

By Mr. Dwinell of Millbury, petition of Richard J. Dwinell relative to making certain changes in the law relative to local milk inspection. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Six.

AN ACT AMENDING LOCAL MILK INSPECTION LAWS.

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 35 of chapter 94 of the General Laws, as appearing in
2 the Tercentenary Edition, is hereby amended by striking out in
3 line 4 the words "thirty-eight to forty, inclusive, and forty-three",
4 and inserting in place thereof the words: — and thirty-eight to
5 forty, inclusive. Section 40 of said chapter 94 is hereby amended
6 by striking out said section 40 and inserting in place thereof the
7 following section: —

8 *Section 40.* No person, except a producer selling milk to other
9 than consumers, or selling not more than twenty quarts per day to
10 consumers, shall deliver, exchange, expose for sale or sell or have
11 in his custody or possession with intent so to do any milk or
12 cream in any town where an inspector of milk is appointed.
13 without obtaining from such inspector a license which shall
14 contain the number thereof, the name and place of business. A
15 license issued to a partnership or corporation shall be issued in
16 the business name of said partnership or corporation and shall
17 contain the names in full of the partners and managers of said
18 partnership or officers of said corporation. The license shall, for
19 the purposes of section forty to forty-two, inclusive, be conclusive
20 evidence of ownership and shall not be sold, assigned or
21 transferred. No person, other than a producer selling milk or
22 cream, or both, shall display the word "dairy" on any vehicle used
23 by him or his authorized agent in the business of selling milk or
24 cream, unless such person has a license, in full force and effect,
25 issued under section forty-eight A. Whoever in such a town

26 engages solely in the business of selling milk or cream from any
27 vehicle or household deliveries shall display conspicuously on the
28 outer side of each vehicle so used the name and principal place of
29 business of the licensee in Gothic letters not less than one and one
30 half inches in height.

31 Section 41 of said chapter 94 as most recently amended by
32 chapter 114 of the acts of 1972 is hereby amended by striking out
33 the second sentence therein and inserting in place thereof the
34 following three sentences: — Application for such license shall be
35 made on or before March 1 for the license period beginning June
36 1, following. Such application shall be made upon a form
37 prescribed by the milk inspector and shall contain a statement of
38 such information as he may require to aid him in carrying out the
39 provisions of section forty. Such license shall remain in force for a
40 period of five years, unless previously suspended or revoked.
41 Section 48A of said chapter 94 as appearing in the Tercentenary
42 Edition is hereby amended by striking out in line 30 the words
43 “sections forty-one and forty-three”, and inserting in place
44 thereof the following words: — section forty-one.