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Legislative Document

No. 416

H.P. 300

House of Representatives, February 10, 2021

An Act Regarding the Production and Sale of Birch Syrup and Birch Syrup Products

(EMERGENCY)

Received by the Clerk of the House on February 8, 2021. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative KINNEY of Knox.
Cosponsored by Representatives: HALL of Wilton, HARRINGTON of Sanford, MORRIS of Turner, Senator: DAVIS of Piscataquis.

1 import, except as printed in the percentage statement, may not appear in any manner on the
2 article in which a product of birch syrup is combined, interfused or diluted, unless the word
3 "blend" appears immediately before, after, above or below and in equal prominence with
4 the word "birch" or words of similar import, or unless the term "birch flavored" appears in
5 similar fashion on the label.

6 **§904. Enforcement; jurisdiction**

7 The commissioner shall enforce this subchapter. The commissioner or the
8 commissioner's designee must have free access to any place or building, store, gift shop or
9 any other building where birch syrup or birch syrup products are packed, stored,
10 transported, sold or offered or exposed for sale or for transportation. The commissioner or
11 the commissioner's designee may open any container and may upon tendering the market
12 price take samples. The commissioner may recover fines imposed for a violation under
13 this subchapter in a civil action and if the commissioner prevails in that action may recover
14 full costs.

15 All fines for violations under this subchapter must be paid to the Treasurer of State and
16 appropriated for enforcing this subchapter.

17 The commissioner shall adopt rules to implement this subchapter. Rules adopted
18 pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375,
19 subchapter 2-A.

20 **§905. Violations**

21 A person who violates any of the provisions of this subchapter commits a civil violation
22 for which the following fines may be adjudged:

23 **1. First violation.** For the first violation, a fine not to exceed \$100; and

24 **2. Subsequent violations.** For each subsequent violation, a fine not to exceed \$200.

25 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
26 takes effect when approved.

27 **SUMMARY**

28 This bill provides for the regulation of the production, sale and labeling of birch syrup
29 and birch syrup products.