

HOUSE No. 15

Bill accompanying the petition of Roland D. Sawyer for the establishment of a classification and grading for milk. Agriculture and Public Health. January 5.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seventeen.

AN ACT

Relative to the Classification and Grading of Milk.

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. On and after June one, nineteen hundred
2 and seventeen, any person, firm, association or corporation
3 retailing milk in any city or town in this commonwealth
4 may use the terms "Grade A — Massachusetts Milk",
5 "Grade B — Massachusetts Milk" or "Grade C — Mas-
6 sachusetts Milk" as applied to the milk sold, kept or
7 offered for sale by said person, firm, association or cor-
8 poration; *provided, always,* that Grade A shall consist
9 exclusively of milk produced within this commonwealth
10 from healthy cows under cleanly and sanitary conditions
11 and shall contain not less than three and eight tenths
12 per cent butter fat and so cooled and cared for that

13 when in its raw state the bacteria count shall not average
14 more than one hundred thousand bacteria per cubic cen-
15 timeter on five consecutive examinations or tests made on
16 five consecutive days. Grade B shall consist exclusively
17 of milk produced within this commonwealth from healthy
18 cows under cleanly and sanitary conditions, and of the
19 same quality and character as prescribed as aforesaid for
20 Grade A, but shall contain not less than three and thirty-
21 five one hundredths per cent butter fat. Grade C shall
22 consist exclusively of milk produced within this com-
23 monwealth from healthy cows under cleanly and sanitary
24 conditions, and of the same quality and character as
25 prescribed as aforesaid for Grade A, but shall contain not
26 less than three per cent butter fat.

1 SECTION 2. Grade A, Grade B and Grade C milk as
2 defined in this act when sold, kept or offered for sale in
3 any city or town, shall be designated and marked with a
4 cap or label affixed or attached to the container, bearing
5 in plain bold-faced type, the words: "Grade A — Massa-
6 chusetts Milk", "Grade B — Massachusetts Milk", or
7 "Grade C — Massachusetts Milk" respectively.

1 SECTION 3. Whoever shall, in any wise, affix or attach
2 to any receptacle containing milk kept or offered for sale,
3 any cap or label as described in section two hereof, or
4 shall in any wise represent any milk kept or offered for
5 sale as of a grade or class specified in section one hereof,
6 without a written license therefor, issued as hereinafter
7 provided by the board of health of the town or city
8 wherein said milk is offered or kept for sale, shall be
9 punished by a fine not exceeding one hundred dollars.

1 SECTION 4. The board of health of any city or town

2 shall, upon application of any person desiring to sell milk
3 therein of "Grade A", "Grade B", or "Grade C", as
4 defined in this act, cause the cows and the premises of
5 such applicant to be examined and the milk proposed to
6 be sold by such applicant to be tested for classification as
7 prescribed by section one of this act, and if upon such
8 examination and test the milk so to be sold by such
9 applicant is found to comply with the aforesaid require-
10 ments of classification for said "Grade A", "Grade B"
11 or "Grade C" said board of health shall issue to said
12 applicant a written license to keep for sale or sell in such
13 city or town, milk graded, classified, designated and
14 labelled as hereinbefore provided as said "Grade A",
15 "Grade B", or "Grade C", as said examinations and
16 tests may warrant. After the granting of such license,
17 said board of health may, as often as deemed necessary,
18 cause the cows and the premises of such applicant to be
19 again examined and the milk proposed to be sold by
20 such applicant to be again tested, as prescribed by section
21 one of this act, and may as the result of any such test,
22 or for other cause, revoke and annul any license issued as
23 provided in this section, upon written notice to the
24 holder thereof. No charge shall be made to the applicant
25 for any such test.

1 SECTION 5. Nothing in this act shall be so construed
2 as to permit or authorize the sale or keeping for sale of
3 any milk in violation of any existing provision of law,
4 except so far as the same are changed by the provisions
5 of section one of this act relating to Grade C; and
6 nothing in this act shall be so construed as to prohibit the
7 sale or keeping for sale of ungraded milk in accordance
8 with existing provisions of law.

