

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2197

H.P. 1606 House of Representatives, February 5, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Agriculture suggested and
ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative TARDY of Palmyra.

Cosponsored by Representatives PARENT of Benton and
MacBRIDE of Presque Isle.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 **AN ACT to Improve the Marketing of Potatoes by**
2 **Strengthening the Maine Bag Program.**
3

4 Be it enacted by the People of the State of Maine as
5 follows:

6 **Sec. 1. 7 MRSA 1035, as repealed and replaced**
7 **by PL 1987, c. 99, §16, is amended to read:**

1 §1035. Maine bag logo

2 The Maine Potato Quality Control Board may
3 shall adopt an official logo which, at a minimum,
4 shall contain an outline of the shape of the State
5 and may shall require its use on all Maine bags.
6 The purpose of the logo is to assure consumers of the
7 uniform quality, cleanliness and size of the
8 potatoes. In-state packers who have paid a tax in
9 accordance with Title 36, section 4605, shall use the
10 logo, provided inspection is completed in compliance
11 with section 1034. Out-of-state packers may use the
12 logo for a fee to be established by the commissioner
13 provided that in-state packing requirements have been
14 met.

15 Sec. 2. 7 MRS §1036, sub-§1-A is enacted to
16 read:

17 1-A. Variety. No person may pack potatoes in a
18 Maine bag, unless those potatoes are of a variety
19 approved by the commissioner. The commissioner shall
20 promulgate rules, in accordance with the Maine
21 Administrative Procedure Act, Title 5, chapter 375, to
22 develop a method of sampling and testing potatoes for
23 compliance with this subsection. If before shipment
24 it is suspected that the potatoes do not conform to
25 the requirements of this subsection, the suspected
26 violation shall not be grounds for refusal to ship the
27 potatoes. If it is subsequently discovered that the
28 shipment is not in compliance with this subsection,
29 the violator shall be subject to the penalty in
30 subsection 3.

31 STATEMENT OF FACT

32 This bill seeks to strengthen the marketing of
33 Maine potatoes by requiring the Maine Potato Quality
34 Control Board to adopt an official logo and to require
35 its use on all Maine bags. In-state packers are
36 required to use the logo if they have paid a potato
37 tax and completed inspection. Out-of-state packers
38 may use the logo for a fee if they have complied with
39 in-state packing requirements.

1 This bill also prohibits the packing of potatoes
2 in a Maine bag unless those potatoes are of a variety
3 approved by the commissioner. If it is suspected that
4 a shipment of potatoes does not conform to the
5 approved variety, the suspected violation is not
6 grounds for refusing to ship those potatoes. The bill
7 is based on recommendations by the Maine Potato Board.

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