



Senate Bill No. 294

Public Act No. 06-52

AN ACT CONCERNING FARMER'S MARKETS.

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

Section 1. (NEW) (*Effective from passage*) (a) For purposes of this section:

(1) "Farmers' market" means a cooperative or nonprofit enterprise or association that consistently occupies a given site throughout the season, which operates principally as a common marketplace for a group of farmers, at least two of whom are selling Connecticut-grown fresh produce, to sell Connecticut-grown farm products directly to consumers, and where the farm products sold are produced by the participating farmers with the sole intent and purpose of generating a portion of household income;

(2) "Fresh produce" means fruits and vegetables that have not been processed in any manner;

(3) "Certified farmers' market" means a farmers' market that is authorized by the commissioner to operate;

(4) "Farmer's kiosk" means a structure or area located within a certified farmers' market used by a farm business to conduct sales of Connecticut-grown farm products;

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(5) "Connecticut-grown" means produce and other farm products that have a traceable point of origin within Connecticut;

(6) "Farm" has the meaning ascribed to it in subsection (q) of section 1-1 of the general statutes;

(7) "Farm products" means any fresh fruits, vegetables, mushrooms, nuts, shell eggs, honey or other bee products, maple syrup or maple sugar, flowers, nursery stock and other horticultural commodities, livestock food products, including meat, milk, cheese and other dairy products, food products of "aquaculture", as defined in subsection (q) of section 1-1 of the general statutes, including fish, oysters, clams, mussels and other molluscan shellfish taken from the waters of the state or tidal wetlands, products from any tree, vine or plant and their flowers, or any of the products listed in this subdivision that have been processed by the participating farmer, including, but not limited to, baked goods made with farm products.

(b) A farmer's kiosk at a certified farmers' market shall be considered an extension of the farmer's business and regulations of Connecticut state agencies relating to the sale of farm products on a farm shall govern the sale of farm products at a farmer's kiosk.

(c) A farmer offering farm products for sale at a certified farmers' market shall obtain and maintain any license required to sell such products.

(d) Section 22-6g of the general statutes, as amended by this act, or this section shall not supersede the provisions of any state or local health and safety laws, regulations or ordinances.

Sec. 2. Section 22-6g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the purposes of sections 22-6g to 22-6p, inclusive:

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(1) "Application" means a request made by an individual to the department for vendor certification in CFM/WIC on a form provided by the department;

(2) "Authorized farmers' market" means a farmers' market that operates within the service area and is a site authorized by the department for the exchange of vouchers and Connecticut-grown fresh produce;

(3) "Certified vendor" means an individual who has met all CFM/WIC conditions as outlined by the department and who is guaranteed payment on all vouchers accepted, provided compliance is maintained by that individual regarding all CFM/WIC rules and procedures as outlined in the vendor certification handbook;

(4) "Certified vendor identification stamp" means a department-issued stamp that shall be utilized by the certified vendor during each occurrence of voucher deposit in the financial institution of certified vendor choice. This stamp shall remain the sole property of the department and shall be forfeited by the certified vendor to the department in the event of suspension;

(5) "Certified vendor identification sign" means a department-issued sign which shall be clearly displayed by the certified vendor at all times when accepting or intending to accept vouchers in an authorized farmers' market. Signs shall remain the sole property of the department and shall be forfeited by the certified vendor to the department in the event of suspension;

(6) "Certified vendor number" means a personal identification number issued by the department and assigned to an individual whom the department has identified as a certified vendor;

(7) "Commissioner" means the Commissioner of Agriculture;

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(8) "Department" means the Department of Agriculture;

(9) "Designated distribution WIC clinic" means a site authorized by the department for dispersal of vouchers by the local WIC agency;

(10) "Distribution" means the process outlined by the department and the means by which local WIC agencies actually dispense vouchers to eligible participants;

(11) "Farm products" means any fresh fruits, vegetables, mushrooms, nuts, shell eggs, honey or other bee products, maple syrup or maple sugar, flowers, nursery stock and other horticultural commodities, livestock food products, including meat, milk, cheese and other dairy products, food products of "aquaculture", as defined in subsection (q) of section 1-1, including fish, oysters, clams, mussels and other molluscan shellfish taken from the waters of the state or tidal wetlands, products from any tree, vine or plant and their flowers, or any of the products listed in this subdivision that have been processed by the participating farmer, including, but not limited to, baked goods made with farm products;

[(11)] (12) "Farmers' market" means a cooperative or nonprofit enterprise or association that consistently occupies a given site throughout the season, which operates principally as a common marketplace for a group of farmers, at least two of whom are selling Connecticut-grown fresh produce, to sell Connecticut-grown [fresh produce] farm products directly to consumers, and where the products sold are produced by the participating farmers with the sole intent and purpose of generating a portion of household income;

[(12)] (13) "Fresh produce" means fruits and vegetables that have not been processed in any manner; [but does not mean nuts, popcorn, vegetable plants or seedlings, dried beans or peas, seed or grains, flowers, cider or eggs;]

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[(13)] (14) "CFM/WIC" means the Connecticut farmers' market supplemental food program for women, infants and children as administered by the department;

[(14)] (15) "Local WIC agency" means an entity that administers local health programs and which has entered into contract for voucher distribution and related service with the department;

[(15)] (16) "Connecticut-grown" means produce and other farm products that [has] have a traceable point of origin within Connecticut;

[(16)] (17) "Posted hours and days" means the operational time frames stated in assurances submitted by a duly authorized representative of an authorized farmers' market which includes a beginning and an ending date for each year of operation;

[(17)] (18) "Participant" means a client of WIC who is at least one year of age, who possesses one of the WIC classification codes selected for inclusion by the Department of Public Health and who is an active participant in a designated distribution clinic;

[(18)] (19) "Season" means a clearly delineated period of time during a given year that has a beginning date and ending date, as specified by the department, which correlates with a major portion of the harvest period for Connecticut-grown fresh produce;

[(19)] (20) "Service area" means the geographic areas that encompass all of the designated distribution clinics and authorized farmers' markets within Connecticut for a given season;

[(20)] (21) "USDA-FNS" means the United States Department of Agriculture-Food and Nutrition Service;

[(21)] (22) "Vendor certification handbook" means a publication by the department that is based on USDA-FNS mandates and guidelines,

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addresses CFM/WIC rules and procedures applicable to a certified vendor, and provides the basis for vendor training. A copy of the publication shall be issued to each individual prior to application. New editions supersede all previous editions;

[(22)] (23) "Voucher" means a negotiable instrument issued by the department to participants that is redeemable only for Connecticut-grown fresh produce from certified vendors at authorized farmers' markets, with a limited negotiable period that directly correlates to the season designated by the department;

[(23)] (24) "WIC" means the special supplemental food program for women, infants and children, as administered by the Department of Public Health.

Approved May 8, 2006