HOUSE . . . . . No. 3721

By Mr. Scaccia of Boston, petition of William Francis Galvin and Angelo M. Scaccia for legislation to further regulate the price of milk. Economic Development and Emerging Technologies.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE PRICE 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 Chapter 128 of the General Laws, as appearing in the 2000
2 Official Edition, is hereby amended by inserting after section 12
3 the following new section:—
4 Section 12A. Price Gouging; Milk
5 Definitions. For the purposes of this section, the following
6 terms shall have the following meanings:
7 (a) "Person" shall mean the owner or owners, including any
8 individual, partnership, association, firm, or corporation, of an
9 establishment engaged in the retail sale of milk;
10 (b) "Commissioner" shall mean the commissioner of agricul-
11 ture;
12 (c) "Fluid milk" shall mean milk, skim milk or lowfat milk in
13 consumer sized packages sold or offered for sale for off premise
14 consumption.
15 2. At any time when the retail price of fluid milk exceeds two
16 hundred percent of the farm price for class 1 fluid milk, it shall be
17 the responsibility of the commissioner in consultation with state
18 and local agencies as the commissioner deems appropriate, to
19 examine the price of fluid milk at retail to determine if the prices
20 of fluid milk sold or offered for sale in the state or in any area
21 thereof appear to the commissioner unconscionably excessive.
22 Upon a determination by the commissioner that the price of fluid
23 milk being sold or offered for sale appears unconscionably exces-