

HOUSE No. 1418

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 17, 1934.

The committee on Agriculture, to whom was referred the petition (accompanied by bill, House, No. 673) of Howard S. Russell, secretary of the Massachusetts Farm Bureau Federation, for legislation relative to sale and transportation of poultry, report the accompanying bill (House, No. 1418).

For the committee,

FRED B. DOLE.

The Commonwealth of Massachusetts

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

An Act relative to the Sale and Transportation of Poultry.

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 ninety-four of the General Laws is hereby
2 amended by inserting after section one hundred
3 and fifty-two, as appearing in the Tercentenary
4 edition, the following new sections:—

5 *Section 152A.* Any person engaged in the business
6 of buying or selling poultry, the meat or product of
7 which is to be sold or used for food, shall annually
8 apply for a license to the state commissioner of agri-
9 culture upon a form to be prescribed by the commis-
10 sioner, and said commissioner may make suitable
11 rules and regulations governing such licenses. The
12 fee for such licenses shall not exceed the sum of two
13 dollars and such licenses shall be issued for a period
14 of one year and may be revoked for cause. If, in the
15 judgment of the commissioner, any provision of this
16 section or any rule or regulation made thereunder has
17 been violated, the commissioner shall send a notice
18 by registered mail to the licensee, who shall be given
19 a hearing, and if violation is proven, his license shall
20 be revoked, provided, however, that this section shall
21 not apply to the purchase and sale of live or dressed
22 poultry by merchants or to the purchase and sale

23 of poultry, live or dressed, by a producer within the
24 limits of the town or city where such poultry is
25 raised.

26 *Section 152B.* No person, except a licensee under
27 the preceding section or a merchant or a producer
28 transporting poultry, live or dressed, within the
29 limits of the city or town where such poultry was
30 produced by him, shall transport poultry, live or
31 dressed, from place to place upon any public high-
32 way or road unless possessed of a license in full force
33 and effect issued by the commissioner of agriculture;
34 and such license may be issued for a period of one
35 year upon the payment of a fee of two dollars and
36 may be revoked for cause after a hearing by said
37 commissioner or duly authorized assistant; or a
38 permit that has been issued by the local police au-
39 thorities for a period not to exceed three days and
40 which is in full force and effect at such time of
41 transportation. Such license shall apply to all
42 vehicles used for the transportation of poultry by
43 the licensee, but each such vehicle shall be sepa-
44 rately named and described therein, and a copy
45 of said license shall accompany each such vehicle
46 when used for such transportation and the issue
47 of such license shall be governed by reasonable
48 rules and regulations established by the commis-
49 sioner of agriculture and the issuance of such per-
50 mit may be governed by reasonable rules and regu-
51 lations established by the local police department,
52 but the form of such permit shall be governed by
53 the commissioner of agriculture who shall supply
54 such forms upon request. When live poultry is
55 being transported, except as hereinbefore provided,
56 such person shall have in his possession the original

57 copy of a bill of sale in such form as the commis-
58 sioner of agriculture may prescribe, signed by the
59 vendor, and such bill of sale shall contain the fol-
60 lowing information: the name and address of the
61 owner of the poultry, the breed, weight, price, and
62 number of the poultry purchased; provided, how-
63 ever, that this section shall not apply to the trans-
64 portation of poultry by the householder for imme-
65 diate consumption or the transportation of poultry
66 by merchants or common carriers.

67 For the purposes of this section the word "mer-
68 chant" shall include a wholesaler, jobber, commis-
69 sion merchant and retailer, having a legal place of
70 business.

71 *Section 152C.* Whoever violates any of the provi-
72 sions of section one shall be punished by a fine of
73 not more than one hundred dollars for each such
74 offence, and whoever violates any of the provisions
75 of section two shall be punished by a fine of not
76 more than one hundred dollars for the first offence
77 and shall, for the second and subsequent offences,
78 be punished by a fine of not more than five hundred
79 dollars or by imprisonment for not less than thirty
80 days or more than six months, or by both such fine
81 and imprisonment.