

By Mr. Melia of Boston, petition of John F. Melia that the Department of Public Health be authorized to regulate the food salvage business. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO
REGULATE THE FOOD SALVAGE BUSINESS.

*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 94 of the General Laws is hereby amended by inserting
2 after section 189A the following sections: —

3 *Section 189B.* The term "food salvager" as used in this section
4 and sections one hundred and eighty-nine C to one hundred and
5 eighty-nine G, inclusive, shall mean a person engaged in the
6 business of reconditioning, labeling, relabeling, packing, repack-
7 ing, sorting, cleaning, culling, or by other means salvaging food
8 or food products, single service food containers and utensils, soda
9 straws, paper napkins or any product of a similar nature that may
10 have become damaged, contaminated, adulterated or misbranded
11 as a result of fire, flood, transit wreck, accident or other cause, or
12 by water, smoke, chemicals or any other adulterating agents.

13 *Section 189C.* No person shall carry on the business of a food
14 salvager unless licensed by the department of public health as
15 provided in sections one hundred and eighty-nine D to one
16 hundred and eighty-nine E.

17 *Section 189D.* A person wishing to be licensed as a food
18 salvager shall file an application with the department upon a form
19 provided by it. If the department determines that the applicant
20 has adequate physical facilities for salvaging food and food
21 products upon payment of a fee of one hundred dollars it shall
22 issue a license to the applicant which shall expire one year from

23 the date when it was issued. Such license may be renewed for a
24 similar term upon the filing of an application and the payment of
25 a fee of fifty dollars. A license issued under this section shall not
26 be transferrable and a separate license shall be required for each
27 salvage warehouse operated by a food salvager.

28 *Section 189E.* The department may refuse to grant a license or
29 may suspend or revoke a license already granted after notice and
30 hearing in the manner provided by chapter thirty A, if it appears
31 (1) that any statement in the application or upon which it was
32 issued is or was false or misleading, (2) that the applicant or
33 licensee does not have adequate physical facilities for salvaging
34 food and food products, (3) that the applicant has been convicted
35 of a crime, or (4) that the applicant or licensee has failed to
36 comply with any of the provisions of this chapter or rules and
37 regulations promulgated pursuant thereto.

38 *Section 189F.* The department of public health is hereby
39 authorized to adopt and promulgate rules and regulations for the
40 regulation of a food salvage business.