

Chapter 413

(House Bill 421)

AN ACT concerning

Department of Agriculture – Advertising Agricultural Products as Locally Grown – Regulatory Authority

FOR the purpose of authorizing the Secretary of Agriculture to adopt standards under certain conditions to regulate the advertising of certain agricultural products; requiring the Secretary to convene and consult with a certain advisory group to determine the definition of a certain term before adopting certain standards; prohibiting a person from knowingly advertising or identifying certain agricultural products in violation of certain standards; and generally relating to the advertising of agricultural products as locally grown.

BY adding to

Article – Agriculture

Section 10–1701 and 10–1702 to be under the new subtitle “Subtitle 17.

Advertising or Identifying Agricultural Products as Locally Grown”

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Agriculture

SUBTITLE 17. ADVERTISING OR IDENTIFYING AGRICULTURAL PRODUCTS AS LOCALLY GROWN.

10–1701.

~~THE~~ **(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE SECRETARY MAY ADOPT STANDARDS TO REGULATE THE USE OF THE TERMS “LOCALLY GROWN” AND “LOCAL” TO ADVERTISE OR IDENTIFY AN AGRICULTURAL PRODUCT.**

(B) BEFORE ADOPTING STANDARDS UNDER THIS SECTION, THE SECRETARY SHALL CONVENE AND CONSULT WITH AN ADVISORY GROUP OF INTERESTED STAKEHOLDERS, ~~INCLUDING~~ TO DETERMINE THE DEFINITION OF THE TERM “LOCALLY GROWN”.

(C) THE INTERESTED STAKEHOLDERS CONVENE UNDER SUBSECTION (B) OF THIS SECTION SHALL INCLUDE REPRESENTATIVES FROM ORGANIZATIONS THAT REPRESENT:

- (1) FARMERS;**
- (2) FOOD DISTRIBUTORS;**
- (3) RETAIL STORES;**
- (4) FOOD SERVICE INDUSTRIES; AND**
- (5) RESTAURANTS.**

10-1702.

A PERSON MAY NOT KNOWINGLY ADVERTISE OR IDENTIFY ANY AGRICULTURAL PRODUCT IN VIOLATION OF THE STANDARDS ADOPTED BY THE SECRETARY UNDER § 10-1701 OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, May 4, 2010.