

HOUSE No. 1262

Bill accompanying the petition of George Albree for a uniform classified system to govern the production, manufacturing and sale of milk. Agriculture and Public Health, sitting jointly. January 18.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seventeen.

AN ACT

To prevent Discrimination in the Production, Handling and Sale 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. The state department of health, sitting
2 with an additional person, having a knowledge of dairy-
3 ing, appointed annually by the governor, with the advice
4 and consent of the council, for a term of one year, at
5 such compensation as shall be determined by the gov-
6 ernor and council, are hereby authorized after duly
7 advertised public hearings to make and amend from
8 time to time, reasonable regulations relative to the
9 sanitary conditions of milk and its production, process-
10 ing, distribution, grading and sale and for the licensing
11 of persons to sell milk, which regulations shall take
12 effect when approved by the governor and council.

13 For the purposes of this act the cities and towns may
14 be classified by population and conditions and different
15 sets of regulations may be made for the different classes
16 of cities and towns.

17 Whoever violates any provision of this act or any
18 regulation made hereunder shall be punished by a fine
19 of not more than one hundred dollars for each offence.

1 SECTION 2. The state department of health, sitting
2 with the said additional person shall enforce the provi-
3 sions of this act and the regulations made hereunder
4 with respect to milk produced outside this common-
5 wealth for sale within this commonwealth, and shall con-
6 duct tests and analyses of said milk and such inspection
7 of the places where said milk is produced and handled
8 as they deem necessary for this purpose; but the local
9 boards of health shall enforce said provisions and regu-
10 lations and conduct such tests and analyses with res-
11 pect to all milk produced in Massachusetts and such
12 inspection of the places where said Massachusetts milk
13 is produced and handled.

14 The state department of health, sitting with the said
15 additional person, may appoint any or all local boards
16 of health its agent or agents for the enforcement of the
17 provisions of this act and the regulations made here-
18 under as applied to out-of-state milk for sale within this
19 commonwealth and the places where said milk is pro-
20 duced and handled; but the state department of health,
21 sitting with the said additional person, shall be held
22 responsible for the proper performance of their duties
23 hereunder whether delegated to local boards of health
24 or not.

25 The superior court shall have jurisdiction in equity
26 upon the application of the state department of health

27 sitting with the said additional person or a local board
28 of health, as the case may be, to enjoin the sale, ex-
29 change or delivery of milk produced or handled in viola-
30 tion of the provisions of this act or of the regulations
31 made hereunder.

1 SECTION 3. The state department of health, sitting
2 with the said additional person, are hereby authorized
3 to expend ten thousand dollars annually for the purpose
4 of carrying out the provisions of this act.

