



OLR RESEARCH REPORT

November 4, 2013

2013-R-0420

LEGISLATION RELATED TO INCREASING AGRICULTURAL TRADE

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You asked for a brief summary of legislation passed in the last five years aimed at increasing agricultural trade.

SUMMARY

Since 2009, the Connecticut General Assembly has passed a variety of laws aimed at increasing the state's agricultural trade. We identify and briefly summarize 14 public acts broken into the following categories: aquaculture, Connecticut-grown products, dairy farmers, farmers' markets, forestry, and poultry.

We do not include all provisions of the acts here. Complete summaries of public acts are available on our website: <http://www.cga.ct.gov/olr/>. Readers are encouraged to obtain the full text of acts that interest them from the General Assembly's website: <http://www.cga.ct.gov/>.

LEGISLATION INCREASING AGRICULTURAL TRADE, 2009-2013

Aquaculture

PA 10-78 allows the Department of Agriculture (DoAg) commissioner to designate shellfish areas owned by the state or under its control that regional agricultural science and technology education centers need to conduct educational activities. The designated areas cannot (1) have

more than 50 acres each of restricted relay grow-out beds and approved harvest beds or (2) be in production at time of the designation. The educational activities that may be conducted include grow-out activities related to commercial scale aquaculture in the state's waters.

[PA 12-176](#) (§1) requires the DoAg commissioner to license and inspect aquaculture producers who harvest aquatic animals. It allows him to (1) prescribe the license term, fee, and application and (2) adopt implementing regulations in consultation with the consumer protection commissioner. It specifies license criteria for aquaculture producers.

[PA 13-238](#) allows aquaculture producers to also cultivate seaweed and other aquatic plants in Connecticut's coastal waters. The act expands the definition of "aquaculture producer" to include one who cultivates and harvests aquatic plants, including seaweed, for various purposes (e.g., food, feed, or fertilizer). The act allows the DoAg commissioner to issue licenses for planting and cultivating seaweed in Connecticut's coastal waters. The licenses are nontransferable and valid for up to five years. Anyone issued such a license can buy, possess, ship, transport, or sell seaweed approved by the commissioner.

Connecticut-Grown Products

[PA 13-72](#) requires the Department of Administrative Services commissioner, when he is purchasing or contracting for products, to give preference to Connecticut-grown or -produced beef, pork, lamb, and farm-raised fish if their cost is comparable to the cost of those produced or grown out of state. The law already requires him to give preference to Connecticut-grown or -produced dairy products, poultry, eggs, fruits, and vegetables.

[PA 13-177](#) similarly requires public higher education institutions to give preference to Connecticut-grown or -produced dairy products, poultry, farm-raised seafood, beef, pork, lamb, eggs, fruits, and vegetables when their cost is comparable to the cost of those grown or produced out of state.

Dairy Farmers

[PA 09-229](#) (§§ 27-30) creates a grant program for milk producing dairy farmers and funds it by increasing the fee people pay when filing documents with town clerks.

PA 09-7, September Special Session (§ 56), authorizes the \$10 million previously appropriated to DoAg for “dairy farmers” to pay for grants to milk producers (i.e., people, firms, or corporations registered as producers of milk for pasteurization). The grants are to be used to pay milk producers to make up the difference between the federal pay price and the minimum sustainable monthly cost of production for milk, as the law defines.

Farmers’ Markets

PA 10-103 expands the definition of a farmers’ market to include a cooperative or nonprofit enterprise or association that (1) occupies a given site for any given day or event; (2) operates principally as a common marketplace for a group of farmers, with at least two of them selling Connecticut-grown produce; and (3) sells such products in conformance with applicable regulations and solely to secure household income.

PA 11-164 creates a farmers’ market wine sales permit, which authorizes a farm winery to sell wine it manufactures at up to three farmers' market locations per year for an unlimited number of appearances. The permittee must (1) have an invitation from the farmers' market; (2) sell wine only by the bottle; and (3) be present, or have an authorized representative present, anytime wine is sold. The permit is valid for one year and requires an annual fee of \$250, with a \$100 nonrefundable filing fee. The consumer protection commissioner must issue a permit to a farm winery that submits proof of compliance with the farm winery manufacturing permit statute.

PA 11-191 makes a farmer's permit or license to operate a food service establishment at a DoAg-certified farmers’ market portable from health district to health district under specified conditions. It requires the farmer to notify a local health department or district in advance if he or she will begin operating a food service establishment within that jurisdiction.

PA 12-17 (§15) allows farmers’ market wine sales permittees to sell wine on Sundays between 8:00 AM and 9:00 PM. Sales may occur only when the farmers’ market is open, and a town may limit the permissible hours for sale.

PA 13-72 requires the DoAg commissioner, upon the request of any farmers' market, to include the market (1) on any list of farmers' markets that appears on DoAg's website and (2) in any promotional material about farmers' markets that DoAg publishes or distributes.

Forestry

PA 11-192 establishes a “timber harvest revolving account” to receive the proceeds from harvesting timber. By law, the Department of Energy and Environmental Protection commissioner may harvest timber from state-owned land and sell it for at least \$10 per cord. Under the act, the commissioner must use the account funds for (1) developing forest management plans and (2) reasonable expenses for administering and operating the plans.

PA 11-198 allows an owner of forest land currently enrolled in the state's “10 mill tax program” to convert to the state's forest preservation program (“490 tax program”) without penalty. The exemption includes penalties for the value of standing timber, if a sale or donation of the land to a nonprofit land preservation organization or a permanent conservation easement on the land occurs before the conversion. Alternatively, the act specifies that woodlands retaining a 10 mill classification on their 50th-year revaluation will be assessed at a tax rate not to exceed the similar properties classified as “forestland” under the forest preservation program. Any landowner who elects to stop participating in the 10 mill program will be subject to any applicable penalties. The 10 mill and 490 programs provide certain tax benefits for forestland.

Poultry

PA 10-103 (1) makes the DoAg commissioner responsible for inspecting certain poultry producers and processors and (2) designates processors meeting certain criteria as approved food sources for certain consumers and entities.

PA 13-38 allows certain poultry processing facilities to sell poultry to retail food establishments (e.g., grocery stores). The facilities must (1) meet applicable criteria for federal Food Safety and Inspection Service exemptions and (2) pass state DoAg inspections.

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