

License, for Conducting Meat Market or Slaughter House.  
Meat Market, License for Conducting. Slaughter House,  
License for Conducting. Farmer, Right to Sell Meat Without  
License.

It is unlawful for any person to conduct a slaughter house

or meat market in this state without having a license issued by the state board of health; but the words meat market and slaughter house within the meaning of the statute does not include a farmer or person who occasionally slaughters meat on his own premises and disposes of the same for food purposes, but such persons are subject to the general supervision and should conform to the rules and regulations of the sanitary board for the purposes of sanitation.

January 19, 1912.

Dr. T. D. Tuttle, Sec'y,  
State Board of Health,  
Helena, Montana.

Dear Sir:

I acknowledge receipt of your letter of January 10th stating that you are informed that certain people in the northern part of the state are slaughtering beef, pork, etc., and selling the same at the "farmers' market" in Great Falls, and requesting my official opinion as to whether these people are required to have a license as conducting a meat market or a slaughter house, or both.

In reply I will say that under the provisions of Chap. 130, Session Laws of 1911, Sec. 10, it is unlawful for any person to conduct a slaughter house, meat market, etc., in this state without having a license issued by the state board of health of Montana. The question now arises as to whether or not such persons are conducting a slaughter house or meat market within the provisions of this section. In my opinion a slaughter house within the meaning of this section is a place where animals are slaughtered for the purpose of being sold for food for consumption by the public and would not include a farmer who occasionally slaughtered beef on his own premises and who might dispose of a portion thereof to the public for food purposes. A meat market within the meaning of this section in my opinion would include any place where meat is regularly retailed or sold to the public. This might include a booth on the street or an enclosure used for such purpose but in my opinion an occasional selling of meat at a particular place would not make it a meat market within the meaning of this section requiring a license.

Of course, the sale of meat by farmers, or others, is under your general supervision and they should conform to your rules and regulations for the purpose of sanitation, but I do not think they would be required to obtain a license as conducting a slaughter house or a meat market, unless they are regularly engaged in that business.

Yours very truly,

ALBERT J. GALEN,

Attorney General.