

By Mr. Bassett of Lynn, petition of Timothy A. Bassett relative to discrimination against the delivery and sale of milk and dairy products by licensed Massachusetts dealers. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Four.

AN ACT TO PREVENT DISCRIMINATION AGAINST MASSACHUSETTS PROCESSED MILK AND ENFORCE RECIPROCAL AGREEMENTS WITH OTHER STATES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 General Chapter 94, Section 16 C, is amended by adding the
2 following paragraph (d): —

3 The Director of Regulatory Services in the Department of Food
4 and Agriculture may hold adjudicatory hearings or investigatory
5 hearings pursuant to Chapter 30A to ascertain whether any other
6 state is in compliance with provisions of this statute as to reciprocal
7 arrangements or agreement with Massachusetts.

8 Notice of discriminatory action by another state against milk or
9 other dairy products processed in Massachusetts shall be filed with
10 the Attorney General of the United States and the Attorney
11 General of the commonwealth for their appropriate action and
12 shall state a request for immediate injunctive relief from discrimi-
13 nation against the delivery and sale of milk and other dairy pro-
14 ducts processed by a plant duly licensed by Massachusetts and
15 operating in conformity with the laws of the commonwealth.

16 Should any state fail to reciprocate with Massachusetts and not
17 allow any Massachusetts located plant to sell milk in said state, the
18 Commissioner of Food and Agriculture will immediately suspend
19 reciprocal agreement and arrangements and will notify all Massa-
20 chusetts licensed milk plants, receiving stations and pasteurization

21 plants that milk may not be received from producers or plants
22 located in the state found by the aforesaid hearing to be discrimina-
23 tory against Massachusetts and that they will have a period of
24 thirty days to find another supply of milk which must be from a
25 state in reciprocal agreement with Massachusetts.

26 Sale of milk shipped from plants in the state committing the
27 discrimination shall not be resumed in the markets of the com-
28 monwealth until certification by the Attorney General of the Uni-
29 ted States or the Attorney General of the Commonwealth to the
30 Commissioner of Food and Agriculture of the commonwealth that
31 discrimination has ceased.