

within affected area; and

(2) Injury was caused by use of herbicides described in petitions; and

(3) Use of herbicides was upon lands within affected area or in proximity to affected area; and

(4) The production of grapes constitutes a major source of agricultural income within affected area, the secretary shall (i) issue an order prohibiting or restricting the use of herbicides named in the petition or similarly dangerous herbicides within or in proximity of affected area for a period of time to be specified in the order unless such use is authorized by permit issued by the secretary; and (ii) provide that the order shall become effective upon publication in a newspaper having general circulation in affected area. Petitioners and each named user or his agent complained of within affected area shall be notified in writing by the secretary of the effective date of the order.

Section 4. Permits.—Upon written request, the secretary may issue a permit to use herbicides within or in the proximity of an area affected by an order issued pursuant to section 3, if he shall find that such use is reasonably necessary for its purpose, and the proposed manner of use will not be harmful to the grapevines or grape crops which the order is intended to protect. Every such permit shall prescribe the manner of use, either as proposed by the permittee or as the secretary may deem necessary to avoid harm to such grapevines or grape crops.

Section 5. Penalties.—Any person violating the prohibitions of this act or the manner of use prescribed in a permit is guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or to imprisonment for not more than six months, or both.

Section 6. Effective Date.—This act shall take effect immediately.

APPROVED—The 10th day of September, A. D. 1965.

WILLIAM W. SCRANTON

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No. 263

AN ACT

HB 436

Providing certain requirements for the commercial slaughtering of livestock; defining the humane methods that may be used; imposing powers and duties on the Secretary of Agriculture; and providing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. As used in this act:

(1) "Person" means any individual, partnership, corporation or association doing business in the Commonwealth in whole or in part.

(2) "Slaughterer" means any person regularly engaged in the commercial slaughtering of livestock.

(3) "Livestock" means cattle, calves, sheep, swine, horses, mules, goats and any other animal which can or may be used in and for the preparation of meat or meat products but does not include poultry or fowl.

(4) "Packer" means any person engaged in the business of slaughtering or of manufacturing or preparing <sup>1</sup>meat or meat products for sale either by such person or others or of manufacturing or preparing livestock products for sale by such person or others.

(5) "Stockyard" means any place, establishment or facility, commonly known as a stockyard, conducted or operated for compensation or profit as a public market, consisting of pens or other enclosures and their appurtenances for the handling, keeping and holding of livestock for the purpose of sale or shipment.

(6) "Humane method" means either (i) a method whereby the animal is rendered insensible to pain by mechanical, electrical, chemical or other means that is rapid and effective before being shackled, hoisted, thrown, cast or cut, or (ii) a method in accordance with ritual requirements of the Jewish faith or any other religious faith whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument. The use of a manually operated hammer, sledge or poleax during slaughtering operations is specifically declared to be an inhumane method of slaughter within the meaning of this act.

Section 2. No slaughterer, packer or stockyard operator shall shackle, hoist or otherwise bring livestock into position for slaughter by any method other than a humane method. No slaughterer, packer or stockyard operator shall bleed or slaughter any livestock except by a humane method: Provided, nevertheless, That this section shall not apply to the operator of a commercial establishment with respect to the positioning of no more than twenty conscious beef animals per week for ritual slaughter as such term is defined in subclause (ii) of clause (6) of section 1 of this act; and with respect to calves and sheep being positioned for ritual slaughter as therein defined, until one year after the Secretary of Agriculture finds that there is available at reasonable cost a ritually acceptable, practicable and humane method of handling or otherwise preparing conscious calves and sheep for slaughter. The findings of the

<sup>1</sup>"meet" in original.

Secretary of Agriculture in the application of subclause (ii) of clause (6) of section 1 shall be subject to review in the manner provided by the Administrative Agency Law.

Section 3. Nothing in this act shall be construed to prohibit, abridge or in any way hinder the religious freedom of any person or group. Nothing in this act shall be construed to apply to a farmer while slaughtering his own livestock.

Section 4. The Secretary of Agriculture shall administer the provisions of this act, and in order to do so, he shall have the power to promulgate rules and regulations.

Section 5. Any person who violates any provision of this act is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars (\$100) for each such conviction.

Section 6. This act shall take effect one year after the date of final enactment.

APPROVED—The 14th day of September, A. D. 1965.

WILLIAM W. SCRANTON

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No. 264

AN ACT

HB 544

Amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," changing the period of time and circumstances under which the Department of Forests and Waters may lease land.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Clause (a) of section 1803, act of April 9, 1929 (P. L. 177), known as "The Administrative Code of 1929," amended July 16,