the board of cattle commission-
37 ers, in such form and at such times as it may order,
38 every animal received by them which is found to be in-
39 fected with a contagious disease. No unlicensed person
40 shall carry on the business of killing horses or of melting
41 and rendering. So much of section twenty-five of chap-
42 ter ninety as provides that no person shall knowingly
43 sell an animal with a contagious disease shall not apply
44 to any person who sells such animal to a licensee under
45 the provisions of this section, if such animal is to be
46 killed or rendered at the establishment of such licensee.
47 Whoever violates the provisions of this section shall be
48 punished by a fine of not more than two hundred dollars
49 or by imprisonment for not more than ninety days, or
50 by both such fine and imprisonment.

