



## Senate

General Assembly

**File No. 153**

February Session, 2002

Substitute Senate Bill No. 79

*Senate, March 26, 2002*

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING THE CERTIFICATION OF ORGANICALLY GROWN FOODS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-92a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 (a) No person may advertise, distribute or sell a food or food  
4 supplement described as "organic", "organically grown" or "natural" or  
5 described with or by words of similar meaning, unless such food or  
6 food supplement complies with the definitions of "organically grown  
7 food" or "natural food", as the case may be, as provided in section 21a-  
8 92.

9 (b) Agricultural products or by-products that have been organically  
10 grown, as defined in section 21a-92, shall be certified as organically  
11 grown annually by the [certification committee of the Northeast  
12 Organic Farming Association of Connecticut] Department of

13 Agriculture or a certification body recognized by the National Organic  
 14 Standards Board or the United States Department of Agriculture.  
 15 Organic certification shall include at least one annual site visit by an  
 16 independent inspector approved by the certification body. Such  
 17 certification bodies shall issue certification standards which denote  
 18 approved, regulated and prohibited farming practices and substances.  
 19 Certification standards shall be reviewed and updated annually by the  
 20 certification body. Agricultural products or by-products that have been  
 21 certified as organically grown shall not be intentionally subjected to  
 22 prohibited substances and shall not contain residues in excess of [one]  
 23 five per cent of the United States Environmental Protection Agency's  
 24 allowable tolerance level caused by unintentional and unavoidable  
 25 contamination by prohibited substances. Certified organic farming  
 26 shall be a production system which prohibits the use of synthetically  
 27 manufactured fertilizers, synthetically manufactured pesticides,  
 28 synthetically manufactured herbicides, synthetically manufactured  
 29 fungicides, synthetically manufactured growth regulators, irradiation  
 30 or transgenic seeds and sewage sludge. Violations of this section shall  
 31 be reported to the Department of Consumer Protection.

32 (c) All foods advertised, distributed or sold in violation of this  
 33 section shall be deemed to be misbranded under section 21a-102.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>

**ENV**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Fund-Type	Agency Affected	FY 03 \$	FY 04 \$
FF - Cost	Department of Agriculture	26,000	26,000

Note: FF=Federal Fund

**Municipal Impact:** None

**Explanation**

The bill requires the Department of Agriculture (DOAG) to certify organically grown foods and removes the current responsibility for certification from the Northeast Organic Farming Association. The DOAG has been chosen as one of 10 pilot states by the federal government for this certification process. The USDA will pay up to \$500 per farm for certification. If the cost is greater, the farm desiring certification will pay the difference. Connecticut has 50 organic farms, not all desiring certification. The state will receive \$26,000 for this program from USDA. It is anticipated, at this time, that USDA will continue to subsidize this program into the future. Initially, the DOAG might have to subcontract the work until the agency is proficient in the certification process. These costs will be paid with the federal grant as well.

**OLR Bill Analysis**

sSB 79

**AN ACT CONCERNING THE CERTIFICATION OF ORGANICALLY GROWN FOODS****SUMMARY:**

This bill requires the state's Agriculture Department to certify organically grown foods and simultaneously removes this responsibility from the Northeast Organic Farming Association of Connecticut. It does not affect other groups recognized by the U.S. Department of Agriculture's National Organic Standards Board to certify organic food.

The bill increases the permitted amount of residues from unintended or unavoidable contamination allowed in certified organic products and by-products. Under current law, the residues cannot exceed 1 % of the Environmental Protection Agency's tolerance level for agricultural products. The bill increases the amount to 5% of that level.

EFFECTIVE DATE: October 1, 2002

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 0