



Senate

General Assembly

File No. 30

February Session, 2014

Substitute Senate Bill No. 65

Senate, March 18, 2014

The Committee on Environment reported through SEN. MEYER of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE SALE OF FARM PRODUCTS AS "CONNECTICUT-GROWN" AND CERTIFICATION FOR "CONNECTICUT-GROWN" MARKETS AND RESTAURANTS.

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

1 Section 1. Section 22-38 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2014*):

3 (a) For purposes of this section, "farm products" means products
4 resulting from the practice of agriculture or farming, as defined in
5 section 1-1 and "Connecticut-Grown" means produce and other farm
6 products that have a traceable point of origin within Connecticut.

7 (b) Only farm products grown or produced in Connecticut shall be
8 advertised or sold in Connecticut as "Connecticut-Grown". Farm
9 products grown or produced in Connecticut may be advertised or sold
10 in Connecticut as "Native", "Native-Grown", "Local" or "Locally-
11 Grown". Farm products grown or produced within a ten-mile radius of
12 the point of sale for such farm products may be advertised or sold in

13 Connecticut as "Native", "Native-Grown", "Local", or "Locally-Grown".
14 Any person, firm, partnership or corporation advertising farm
15 products as "Native", "Native-Grown", "Local", "Locally-Grown", or
16 "Connecticut-Grown" shall be required to furnish written proof within
17 ten days of the sale of such products that such products were grown or
18 produced in Connecticut or within a ten-mile radius of the point of
19 sale, as applicable, if requested to do so by the Commissioner of
20 Agriculture or said commissioner's designee. Any person who violates
21 any provision of this section shall be fined not more than twenty-five
22 dollars for each product label in violation of this section.

23 (c) Notwithstanding the provisions of subsection (b) of this section,
24 any person who sells any farm product sold in this state as
25 "Connecticut-Grown" shall offer such product for sale in the
26 immediate proximity of a sign that is: (1) Readily visible to consumers,
27 (2) not less than eight and one-half inches by eleven inches in size, and
28 (3) in a form that is substantially as follows:

29 THIS FARM PRODUCT IS CONNECTICUT-GROWN. THIS FARM
30 PRODUCT WAS GROWN OR PRODUCED BY THE FOLLOWING
31 PERSON OR BUSINESS: (INSERT NAME AND ADDRESS OF
32 PERSON OR BUSINESS)

33 The lettering on any such sign shall be of such a size, font or print that
34 is clearly and easily legible. Such a sign shall accompany each type of
35 farm product that any such person sells as "Connecticut-Grown". Any
36 person who violates the provisions of this subsection shall be fined one
37 hundred dollars for each day that such violation occurs.

38 Sec. 2. Section 22-38b of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective October 1, 2014*):

40 (a) For the purposes of this section, "grocery or food store" means a
41 business that employs ten or more persons and is engaged in the retail
42 sale of produce, such as fruits and vegetables, meats, poultry, seafood,
43 nuts, dairy products, bakery products or eggs, and "Connecticut-
44 Grown" has the same meaning as provided in section 22-38, as

45 amended by this act.

46 (b) No grocery or food store shall be eligible for any state grant,
47 financial assistance, state loan or other state-funded incentive under
48 title 32, unless such store is certified as a ["Connecticut Farm Fresh]
49 "Connecticut-Grown Market" by the Commissioner of Agriculture
50 pursuant to subsection (c) of this section.

51 (c) The Commissioner of Agriculture shall establish and administer
52 a program, within available resources, to certify grocery and food
53 stores as ["Connecticut Farm Fresh] "Connecticut-Grown Markets". A
54 grocery or food store may be certified by the commissioner as a
55 [Connecticut Farm Fresh Market] "Connecticut-Grown Market" if proof
56 is submitted, to the satisfaction of the commissioner, that such store
57 continuously stocks [~~fifteen~~] five per cent or more of its shelf space for
58 retail produce and dairy with farm products grown or produced in this
59 state on a year-round basis and stocks twenty-five per cent or more of
60 its shelf space for retail produce with Connecticut-Grown farm
61 products during the months of July, August and September. [Such
62 products include, but are not limited to, dairy products, meat, poultry,
63 seafood, nuts, eggs, fruits and vegetables.] A grocery or food store
64 certified as a [Connecticut Farm Fresh Market] "Connecticut-Grown
65 Market" may use the words ["Connecticut Farm Fresh] "Connecticut-
66 Grown Market" for promotional and marketing activities. No store
67 other than a store certified as a [Connecticut Farm Fresh Market]
68 "Connecticut-Grown Market" may use such words for promotional
69 and marketing activities.

70 (d) The Commissioner of Agriculture shall establish and administer
71 a program, within available resources, to promote restaurants in the
72 state that serve farm products grown or produced in the state. The
73 commissioner shall, upon receiving proof satisfactory to said
74 commissioner that at least twenty per cent of food served by a
75 restaurant consists of farm products grown and produced in the state,
76 certify the restaurant to use the words ["Connecticut Farm Fresh]
77 "Connecticut-Grown Restaurant" for promotional and marketing

78 activities. No restaurant other than one certified as a [Connecticut
79 Farm Fresh Restaurant] "Connecticut-Grown Restaurant" may use such
80 words for promotional and marketing activities.

81 (e) The Commissioner of Agriculture may adopt regulations, in
82 accordance with the provisions of chapter 54, to carry out the purposes
83 of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	22-38
Sec. 2	October 1, 2014	22-38b

ENV Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Judicial Dept. ¹	GF - Potential Revenue Gain	Less than \$1,000	Less than \$1,000

Municipal Impact: None

Explanation

The bill (1) requires Connecticut-Grown products to be sold within immediate proximity of a sign displaying certain information, and (2) establishes a \$100 fine per day for violations.

Establishment of the new violation may result in a revenue gain of less than \$1,000 annually, as fewer than ten violations are anticipated.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

¹ Statutory violations are subject to Infractions Bureau procedures which allow the accused to pay the fine by mail without making a court appearance.

OLR Bill Analysis**sSB 65*****AN ACT CONCERNING THE SALE OF FARM PRODUCTS AS "CONNECTICUT-GROWN" AND CERTIFICATION FOR "CONNECTICUT-GROWN" MARKETS AND RESTAURANTS.*****SUMMARY:**

This bill requires anyone selling a Connecticut-Grown farm product (i.e., one with a traceable origin within Connecticut) to do so in the "immediate proximity" of a sign that (1) identifies it as Connecticut-grown and (2) discloses the name and address of the person who grew or produced it. Violators are subject to a \$100 fine per day of violation.

The bill renames the "Connecticut Farm Fresh Market" and "Connecticut Farm Fresh Restaurant" programs as the "Connecticut-Grown Market" and "Connecticut-Grown Restaurant" programs. These programs, which the agriculture commissioner administers, promote grocery and food stores and restaurants that sell or serve food made with farm products grown or produced in Connecticut.

The bill also revises the criteria that grocery or food stores must meet for the commissioner to certify the store as a Connecticut-Grown Market. Specifically, it (1) decreases, from 15% to 5%, the amount of Connecticut-grown farm products that the store must continuously stock on its shelves year round and (2) adds a new, higher, seasonal requirement of stocking its shelves with at least 25% Connecticut-grown produce in July, August, and September.

EFFECTIVE DATE: October 1, 2014

CONNECTICUT-GROWN SIGN

Under the bill, the Connecticut-Grown sign must:

1. be readily visible to consumers;

2. be at least eight and one half by 11 inches in size;
3. have lettering in a size, font, or print that is clearly and easily legible; and
4. state something substantially similar to “This farm product is Connecticut-Grown. This farm product was grown or produced by the following person or business (insert the name and address).”

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 28 Nay 0 (02/28/2014)