



Senate

General Assembly

File No. 87

January Session, 2015

Substitute Senate Bill No. 348

Senate, March 17, 2015

The Committee on Environment reported through SEN. KENNEDY 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".

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 Section 22-38 of the general statutes is repealed and the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, 2015*):

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] subsection shall be fined not more than
 22 [twenty-five] one hundred dollars for each product label in violation of
 23 this [section] subsection.

24 (c) In addition to the provisions of subsection (b) of this section, any
 25 person who sells any farm product as "Connecticut-Grown" at a
 26 farmers' market in this state shall offer such product for sale in the
 27 immediate proximity of a sign that is: (1) Readily visible to consumers,
 28 (2) not less than three inches by five inches in size, and (3) in a form
 29 that is substantially as follows:

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	22-38

Section 1	October 1, 2015	22-38
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Statement of Legislative Commissioners:

In subsection (c), "Notwithstanding" was changed to "In addition to" for accuracy.

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 16 \$	FY 17 \$
Judicial Dept.	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.

OLR Bill Analysis**sSB 348*****AN ACT CONCERNING THE SALE OF FARM PRODUCTS AS "CONNECTICUT-GROWN".*****SUMMARY:**

This bill requires anyone selling a Connecticut-grown farm product at a farmers' market 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 or business that grew or produced it. Violators are subject to a \$100 fine for each violation.

The bill also increases, from \$25 to \$100, the fine for violating the Connecticut-Grown law. Under the law, only products grown or produced in Connecticut can be advertised or sold as Connecticut-grown. Farm products grown or produced in Connecticut or within a 10-mile radius of the point of sale may be labeled as native, native grown, local, or locally grown. Upon request, the person who sold the product must submit written proof of these claims to the agriculture commissioner or his designee within 10 days after selling the product.

EFFECTIVE DATE: October 1, 2015

CONNECTICUT-GROWN SIGN

Under the bill, the Connecticut-Grown sign must:

1. be readily visible to consumers;
2. be at least three by five inches in size;
3. have lettering in a size, font, or print 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 23 Nay 4 (02/27/2015)