

Environment Committee JOINT FAVORABLE REPORT

Bill No.: HB-5105

AN ACT CONCERNING REVISIONS TO THE CONNECTICUT-GROWN

Title: PROGRAM.

Vote Date: 2/28/2020

Vote Action: Joint Favorable Substitute

PH Date: 2/21/2020

File No.:

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SPONSORS OF BILL:

Environment Committee

Sen. Joan V. Hartley, 15th Dist.

REASONS FOR BILL:

To expand healthy options for low-income seniors, and to increase demand for locally-grown products, this bill seeks to allow CT-Grown Farmers to produce and sell chicken eggs at farmers' markets as part of the Connecticut Senior Farmers' Market Nutrition Program (SFMNP). Currently, SFMNP provides a \$15 voucher to qualified seniors for purchasing fresh fruits and vegetables at any CT-Grown farmers markets around the state. Additionally, to combat false labeling, the bill also increases fines for violators of the CT-Grown marketing and labeling statutes.

Substitute Language – LCO No. 2314

Substitute language makes the following changes: (1) replaces "chicken eggs" to "poultry eggs" allowing the bill to apply to more locally-grown products; (2) redefines "farm products," in lines 28 through 33, to include products that are produced within a ten-mile radius of the point of sale of such products to address concerns shared that the total actual property of a farm may cross state lines; (3) removes requirements considered to be too rigorous and burdensome for direct-to-household sales that were added in Sec. 5 of the original draft of the bill; and (4) removes language some consider to be too broad and overreaching to the scope of the bill that was added in Sec. 7 of the original draft – allowing the Department of Agriculture commissioner or his agent to issue a citation for "any provision of the general statutes under the commissioner's authority" in accordance with section 51-164n of the general statutes. Currently, section 22-39f of the general statutes allow the commissioner to

collect fines and authorizes the issuance of other penalties (expanded through Sec. 4 of this bill) for persons not in compliance with certain sections of the general statutes relating to agriculture, including those related to the CT-Grown marketing and labeling statutes.

RESPONSE FROM ADMINISTRATION/AGENCY:

Bryan Hurlburt, Commissioner, Department of Agriculture (DoAg): Supports the bill. The Connecticut Seniors Farmers' Market Nutrition program provides fresh, locally grown produce to seniors. Sections 1 and 2 will add chicken eggs as an additional product covered by the program. Chicken eggs are nutritious, readily available, and affordable. Section 3 of the bill simplifies and streamlines the CT-Grown marketing campaign. Section 4 increases the fines for false CT-Grown labeling and solidifies an exact amount for fines in statute. Section 5, as included in the original draft of the bill, provides protection for consumers who purchase eggs at farmers' markets. Section 6, as included in the original draft of the bill removes the class D misdemeanor penalty for improper seed labeling. Section 7, as drafted in the original bill, provides the commissioner with citation authority to all infractions or violations for any provisions in the general statutes under the commissioner's authority.

NATURE AND SOURCES OF SUPPORT:

Chelsea Gazillo, Executive Director, Working Lands Alliance (WLA): Since its founding in 1986, the CT-Grown program aids consumers in recognizing products that are grown and produced in Connecticut. In recent years, the integrity of the program has come into question. This bill will ensure that products grown in the state are properly labeled. Additionally, the bill will expand the Senior Farmers Market Nutrition Program to allow for the purchasing of chicken eggs with vouchers provided by the program. WLA recommends amending the bill, as originally drafted, to the purchase of all poultry eggs. As the state's agricultural sector diversifies, Connecticut farmers have started to produce duck and other poultry eggs.

Joan Nichols, Executive Director, Connecticut Farm Bureau: Shared testimony in support of strengthening the CT-Grown program and the authority of the Department of Agriculture commissioner.

Susan Pronovost, Executive Director, Connecticut Greenhouse Growers Association: The bill will enhance the economic footprint of Connecticut farmers by extending "the reach of this protein-rich farm product to the most vulnerable individuals." While supportive of a stronger definition of CT-Grown and expanding the commissioner of Agriculture's enforcement authority, Connecticut Greenhouse Growers Association believes the bill should give the commissioner of Agriculture statutory enforcement authority beyond the level of citations against entities that repeatedly misuse the CT-Grown brand in their marketing and sale of agricultural products.

NATURE AND SOURCES OF OPPOSITION:

None expressed.

Reported by: George Peavy / Ussawin R. Bumpen 3/3/2020