

SUPREME COURT OF THE UNITED STATES

Baldwin v. G. A. F. Seelig, Inc.

294 U.S. 511 (1935) · No. Nos. 604 and 605 · Decided March 4, 1935

SUMMARY

The Supreme Court held that New York could not prohibit the sale of milk acquired in interstate commerce from Vermont merely because Vermont producers were paid less than New York's regulated minimum price. Such a restriction impermissibly burdened interstate commerce by creating an economic barrier against out-of-state competition. The Court also held that the restriction was invalid whether the milk was sold in its original containers or bottled in New York.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Mr. Justice Cardozo
JURISDICTION	Federal
DECIDED	March 4, 1935
DOCKET	Nos. 604 and 605
DISPOSITION	other
PROCEDURAL POSTURE	Cross-appeals from a three-judge United States District Court judgment concerning enforcement of New York's Milk Control Act against an interstate milk dealer.
STANDARD OF REVIEW	De novo review of the constitutional validity and application of the state statute to interstate commerce.
PRECEDENTIAL VALUE	Published, precedential opinion of the Supreme Court of the United States.
PARTIES	Baldwin, Commissioner of Agriculture & Markets, et al., G.A.F. Seelig, Inc. in No. 605 v. G.A.F. Seelig, Inc. in No. 604, Baldwin, Commissioner of Agriculture & Markets, et al. in No. 605

TOPICS

- dormant commerce clause
- federalism
- commercial litigation
- constitutional law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether New York could prohibit the sale of wholesome milk acquired in interstate commerce because the price paid to Vermont producers was lower than the minimum price required for New York producers.
2. Whether the constitutional analysis differed when the imported milk was removed from its original containers and bottled in New York before sale.

HOLDINGS

1. New York may not prohibit the sale within the State of wholesome milk acquired in Vermont merely because the price paid to Vermont producers was lower than the minimum price required for comparable New York milk.
2. The original-package distinction does not permit New York to bar the sale of imported Vermont milk after bottling when the restriction is designed to neutralize out-of-state price advantages and suppress interstate competition.

KEY QUOTATIONS

“It is the established doctrine of this court that a state may not, in any form or under any guise, directly burden the prosecution of interstate business.” (522)

“What is ultimate is the principle that one state in its dealings with another may not place itself in a position of economic isolation.” (527)

“Neither the power to tax nor the police power may be used by the state of destination with the aim and effect of establishing an economic barrier against competition with the products of another state or the labor of its residents.” (527)

FACTUAL BACKGROUND

G.A.F. Seelig, Inc. purchased milk and cream in Fair Haven, Vermont, from the Seelig Creamery Corporation, with title passing in Vermont, and transported the products by rail to New York. Approximately ninety percent was sold in the original forty-quart cans, while approximately ten percent was bottled in New York before sale. New York officials conditioned Seelig's license on compliance with minimum prices equivalent to those required for New York-produced milk, threatening prosecution and penalties if Seelig sold the Vermont milk without agreeing to those conditions.

PROCEDURAL HISTORY

G.A.F. Seelig, Inc. sued to enjoin enforcement of the New York Milk Control Act and related regulations. The three-judge District Court enjoined enforcement as to milk sold in the original packages but denied an injunction as to milk removed from the cans, bottled, and sold in New York. Both sides appealed.

DISPOSITION

other

REMAND INSTRUCTIONS

No. 604 was affirmed. No. 605 was reversed, and the cause was remanded for proceedings in accordance with the opinion.

CASES CITED

- *Nebbia v. New York*, 291 U.S. 502 (1934)
- *Hegeman Farms Corp. v. Baldwin*, 293 U.S. 163 (1934)
- *Borden's Farm Products Co. v. Baldwin*, 293 U.S. 194 (1934)
- *Woodruff v. Parham*, 8 Wall. 123 (1870)
- *International Textbook Co. v. Pigg*, 217 U.S. 91, 112 (1910)
- *Brennan v. Titusville*, 153 U.S. 289 (1894)
- *Brown v. Houston*, 114 U.S. 622 (1885)
- *Webber v. Virginia*, 103 U.S. 344, 351 (1881)
- *Kansas City Southern Ry. Co. v. Kaw Valley Drainage District*, 233 U.S. 75, 79 (1914)
- *Asbell v. Kansas*, 209 U.S. 251, 256 (1908)
- *Mintz v. Baldwin*, 289 U.S. 346 (1933)
- *Reid v. Colorado*, 187 U.S. 137 (1902)
- *Railroad Co. v. Husen*, 95 U.S. 465, 472 (1878)
- *Crossman v. Lurman*, 192 U.S. 189 (1904)
- *Savage v. Jones*, 225 U.S. 501 (1912)
- *Price v. Illinois*, 238 U.S. 446 (1915)
- *Plumley v. Massachusetts*, 155 U.S. 461 (1894)
- *Hebe Co. v. Shaw*, 248 U.S. 297 (1919)
- *Hygrade Provision Co. v. Sherman*, 266 U.S. 497 (1925)
- *Bradley v. Public Utilities Comm'n*, 289 U.S. 92 (1933)
- *Hennington v. Georgia*, 163 U.S. 229 (1896)
- *Missouri, K. & T. Ry. Co. v. Texas*, 245 U.S. 484, 488 (1918)
- *Silz v. Hesterberg*, 211 U.S. 31 (1908)
- *Geer v. Connecticut*, 161 U.S. 519 (1896)
- *Foster Packing Co. v. Haydel*, 278 U.S. 1, 11 (1928)
- *Anglo-Chilean Nitrate Sales Corp. v. Alabama*, 288 U.S. 218, 226 (1933)
- *Sonneborn Bros. v. Cureton*, 262 U.S. 506, 516 (1923)
- *Texas Co. v. Brown*, 258 U.S. 466, 475 (1922)
- *American Steel & Wire Co. v. Speed*, 192 U.S. 500 (1904)

- *McDermott v. Wisconsin*, 228 U.S. 115, 133 (1913)
- *Bowman v. Chicago & N.W. Ry. Co.*, 125 U.S. 465, 491 (1888)
- *Brimmer v. Rebman*, 138 U.S. 78 (1891)
- *Western Union v. Foster*, 247 U.S. 105, 114 (1918)
- *Pacific Co. v. Johnson*, 285 U.S. 480, 493 (1932)
- *Pennsylvania Gas Co. v. Public Service Comm'n*, 225 N.Y. 397, 403, 122 N.E. 260 (1919)
- *Leisy v. Hardin*, 135 U.S. 100 (1890)

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