



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 366

H.P. 292

House of Representatives, February 8, 2011

### An Act Regarding the Sale of Raw Milk

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative KUMIEGA of Deer Isle.  
Cosponsored by Representatives: BERRY of Bowdoinham, MALABY of Hancock, McCABE of Skowhegan, NEWENDYKE of Litchfield, O'BRIEN of Lincolnville, PILON of Saco,  
Senator: PATRICK of Oxford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA §2955, first ¶**, as amended by PL 1975, c. 517, §4, is further  
3 amended to read:

4 ~~No~~ A dealer ~~shall~~ may not buy milk from producers or others for sale or ~~shall~~  
5 process, distribute, sell or offer to sell milk in any market in the State designated by the  
6 commission unless duly licensed by the commission. ~~No~~ A license ~~shall be~~ is not  
7 required of any person who produces ~~or~~ and sells milk ~~for consumption~~ only on the  
8 premises of the producer ~~or~~ and seller. Each person, before engaging in the business of a  
9 dealer in any market designated by the commission, shall make application to the  
10 commission for a license, which the commission is authorized to grant. ~~No~~ A retailer  
11 ~~shall~~ may not sell or offer to sell ~~milk~~ in any market in the State ~~which he~~ milk that the  
12 retailer has purchased in Maine from an unlicensed dealer. For purposes of this section,  
13 "premises" includes a motor vehicle and portable farm stand owned by a producer if sales  
14 on these premises are made by that producer or an employee of that producer.

15 **SUMMARY**

16 This bill clarifies that a license is not required of any person who produces and sells  
17 milk only on the premises of the producer and seller. It defines "premises" to include a  
18 motor vehicle and portable farm stand owned by a producer if sales on these premises are  
19 made by that producer or an employee of that producer.