

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
110TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-174)

COMMITTEE AMENDMENT "A" to S.P. 485, L.D. 1387, Bill,
"AN ACT to Provide for Identifying Natural, Nonimitation Food
Products sold in the State."

Amend the Bill by striking out everything after the
enacting clause and inserting in its place the following:

'7 MRSA §552, sub-§4 is enacted to read:

4. Natural food symbol. A natural food symbol may be
selected and issued under the following provisions.

A. The Department of Agriculture, Food and Rural
Resources may select an appropriate symbol to designate
that a food is found by the department to be a natural
food. A person wishing to label any food with the
symbol shall first obtain a license from the department.
A person shall not use the symbol for any food that is
not natural. A separate license shall be obtained for
each food.

B. The commissioner shall issue a license if he is
satisfied that the food proposed to be labeled by the
applicant is natural. The commissioner may require a
signed affidavit stating the ingredients of the food
and may use other methods to determine whether a food
is natural. If the commissioner is unable to determine
to his satisfaction that a food is natural, he is not
required to issue a permit.

C. A license is valid for one year and may be renewed.

The commissioner may charge a fee for a license, provided that the fee is \leftarrow not \leftarrow greater than the actual cost of administration of a license.

D. The commissioner or his duly authorized agent may refuse to grant or renew a license, after notice and opportunity for a hearing has been provided in a manner consistent with the Maine Administrative Procedure Act, Title 5, chapter 375, as to adjudicatory proceedings, upon a finding that the licensee has labeled as natural a food that is not natural. The Administrative Court may, in a manner consistent with the Maine Administrative Procedure Act, Title 5, chapter 375, suspend or revoke a license upon finding that the licensee has labeled as natural a food that is not natural.'

Statement of Fact

This amendment establishes a program for identifying natural foods with a symbol, with the following features.

1. The Department of Agriculture, Food and Rural Resources is to identify the symbol and license its use, for a fee.
2. In determining whether a food is natural, the commissioner

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may require affidavits stating the ingredients of the food,
or use other methods.

3. The commissioner may refuse to grant or renew a license,
and the Administrative Court may suspend or revoke one if a
licensee labels as natural a food that is not natural.

Reported by the Committee on Agriculture.

Reproduced and distributed pursuant to Senate Rule 11-A.

May 6, 1981

(Filing No. S-174)