

**§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.

[PL 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.

[PL 1995, c. 294, §1 (NEW).]

**3. Burden of proof.**

[PL 2005, c. 512, §9 (RP).]

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

[PL 1995, c. 294, §1 (NEW); PL 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.

[PL 2005, c. 512, §10 (NEW).]

**SECTION HISTORY**

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

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.