

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A" to S.P. 606, L.D. 1610, Bill, "An Act to Require Country of Origin Labeling on Fresh Produce and Labeling of Produce Treated with Post-harvest Treatments"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, current laws that require country of origin labeling on fresh produce and labeling of produce treated with post-harvest treatments are due to be repealed on July 1, 1991; and

Whereas, continuance of these laws is essential to consumer knowledge and consumer choice; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 7 MRSA §530, sub-§7, as enacted by PL 1989, c. 527, §1, is repealed.

Sec. 2. 22 MRSA §2157, sub-§14, as enacted by PL 1989, c. 339, §§1 and 2, is amended to read:

14. Post-harvest treatments. If it is fresh produce that is sold or offered for sale at a retail outlet, whether or not it is packaged or in a container, and has been treated with a post-harvest treatment, without meeting the requirements in paragraphs A, B and to C.

R. of S.

COMMITTEE AMENDMENT " A" to S.P. 606, L.D. 1610

2 For purposes of this section, "post-harvest treatment" means a
4 treatment added or applied to fresh produce after harvest and
identified by rule as a post-harvest treatment and waxes that
6 contain one or more post-harvest treatments.

8 A. The owner or manager of a retail outlet shall ensure
that one conspicuous sign is displayed that ~~shall--read~~
10 reads: "Produce in this store may have been treated after
harvest with one or more post-harvest treatments."

12 B. The owner or manager of a retail outlet shall ensure
that information identifying the specific post-harvest
14 treatments used, and the specific items of produce that were
treated, is available to the public within 48 hours of a
16 request.

18 C. The owner or manager of a retail outlet shall ensure
that produce without post-harvest treatment, as determined
20 by the commissioner, ~~shall--be~~ is identified by a sign
contiguous to the specific produce.

22 ~~This subsection is repealed effective July 1, 1991.~~

24 **Sec. 3. Appropriation.** The following funds are appropriated
from the General Fund to carry out the purposes of this Act.

28 1991-92 1992-93

30 **AGRICULTURE, FOOD AND RURAL**
32 **RESOURCES, DEPARTMENT OF**

34 **Public Services - Agriculture**

36 All Other \$3,000 \$3,000

38 Provides funds for
contractual services for the
40 periodic updating and
printing of brochures.

42 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

44

FISCAL NOTE

2

1991-92

1992-93

4

APPROPRIATIONS/ALLOCATIONS

6

General Fund

\$3,000

\$3,000

8

10 The Department of Agriculture, Food and Rural Resources
11 (Public Services - Agriculture) will require General Fund
12 appropriations of \$3,000 annually beginning in fiscal year
13 1991-92 for the periodic updating and printing of brochures.
14 Costs associated with adopting rules and enforcing these
15 provisions will be absorbed by the department utilizing existing
16 budgeted resources.

16

18 The additional work load and administrative costs associated
19 with the minimal number of additional cases filed in District
20 Court as a result of the violation will be absorbed within the
21 budgeted resources of the Judicial Department. The collection of
22 additional fines will increase General Fund revenue by a minor
23 amount.

24

STATEMENT OF FACT

26

28 This amendment replaces the original bill. The amendment
29 provides for continuance of 2 current laws by repealing sunset
30 provisions. The amendment adds an emergency preamble, an
emergency clause, an appropriation and a fiscal note to the bill.

Reported by Senator Twitchell for the Committee on Agriculture.
Reproduced and Distributed Pursuant to Senate Rule 12.
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