

§1747. Implementation, administration and enforcement; rules; violations

The department shall implement, administer and enforce this chapter and shall adopt rules as necessary for the implementation, administration and enforcement of this chapter. [PL 2019, c. 277, §8 (NEW).]

1. Rules. Except as otherwise provided in this chapter, rules adopted by the department pursuant to this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2019, c. 277, §8 (NEW).]

2. Violations. A person that violates any provision of this chapter is subject to penalties in accordance with Title 38, section 349. [PL 2019, c. 277, §8 (NEW).]

3. Certificate of compliance. If there are grounds to suspect that a food package is being offered for sale in violation of this chapter, the department may request that the manufacturer or distributor of the food package provide a certificate of compliance with the applicable provisions of this chapter. Within 30 days of receipt of a request under this subsection, the manufacturer or distributor shall:

A. Provide the department with the certificate attesting that the food package does not contain the priority food contact chemical; or [PL 2019, c. 277, §8 (NEW).]

B. Notify persons who sell the food package in this State that the sale of the food package is prohibited and provide the department with a list of the names and addresses of those notified. [PL 2019, c. 277, §8 (NEW).]

[PL 2019, c. 277, §8 (NEW).]

4. Regulatory efficiency. The department may, in exercising its discretionary authority under this chapter, consider the extent to which a food contact chemical of high concern or a priority food contact chemical in a food package is adequately regulated by the Federal Government or an agency of this State to reduce or prevent the same public health threats that would be the basis for addressing the chemical under this chapter.

[PL 2019, c. 277, §8 (NEW).]

SECTION HISTORY

PL 2019, c. 277, §8 (NEW).

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