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An Act Regarding the Labeling of Wood Pellet and Biomass Heating Fuel Sold in the State

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA c. 215-A is enacted to read:

CHAPTER 215-A

labeling of wood pellet and biomass heating fuel

§ 1460. Wood pellet and biomass heating fuel package labeling

1. Definition. For the purposes of this section, "biomass heating fuel" means wood pellets or corn or grain in a form designed to be used as heating fuel for residential purposes.

2. Prohibition. A package containing biomass heating fuel may not be sold in this State if it is deceptively labeled in a manner that indicates the biomass heating fuel meets quality assurance standards established by a national pellet fuels trade association or the Department of Environmental Protection when it does not meet those standards.

3. Rules. The Department of Environmental Protection shall adopt rules to implement this section. The department shall establish labeling standards for packages of biomass heating fuel weighing 60 pounds or less intended to be sold in stores to the general public that:

A. Incorporate standards established by a national pellet fuels trade association; and

B. Permit the use of the logo, terms and grades established by the national pellet fuels trade association under paragraph A only if the biomass heating fuel in the package meets that association's relevant quality assurance standards.

Rules adopted under this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

4. Violations. Violation of this chapter is an unfair trade practice as prohibited by Title 5, section 207.

SUMMARY

This bill defines "biomass heating fuel" as wood pellets or corn or grain that is in a form designed to be used as heating fuel for residential purposes. It requires packages containing biomass heating fuel that are sold in this State to be labeled in a manner that clearly indicates whether the biomass heating

fuel meets quality assurance standards established by the Department of Environmental Protection. It requires the Department of Environmental Protection to adopt major substantive rules to establish labeling standards for packages of biomass heating fuel weighing 60 pounds or less intended to be sold in stores to the general public that incorporate standards established by a national pellet fuels trade association and permit the use of the logo, terms and grades established by the national pellet fuels trade association only if the biomass heating fuel meets that association's relevant quality assurance standards. It makes a violation an unfair trade practice as prohibited by the Maine Revised Statutes, Title 5, section 207.