

§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.

[1995, c. 294, §1 (NEW) .]

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

[1995, c. 294, §1 (NEW) .]

3. Burden of proof.

[2005, c. 512, §9 (RP) .]

4. Enforcement. This section is enforced by the Department of Agriculture, Conservation and Forestry.

[1995, c. 294, §1 (NEW); 2011, c. 657, Pt. W, §5 (REV) .]

5. Enforcement; prima facie evidence. The commissioner or an agent of the commissioner may request proof of the origin of farm produce for the purpose of enforcing this section. Failure to provide written documentation or other reasonable proof upon request as to the origin of the produce offered for sale is prima facie evidence that a person is in violation of this section.

[2005, c. 512, §10 (NEW) .]

SECTION HISTORY

1979, c. 184, (NEW). 1979, c. 731, §19 (AMD). 1995, c. 294, §1 (RPR). 2005, c. 512, §§9,10 (AMD). 2011, c. 657, Pt. W, §5 (REV).