

MAINE STATE LEGISLATURE

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L.D. 1382

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DATE: 6/14/95

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AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 973, L.D. 1382, Bill, "An Act to Require the Disclosure of the State of Origin of Farm Products"

Amend the bill by striking out the title and substituting the following:

'An Act to Strengthen the Laws Concerning Labeling and Advertising of Native Produce'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 7 MRSA §443-A, as amended by PL 1979, c. 731, §19, is repealed and the following enacted in its place:

§443-A. Native produce

1. Prohibition. Farm produce sold or offered for sale within the State may not be labeled or advertised as "native," "native-grown," "locally grown" or by a similar designation, unless that product was actually grown in the State.

2. Penalty. Violation of subsection 1 is a civil violation punishable by a fine of not less than \$200 nor more than \$300.

3. Burden of proof. The burden of proof concerning the origin of farm produce is on the seller. The burden may be met by written documentation showing the origin of farm produce.

4. Enforcement. This section is enforced by the Department of Agriculture, Food and Rural Resources.'

COMMITTEE AMENDMENT

2 Further amend the bill by inserting at the end before the
statement of fact the following:

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FISCAL NOTE

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8 The increase in the minimum and maximum fines in this bill
will increase General Fund revenue by minor amounts.'

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STATEMENT OF FACT

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14 The amendment alters current law regarding the labeling of
farm produce by placing on the seller the burden of proof for
16 identifying the origin of farm produce. It also increases the
fines for a violation from a minimum of \$100 to a minimum of \$200
and from a maximum of \$200 to a maximum of \$300.

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The amendment also adds a fiscal note.