

§1034-A. Variety labeling

There is established a voluntary potato variety labeling program to provide consumers with accurate information on the varieties of potatoes that are available and to assist the industry in establishing markets for new varieties. [PL 1989, c. 459, §3 (NEW).]

1. Rules. The commissioner shall adopt rules in accordance with Title 5, chapter 375 concerning the program, including, but not limited to, program participation, identification of the varieties of potatoes eligible for inclusion in the potato variety labeling program, requirements of the inspection of potatoes in the program and appropriate methods of labeling. A rule may not be adopted that requires the inspection of potatoes labeled by variety when the packer is not a participant in the potato variety labeling program.

[PL 2003, c. 452, Pt. B, §13 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. Fees. The commissioner shall establish inspection fees for potatoes packed in bags labeled in accordance with the potato variety labeling program at a level 3¢ below the inspection fees established pursuant to sections 1033-A and 1034.

[PL 1989, c. 459, §3 (NEW).]

3. Violation. A participant in the potato variety labeling program may not pack potatoes in a bag labeled with the name of a different potato variety. For the purposes of this subsection, each load of potatoes constitutes a separate violation.

[PL 2003, c. 452, Pt. B, §14 (RPR); PL 2003, c. 452, Pt. X, §2 (AFF).]

4. Sunset.

[PL 1991, c. 506, §4 (RP).]

5. Penalties. The following penalties apply to violations of this section.

A. A person who violates subsection 3 commits a civil violation for which a fine of not more than \$1,000 may be adjudged. [PL 2003, c. 452, Pt. B, §15 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. A person who violates subsection 3 after having previously violated subsection 3 commits a civil violation for which a fine of not more than \$2,000 may be adjudged. [PL 2003, c. 452, Pt. B, §15 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. B, §15 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

SECTION HISTORY

PL 1989, c. 459, §3 (NEW). PL 1991, c. 506, §4 (AMD). PL 2003, c. 452, §§B13-15 (AMD). PL 2003, c. 452, §X2 (AFF).

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