

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 298

H.P. 238

House of Representatives, February 2, 2009

### An Act Regarding the Labeling of Wood Pellet and Biomass Heating Fuel Sold in the State

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Reference to the Committee on Utilities and Energy suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative PINKHAM of Lexington Township.

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

2 Sec. 1. 10 MRSA c. 215-A is enacted to read:

3 CHAPTER 215-A

4 LABELING OF WOOD PELLET AND BIOMASS HEATING FUEL

5 §1460. Wood pellet and biomass heating fuel package labeling

6 1. Definition. For the purposes of this section, "biomass heating fuel" means wood  
7 pellets or corn or grain in a form designed to be used as heating fuel for residential  
8 purposes.

9 2. Prohibition. A package containing biomass heating fuel may not be sold in this  
10 State if it is deceptively labeled in a manner that indicates the biomass heating fuel meets  
11 quality assurance standards established by a national pellet fuels trade association or the  
12 Department of Environmental Protection when it does not meet those standards.

13 3. Rules. The Department of Environmental Protection shall adopt rules to  
14 implement this section. The department shall establish labeling standards for packages of  
15 biomass heating fuel weighing 60 pounds or less intended to be sold in stores to the  
16 general public that:

17 A. Incorporate standards established by a national pellet fuels trade association; and

18 B. Permit the use of the logo, terms and grades established by the national pellet  
19 fuels trade association under paragraph A only if the biomass heating fuel in the  
20 package meets that association's relevant quality assurance standards.

21 Rules adopted under this subsection are major substantive rules as defined in Title 5,  
22 chapter 375, subchapter 2-A.

23 4. Violations. Violation of this chapter is an unfair trade practice as prohibited by  
24 Title 5, section 207.

25 **SUMMARY**

26 This bill defines "biomass heating fuel" as wood pellets or corn or grain that is in a  
27 form designed to be used as heating fuel for residential purposes. It requires packages  
28 containing biomass heating fuel that are sold in this State to be labeled in a manner that  
29 clearly indicates whether the biomass heating fuel meets quality assurance standards  
30 established by the Department of Environmental Protection. It requires the Department  
31 of Environmental Protection to adopt major substantive rules to establish labeling  
32 standards for packages of biomass heating fuel weighing 60 pounds or less intended to be  
33 sold in stores to the general public that incorporate standards established by a national  
34 pellet fuels trade association and permit the use of the logo, terms and grades established  
35 by the national pellet fuels trade association only if the biomass heating fuel meets that  
36 association's relevant quality assurance standards. It makes a violation an unfair trade  
37 practice as prohibited by the Maine Revised Statutes, Title 5, section 207.