



General Assembly

January Session, 2021

Raised Bill No. 6385

LCO No. 2649



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING ENHANCEMENTS TO CERTAIN AGRICULTURAL PROGRAMS.

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

1 Section 1. Subdivision (13) of section 22-6g of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2021*):

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

6 Sec. 2. Section 22-6q of the general statutes is repealed and the
7 following is substituted in lieu thereof (*Effective October 1, 2021*):

8 (a) There is established the Connecticut Farmers' Market/Senior
9 Nutrition Program which shall be provided for from funds available to
10 the commissioner and from other sources as such funds may become
11 available. The program shall supply Connecticut-grown fresh produce
12 to senior participants through the distribution of vouchers that are
13 redeemable only at designated Connecticut farmers' markets. For
14 purposes of this section, a "senior participant" is defined as a person who

15 is sixty years of age or older and is currently residing in elderly housing,
16 or is a participant of a registered congregate meal site, or has been
17 identified by a municipal elderly agent as being at nutritional risk. The
18 program is designed to provide both a supplemental source of fresh
19 produce for the dietary needs of seniors who are judged to be at
20 nutritional risk and to stimulate an increased demand for Connecticut-
21 grown produce at Connecticut farmers' markets. For purposes of this
22 section, "fresh produce" means fruits and vegetables that have not been
23 processed in any manner and chicken eggs.

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

26 Sec. 3. Section 22-38 of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2021*):

28 (a) For purposes of this section, "farm products" means products
29 resulting from the practice of agriculture or farming, as defined in
30 section 1-1 and ["Connecticut-Grown"] "Connecticut-Grown" or "CT-
31 Grown" means produce and other farm products that have a traceable
32 point of origin within Connecticut.

33 (b) Only farm products grown or produced in Connecticut shall be
34 advertised or sold in Connecticut as ["Connecticut-Grown"]
35 "Connecticut-Grown" or "CT-Grown". [Farm products grown or
36 produced in Connecticut may be advertised or sold in Connecticut as
37 "Native", "Native-Grown", "Local" or "Locally-Grown". Farm products
38 grown or produced within a ten-mile radius of the point of sale for such
39 farm products may be advertised or sold in Connecticut as "Native",
40 "Native-Grown", "Local", or "Locally-Grown".] Any person, firm,
41 partnership or corporation advertising or labeling farm products as
42 ["Native", "Native-Grown", "Local", "Locally-Grown", or "Connecticut-
43 Grown"] "Connecticut-Grown" or "CT-Grown" shall be required to
44 furnish written proof within ten days of the sale of such products that
45 such products were grown or produced in Connecticut [or within a ten-
46 mile radius of the point of sale, as applicable,] if requested to do so by

47 the Commissioner of Agriculture or said commissioner's designee. Any
48 person who violates any provision of this subsection shall be fined not
49 more than one hundred dollars for each product label in violation of this
50 subsection.

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

57 [THIS FARM PRODUCT IS] CONNECTICUT-GROWN FARM
58 PRODUCT. [THIS FARM PRODUCT WAS GROWN OR PRODUCED
59 BY THE FOLLOWING PERSON OR BUSINESS: (INSERT THE NAME
60 AND [ADDRESS OF PERSON OR BUSINESS]) THE TOWN FOR THE
61 FARM OF ORIGIN.

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

69 Sec. 4. Section 22-39f of the general statutes is repealed and the
70 following is substituted in lieu thereof (*Effective October 1, 2021*):

71 Any person who fails to comply with the provisions of sections 22-
72 39a to 22-39e, inclusive, section 22-39g, any regulation adopted pursuant
73 to subsection (h) of section 22-39g or who obstructs or hinders the
74 Commissioner of Agriculture or the [Commissioner of Consumer
75 Protection or any of their] commissioner's authorized agents in the
76 performance of their duties under the provisions of said sections, shall
77 be fined [not less than twenty-five dollars or more than] fifty dollars for
78 the first offense and [not less than one hundred dollars or more than]

79 two hundred dollars for each subsequent offense. In addition to such
80 fine, the Commissioner of Agriculture is authorized to deny, suspend or
81 revoke [the] any license, permit certificate or registration provided for
82 in said sections issued to such person, in accordance with the provisions
83 of chapter 54.

84 Sec. 5. Section 22-47 of the general statutes is repealed and the
85 following is substituted in lieu thereof (*Effective October 1, 2021*):

86 Producers selling eggs of their own producing direct to household
87 users are exempt from the provisions of this part provided (1) such eggs
88 are clean, stored at an ambient air temperature of not greater than forty-
89 five degrees Fahrenheit and are not adulterated, and (2) the label for
90 such eggs contains the producer's name and address, the type of eggs, if
91 not chicken eggs, the quantity of eggs, safe food handling instructions
92 and such label is not otherwise misleading or false and makes no claim
93 of grade or quality. All types of shippers selling eggs to a first receiver
94 who will grade them into the proper size and grade before reselling are
95 exempt from the provisions of this part.

96 Sec. 6. Section 22-61j of the general statutes is repealed and the
97 following is substituted in lieu thereof (*Effective October 1, 2021*):

98 Any person who violates the provisions of sections 22-61c to 22-61f,
99 inclusive, [shall be guilty of a class D misdemeanor and] shall be fined
100 one hundred dollars for the first offense and two hundred dollars for
101 each subsequent offense.

102 Sec. 7. Subsection (a) of section 22-4c of the general statutes is
103 repealed and the following is substituted in lieu thereof (*Effective October*
104 *1, 2021*):

105 (a) The Commissioner of Agriculture may: (1) Adopt, amend or
106 repeal, in accordance with the provisions of chapter 54, such standards,
107 criteria and regulations, and such procedural regulations as are
108 necessary and proper to carry out the commissioner's functions, powers
109 and duties; (2) enter into contracts with any person, firm, corporation or

110 association to do all things necessary or convenient to carry out the
111 functions, powers and duties of the department; (3) initiate and receive
112 complaints as to any actual or suspected violation of any statute,
113 regulation, permit or order administered, adopted or issued by the
114 commissioner. The commissioner may hold hearings, administer oaths,
115 take testimony and subpoena witnesses and evidence, enter orders and
116 institute legal proceedings including, but not limited to, suits for
117 injunctions and for the enforcement of any statute, regulation, order or
118 permit administered, adopted or issued by the commissioner. The
119 commissioner or the commissioner's agent may issue a citation in
120 accordance with section 51-164n for any infraction or violation
121 established in any provision of the general statutes under the
122 commissioner's authority; (4) provide an advisory opinion, upon
123 request of any municipality, state agency, tax assessor or any landowner
124 as to what constitutes agriculture or farming pursuant to subsection (q)
125 of section 1-1, or regarding classification of land as farm land or open
126 space land pursuant to sections 12-107b to 12-107f, inclusive; (5) in
127 accordance with constitutional limitations, enter at all reasonable times,
128 without liability, upon any public or private property, except a private
129 residence, for the purpose of inspection and investigation to ascertain
130 possible violations of any statute, regulation, order or permit
131 administered, adopted or issued by the commissioner and the owner,
132 managing agent or occupant of any such property shall permit such
133 entry, and no action for trespass shall lie against the commissioner for
134 such entry, or the commissioner may apply to any court having criminal
135 jurisdiction for a warrant to inspect such premises to determine
136 compliance with any statute, regulation, order or permit or methods of
137 manufacture or production ascertained by the commissioner during, or
138 as a result of, any inspection, investigation or hearing; (6) undertake any
139 studies, inquiries, surveys or analyses the commissioner may deem
140 relevant, through the personnel of the department or in cooperation
141 with any public or private agency, to accomplish the functions, powers
142 and duties of the commissioner; (7) require the posting of sufficient
143 performance bond or other security to assure compliance with any
144 permit or order; (8) provide by notice printed on any form that any false

145 statement made thereon or pursuant thereto is punishable as a criminal
 146 offense under section 53a-157b; (9) by regulations adopted in
 147 accordance with the provisions of chapter 54, require the payment of a
 148 fee sufficient to cover the reasonable cost of acting upon an application
 149 for and monitoring compliance with the terms and conditions of any
 150 state or federal permit, license, registration, order, certificate or
 151 approval. Such costs may include, but are not limited to, the costs of (A)
 152 public notice, (B) reviews, inspections and testing incidental to the
 153 issuance of and monitoring of compliance with such permits, licenses,
 154 orders, certificates and approvals, and (C) surveying and staking
 155 boundary lines. The applicant shall pay the fee established in
 156 accordance with the provisions of this section prior to the final decision
 157 of the commissioner on the application. The commissioner may
 158 postpone review of an application until receipt of the payment.

159 Sec. 8. (*Effective July 1, 2021*) On and after the effective date of this
 160 section, any voucher issued by the Commissioner of Agriculture
 161 pursuant to section 22-6p or 22-6q of the general statutes, as amended
 162 by this act, shall have a value of not less than twenty dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	22-6g(13)
Sec. 2	<i>October 1, 2021</i>	22-6q
Sec. 3	<i>October 1, 2021</i>	22-38
Sec. 4	<i>October 1, 2021</i>	22-39f
Sec. 5	<i>October 1, 2021</i>	22-47
Sec. 6	<i>October 1, 2021</i>	22-61j
Sec. 7	<i>October 1, 2021</i>	22-4c(a)
Sec. 8	<i>July 1, 2021</i>	New section

Statement of Purpose:

To (1) include chicken eggs as part of the state-funded Connecticut Farmers' Market/WIC and Senior Nutrition programs, (2) increase fines for violating certain farm product grading and marketing requirements, (3) provide the Commissioner of Agriculture with infraction authority for the violation of statutes under the commissioner's authority, and (4) increase vouchers for said nutrition programs.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]