

**§530. Country of origin required**

**1. Label required.** Fresh produce must be labeled in accordance with this section.

A. Fresh produce sold or offered for retail sale in this State that was grown or raised in a foreign country must be identified by labeling with the country of origin as provided in paragraphs B to D. [PL 1999, c. 405, §2 (AMD).]

B. Except as provided in paragraph D, each item of fresh produce offered for retail sale as an individual unit must be individually labeled in accordance with subsection 3. [PL 1989, c. 527, §1 (NEW).]

C. Except as provided in paragraph D, fresh produce packaged in consumer units must be labeled in accordance with subsection 3 and section 524-A. For purposes of this section, banana and grape clusters are a consumer unit. [PL 1999, c. 405, §2 (AMD).]

D. Fresh produce that is not labeled in accordance with paragraph B or C may be sold at retail if the labeling information required by subsection 3 appears on a bin label or placard contiguous to the produce being displayed for retail sale or on the original shipping container if it contains the produce offered for sale. [PL 1989, c. 527, §1 (NEW).]

[PL 1999, c. 405, §2 (AMD).]

**2. Rules.**

[PL 1999, c. 405, §3 (RP).]

**3. Label statement.** The country of origin label shall:

A. Clearly state the country in which the fresh produce was raised or grown; [PL 1989, c. 527, §1 (NEW).]

B. Be conspicuously and prominently placed so as to be easily seen by the consumer; and [PL 1989, c. 527, §1 (NEW).]

C. Be as legible, indelible and permanent as the nature and display of the product allow without causing adulteration to the product. [PL 1989, c. 527, §1 (NEW).]

[PL 1989, c. 527, §1 (NEW).]

**4. Educational program.** Subject to available funding, the department shall institute an educational program designed to inform the general public about this section. This program must include, but not be limited to, dissemination of information about the countries and produce affected and the pesticides, residues and known and potential adverse health effects of those pesticides. This dissemination must be made by at least the following:

A. Brochures to be made available to consumers through retail outlets; and [PL 1989, c. 527, §1 (NEW).]

B. Media coverage, such as public service announcements, press releases and press conferences. [PL 1989, c. 527, §1 (NEW).]

[PL 1991, c. 506, §1 (AMD).]

**5. Enforcement.** If inspection personnel of the department find that fresh produce is not properly labeled as required by this section, the commissioner shall issue a stop order for the product until it is labeled in accordance with this section.

[PL 1989, c. 527, §1 (NEW).]

**6. Penalty.** A person who fails to comply with the provisions of this section commits a civil violation and may be adjudged a fine not more than \$100. Each day in violation constitutes a separate offense.

[PL 1989, c. 527, §1 (NEW).]

**7. Repealed.**

[PL 1991, c. 506, §2 (RP).]

**SECTION HISTORY**

PL 1989, c. 527, §1 (NEW). PL 1991, c. 506, §§1,2 (AMD). PL 1999, c. 405, §§2,3 (AMD).

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