

SENATE No. 141

To accompany the petition of the Massachusetts Association of Boards of Health that boards of health be authorized to issue permits for the production, delivery, exchange and sale of milk. Public Health.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twelve.

AN ACT

To authorize Boards of Health to issue Permits for the Production, Delivery, Exchange 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 board of health in any city or
2 town in this commonwealth is authorized to issue
3 permits for the production, delivery, exchange, ex-
4 posing for sale or selling or keeping with the intent
5 to deliver, exchange, expose for sale or selling milk
6 or cream in said city or town, subject to such regu-
7 lations as it may make and to forbid the sale of any
8 milk or cream produced, transported, or kept under
9 conditions not approved by the said board of health;
10 and a permit granted under the provisions of this
11 act may be revoked for failure to comply with any
12 such regulation as aforesaid.

1 SECTION 2. If the applicant for permit fails to
2 comply with any regulation established by the board
3 of health in the city or town where the application
4 is made, a permit may be refused until he has com-
5 plied with such regulation; and a permit granted
6 under the provisions of this act may be revoked at
7 any time for failure to comply with any such regu-
8 lation as aforesaid. If a permit is refused or re-
9 voked under this provision, an appeal may be taken
10 to the state board of health, whose decision shall be
11 final and conclusive.

1 SECTION 3. Whoever shall deliver, exchange, ex-
2 pose for sale, or sell, or have in his custody with
3 intent to deliver, exchange, expose for sale, or sell
4 any milk, unless he or the person whose agent he is
5 holds a permit under this act, shall be punished
6 for each offence by a fine of not less than five nor
7 more than one hundred dollars, or by imprisonment
8 of not more than thirty days, or by both such fine
9 and imprisonment, at the discretion of the court.