Proposed Substitute
Bill No. 5105

LCO No. 2314

February Session, 2020

AN ACT CONCERNING REVISIONS TO THE CONNECTICUT-GROWN PROGRAM.

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

Section 1. Subdivision (13) of section 22-6g of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2020):

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

Sec. 2. Section 22-6q of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2020):

(a) There is established the Connecticut Farmers' Market/Senior Nutrition Program which shall be provided for from funds available to the commissioner and from other sources as such funds may become available. The program shall supply Connecticut-grown fresh produce to senior participants through the distribution of vouchers that are redeemable only at designated Connecticut farmers' markets. For purposes of this section, a "senior participant" is defined as a person who is sixty years of age or older and is currently residing in elderly housing, or is a participant of a registered congregate meal site, or has been identified by a municipal elderly agent as being at nutritional risk. The program is designed to provide both a supplemental source of fresh produce for the dietary needs of seniors who are judged to be at nutritional risk and to stimulate an increased demand for Connecticut-grown produce at Connecticut farmers' markets. For purposes of this
section, "fresh produce" means fruits and vegetables that have not been processed in any manner and poultry eggs.

(b) The program shall be administered by the Commissioner of Agriculture who shall maintain all conditions for its operations.

Sec. 3. Section 22-38 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2020):

(a) For purposes of this section, "farm products" means products resulting from the practice of agriculture or farming, as defined in section 1-1 and "Connecticut-[Grown] grown" or CT-Grown means produce and other farm products that have a traceable point of origin within Connecticut or that are produced within a ten-mile radius of the point of sale of such products.

(b) Only farm products grown or produced in Connecticut or produced within a ten-mile radius of the point of sale for such products shall be advertised or sold in Connecticut as "Connecticut-[Grown] grown" or "CT-Grown". [Farm products grown or produced in Connecticut may be advertised or sold in Connecticut as "Native", "Native-Grown", "Local" or "Locally-Grown". Farm products grown or produced within a ten-mile radius of the point of sale for such farm products may be advertised or sold in Connecticut as "Native", "Native-Grown", "Local", or "Locally-Grown".] Any person, firm, partnership or corporation advertising or labeling farm products as ["Native", "Native-Grown", "Local", "Locally-Grown", or] "Connecticut-[Grown] grown" or "CT-Grown" shall be required to furnish written proof within ten days of the sale of such products that such products were grown or produced in Connecticut or within a ten-mile radius of the point of sale, as applicable, if requested to do so by the Commissioner of Agriculture or said commissioner's designee. Any person who violates any provision of this subsection shall be fined not more than one hundred dollars for each product label in violation of this subsection.

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

[THIS FARM PRODUCT IS] CONNECTICUT-GROWN FARM PRODUCT. [THIS FARM PRODUCT WAS GROWN OR PRODUCED BY THE FOLLOWING PERSON OR BUSINESS: [INSERT THE NAME AND [ADDRESS OF PERSON OR BUSINESS]]] THE TOWN FOR THE FARM OF ORIGIN.

The lettering on any such sign shall be of a size, font or print that is clearly and easily legible. Such a sign shall accompany each type of farm product that any such person sells as "Connecticut-[Grown] grown" or "CT-Grown". Any person who violates the provisions of this subsection shall receive a warning for the first violation and for any subsequent violation shall be fined one hundred dollars for each violation.

Sec. 4. Section 22-39f of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2020):

Any person who fails to comply with the provisions of sections 22-39a to 22-39e, inclusive, section 22-39g, any regulation adopted pursuant to subsection (h) of section 22-39g or who obstructs or hinders the Commissioner of Agriculture or the [Commissioner of Consumer Protection or any of their] commissioner's authorized agents in the performance of their duties under the provisions of said sections, shall be fined [not less than twenty-five dollars or more than] fifty dollars for the first offense and [not less than one hundred dollars or more than] two hundred dollars for each subsequent offense. In addition to such fine, the Commissioner of Agriculture is authorized to deny, suspend or revoke [the] any license, permit certificate or registration provided for in said sections issued to such person, in accordance with the provisions of chapter 54.

Sec. 5. Section 22-61j of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2020):
Any person who violates the provisions of sections 22-61c to 22-61f, inclusive, [shall be guilty of a class D misdemeanor and] shall be fined one hundred dollars for the first offense and two hundred dollars for each subsequent offense.

This act shall take effect as follows and shall amend the following sections:

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<tr>
<th>Section</th>
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<tr>
<td>Sec. 1</td>
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<td>22-6g(13)</td>
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<tr>
<td>Sec. 2</td>
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