

State of Connecticut General Statutes **Pertaining to Farming and Farmers' Markets**

The Definition of Agriculture

The definition of agriculture in Connecticut state statute is the legal description of what activities and land uses constitute a “farm”, “agriculture” and “farming”. This is the definition that is used when questions such as “Is this really a farm?”, “How can I tell if what I am doing is considered agriculture?”, or “Is my neighbor really operating a farm?” arise. Over the last twenty years Connecticut has faced mounting challenges to the definition of agriculture as the state has come under increasing pressures to develop land for homes and industry. Most importantly, as you contemplate the definition of agriculture, please pay special attention to the very last sentence in the definition. What this sentence means is that towns in the state of Connecticut have the authority to zone land use as the town sees fit, provided such zoning does not conflict with or ignore state statute. Therefore, it is vitally important that you pay attention to your local government’s treatment of farming, agriculture and its associated activities.

Section 1-1. Words and Phrases.

(g) Except as otherwise specifically defined, the words "agriculture" and "farming" shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "farm" includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoopouses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124.

The “Right to Farm”

This law exempts farms that follow “generally accepted agricultural practices” from nuisance laws, regulations and ordinances related to the odors, noises and other objectionable by-products associated with farming. However, a farmer who causes a nuisance through his own negligence or willful or reckless misconduct is not exempt from such claims.

Section 19a-341. Agricultural or farming operation not deemed a nuisance; exceptions. Spring or well water collection operation not deemed a nuisance.

Agricultural or farming operation not deemed a nuisance; exceptions. Spring or well water collection operation not deemed a nuisance. (a) Notwithstanding any general statute or municipal ordinance or regulation pertaining to nuisances to the contrary, no agricultural or farming operation, place, establishment or facility, or any of its appurtenances, or the operation thereof, shall be deemed to constitute a nuisance, either public or private, due to alleged objectionable (1) odor from livestock, manure, fertilizer or feed, (2) noise from livestock or farm equipment used in normal, generally acceptable farming procedures, (3) dust created during plowing or cultivation operations, (4) use of chemicals, provided such chemicals and the method of their application conform to practices approved by the Commissioner of Environmental Protection or, where applicable, the Commissioner of Public Health, or (5) water pollution from livestock or crop production activities, except the pollution of public or private drinking water supplies, provided such activities conform to acceptable management practices for pollution control approved by the Commissioner of Environmental Protection; provided such agricultural or farming operation, place, establishment or facility has been in operation for one year or more and has not been substantially changed, and such operation follows generally accepted agricultural practices. Inspection and approval of the agricultural or farming operation, place, establishment or facility by the Commissioner of Agriculture or his designee shall be prima facie evidence that such operation follows generally accepted agricultural practices.

(b) Notwithstanding any general statute or municipal ordinance or regulation pertaining to nuisances, no operation to collect spring water or well water, as defined in section 21a-150, shall be deemed to constitute a nuisance, either public or private, due to alleged objectionable noise from equipment used in such operation provided the operation (1) conforms to generally accepted practices for the collection of spring water or well water, (2) has received all approvals or permits required by law, and (3) complies with the local zoning authority's time, place and manner restrictions on operations to collect spring water or well water.

(c) The provisions of this section shall not apply whenever a nuisance results from negligence or willful or reckless misconduct in the operation of any such agricultural or farming operation, place, establishment or facility, or any of its appurtenances.

Definition of a Farmers' Market

The following section, passed as Public Act 06-52, establishes the farmer's kiosk at a farmers' market as an extension of the farmer's business and that the laws and regulations applied to selling products on a farm shall apply to selling products at a kiosk. The last subsection notes that this section is not to supersede, "any state or local health and safety laws, regulations or ordinances."

Sec. 22-6r. Certified farmers' markets. Sale of farm products at farmer's kiosks. Definitions. (a) For purposes of this section:

(1) "Farmers' market" means a cooperative or nonprofit enterprise or association that consistently occupies a given site throughout the season or that occupies a given site for any given day or event and that operates principally as a common marketplace for a group of farmers, at least two of whom are selling Connecticut-grown fresh produce, to sell Connecticut-grown farm products directly to consumers, and where the farm products sold are produced by the participating farmers with the sole intent and purpose of generating a portion of household income;

(2) "Fresh produce" means fruits and vegetables that have not been processed in any manner;

(3) "Certified farmers' market" means a farmers' market that is authorized by the commissioner to operate;

(4) "Farmer's kiosk" means a structure or area located within a certified farmers' market used by a farm business to conduct sales of Connecticut-grown farm products;

(5) "Connecticut-grown" means produce and other farm products that have a traceable point of origin within Connecticut;

(6) "Farm" has the meaning ascribed to it in subsection (q) of section 1-1;

(7) "Farm products" means any fresh fruits, vegetables, mushrooms, nuts, shell eggs, honey or other bee products, maple syrup or maple sugar, flowers, nursery stock and other horticultural commodities, livestock food products, including meat, milk, cheese and other dairy products, food products of "aquaculture", as defined in subsection (q) of section 1-1, including fish, oysters, clams, mussels and other molluscan shellfish taken from the waters of the state or tidal wetlands, products from any tree, vine or plant and their flowers, or any of the products listed in this subdivision that have been processed by the participating farmer, including, but not limited to, baked goods made with farm products.

(b) A farmer's kiosk at a certified farmers' market shall be considered an extension of the farmer's business and regulations of Connecticut state agencies relating to the sale of farm products on a farm shall govern the sale of farm products at a farmer's kiosk.

(c) A farmer offering farm products for sale at a certified farmers' market shall obtain and maintain any license required to sell such products.

(d) Section 22-6g or this section shall not supersede the provisions of any state or local health and safety laws, regulations or ordinances.

Connecticut Farmer's Market/Women, Infants and Children Program

Below are the laws pertaining to the Connecticut Farmer's Market/WIC Program for women with children who qualify for subsidized food allowances to gain access to nutritional food.

Sec. 22-6g. Connecticut Farmers' Market/Women, Infants and Children Program: Definitions. For the purposes of sections 22-6g to 22-6p, inclusive:

(1) "Application" means a request made by an individual to the department for vendor certification in CFM/WIC on a form provided by the department;

(2) "Authorized farmers' market" means a farmers' market that operates within the service area and is a site authorized by the department for the exchange of vouchers and Connecticut-grown fresh produce;

(3) "Certified vendor" means an individual who has met all CFM/WIC conditions as outlined by the department and who is guaranteed payment on all vouchers accepted, provided compliance is maintained by that individual regarding all CFM/WIC rules and procedures as outlined in the vendor certification handbook;

(4) "Certified vendor identification stamp" means a department-issued stamp that shall be utilized by the certified vendor during each occurrence of voucher deposit in the financial institution of certified vendor choice. This stamp shall remain the sole property of the department and shall be forfeited by the certified vendor to the department in the event of suspension;

(5) "Certified vendor identification sign" means a department-issued sign which shall be clearly displayed by the certified vendor at all times when accepting or intending to accept vouchers in an authorized farmers' market. Signs shall remain the sole property of the department and shall be forfeited by the certified vendor to the department in the event of suspension;

(6) "Certified vendor number" means a personal identification number issued by the department and assigned to an individual whom the department has identified as a certified vendor;

(7) "Commissioner" means the Commissioner of Agriculture;

(8) "Department" means the Department of Agriculture;

(9) "Designated distribution WIC clinic" means a site authorized by the department for dispersal of vouchers by the local WIC agency;

(10) "Distribution" means the process outlined by the department and the means by which local WIC agencies actually dispense vouchers to eligible participants;

(11) "Farm products" means any fresh fruits, vegetables, mushrooms, nuts, shell eggs, honey or other bee products, maple syrup or maple sugar, flowers, nursery stock and other horticultural commodities, livestock food products, including meat, milk, cheese and other dairy products, food products of "aquaculture", as defined in subsection (q) of section 1-1, including fish, oysters, clams, mussels and other molluscan shellfish taken from the waters of the state or tidal wetlands, products from any tree, vine or plant and

Ch. 3: Statutes Pertaining to Farming and Farmers' Markets

their flowers, or any of the products listed in this subdivision that have been processed by the participating farmer, including, but not limited to, baked goods made with farm products;

(12) "Farmers' market" means a cooperative or nonprofit enterprise or association that consistently occupies a given site throughout the season, which operates principally as a common marketplace for a group of farmers, at least two of whom are selling Connecticut-grown fresh produce, to sell Connecticut-grown farm products directly to consumers, and where the products sold are produced by the participating farmers with the sole intent and purpose of generating a portion of household income;

(13) "Fresh produce" means fruits and vegetables that have not been processed in any manner;

(14) "CFM/WIC" means the Connecticut farmers' market supplemental food program for women, infants and children as administered by the department;

(15) "Local WIC agency" means an entity that administers local health programs and which has entered into contract for voucher distribution and related service with the department;

(16) "Connecticut-grown" means produce and other farm products that have a traceable point of origin within Connecticut;

(17) "Posted hours and days" means the operational time frames stated in assurances submitted by a duly authorized representative of an authorized farmers' market which includes a beginning and an ending date for each year of operation;

(18) "Participant" means a client of WIC who is at least one year of age, who possesses one of the WIC classification codes selected for inclusion by the Department of Public Health and who is an active participant in a designated distribution clinic;

(19) "Season" means a clearly delineated period of time during a given year that has a beginning date and ending date, as specified by the department, which correlates with a major portion of the harvest period for Connecticut-grown fresh produce;

(20) "Service area" means the geographic areas that encompass all of the designated distribution clinics and authorized farmers' markets within Connecticut for a given season;

(21) "USDA-FNS" means the United States Department of Agriculture-Food and Nutrition Service;

(22) "Vendor certification handbook" means a publication by the department that is based on USDA-FNS mandates and guidelines, addresses CFM/WIC rules and procedures applicable to a certified vendor, and provides the basis for vendor training. A copy of the publication shall be issued to each individual prior to application. New editions supersede all previous editions;

(23) "Voucher" means a negotiable instrument issued by the department to participants that is redeemable only for Connecticut-grown fresh produce from certified vendors at authorized farmers' markets, with a limited negotiable period that directly correlates to the season designated by the department;

(24) "WIC" means the special supplemental food program for women, infants and children, as administered by the Department of Public Health.

Ch. 3: Statutes Pertaining to Farming and Farmers' Markets

Sec. 22-6h. Connecticut Farmers' Market/Women Infants and Children Program:

Purposes. Administration. (a) There is established the Connecticut Farmers' Market/Women, Infants and Children Nutrition Program which shall be jointly funded by the state of Connecticut and the Food and Nutrition Service of the United States Department of Agriculture. The program shall supply Connecticut-grown fresh produce to participants of the special supplemental food program through the distribution of vouchers that are redeemable only at designated Connecticut farmers' markets. The program is designed to provide both a supplemental source of fresh produce for the dietary needs of women, infants and children who are judged to be at nutritional risk and to stimulate an increased demand for Connecticut-grown fresh produce at Connecticut farmers' markets.

(b) The program shall be administered by the Commissioner of Agriculture who shall maintain all conditions as outlined in the farmers' market nutrition agreement entered into with USDA-FNS, as amended.

Sec. 22-6i. Connecticut Farmers' Market/Women, Infants and Children Program:

Eligibility requirements. (a) The Department of Public Health WIC client screening processes and records shall provide the basis for identifying participants eligible for receipt of vouchers.

(b) Local WIC agencies shall distribute vouchers at designated distribution clinics to participants in the manner specified by the department in the program and procedures guide for distribution clinic staff. Local WIC agency services shall ensure that:

(1) Vouchers are distributed only to participants through verification that the client name and number on the distribution registry provided by the Department of Public Health correspond with the client name and number printed on the WIC identification folder in the possession of the participant.

(2) Each eligible participant is issued five two-dollar vouchers during each distribution as authorized by the department.

(3) The voucher serial numbers issued to the participant correspond to the number in the distribution registry in which the participant signature is affixed.

(4) Each voucher issued and the distribution registry are properly signed by the participant in the presence of local agency staff at the time of distribution.

(5) A proxy is not allowed to act on behalf of a participant, except in the case of a parent or legal guardian acting on behalf of a participant child or infant, or in the case of a husband acting on behalf of his wife.

(6) Each participant is provided a thorough explanation of program guidelines and participant responsibility as outlined by the department.

(7) All CFM/WIC support materials are put into use as outlined by the department.

(8) Accurate and complete records of all related CFM/WIC activities in the possession of a WIC local agency are maintained and retained for a minimum of four years. In the event of litigation, negotiation, or audit findings, the records shall be retained until all issues arising from such actions have been resolved or until the end of the regular four-year period, whichever is later.

(9) All agency records pertaining to this program shall be made available for inspection to representatives of USDA-FNS, the Comptroller General of the United

Ch. 3: Statutes Pertaining to Farming and Farmers' Markets

States, the state Auditors of Public Accounts, the department, and the Department of Public Health as necessary, at any time during normal business hours, and as frequently as is deemed necessary for inspection and audit. Confidentiality of personal information shall be maintained as to all program participants at all times.

Sec. 22-6j. Connecticut Farmers' Market/Women, Infants and Children Program: Responsibilities of participants. Participants shall be responsible for:

- (1) Qualifying under WIC program guidelines and attending a designated distribution clinic during the relevant distribution cycles when vouchers are dispersed;
- (2) Properly countersigning a voucher at time of use in the presence of the certified vendor who is accepting each voucher in exchange for fresh produce;
- (3) Using vouchers only to purchase Connecticut-grown fresh produce from certified vendors who display CFM/WIC signs at authorized farmers' markets;
- (4) Redeeming vouchers on or before the expiration date printed on the face of the voucher or surrendering all claim to the value of vouchers that remain unredeemed;
- (5) Ensuring vouchers that are received are not assigned to any other party other than as provided by the department;
- (6) Reporting violations or problems to the department or the local agency; and
- (7) Reporting all incidents of lost or stolen vouchers to the local agency.

Sec. 22-6k. Connecticut Farmers' Market/Women, Infants and Children Program: Records. Authorization of markets. (a) Each authorized farmers' market shall maintain records of operation which shall be provided to the department and which shall include posted hours and days and shall be signed by a duly authorized representative of the farmers' market. Farmers' market assurances shall be submitted in a manner outlined by the department and shall provide evidence of:

(1) Whether a farmers' market possesses the capability to serve the additional demands brought about by distribution of vouchers in the area without causing undue harm to the existing farmers' market consumer base; and

(2) A willingness by persons associated with the farmers' market to meet all CFM/WIC requirements. Information submitted by a farmers' market shall include, but not be limited to:

- (A) The number of Connecticut-grown fresh produce vendor participants,
- (B) Hours of operation to be maintained per week,
- (C) Season of operation, and
- (D) Accessibility and consistency of farmers' market location.

(b) The department shall give priority to a farmers' market with previous involvement in CFM/WIC provided the farmers' market has maintained the conditions outlined in its farmers' market assurances and does not have a high incidence of certified vendor noncompliance or suspensions.

(c) In determining a farmers' market's authorization, the commissioner shall consider

Ch. 3: Statutes Pertaining to Farming and Farmers' Markets

the number of eligible applications received by the department prior to the first of May which indicate the intent to participate in the proposed farmers' market. The standard for the authorization of a single or principal farmers' market in a county shall be one eligible application for every one hundred participants who participate in the distribution clinic in said county. A minimum of two or more eligible applications shall be required for a farmers' market to receive authorization.

(d) The number of farmers' markets authorized for the season shall be determined by the department no later than the thirty-first day of May prior to each season.

Sec. 22-6I. Connecticut Farmers' Market/Women, Infants and Children Program: Vendor certification. (a) Vendor certification shall not be in effect and vouchers shall not be accepted until receipt by the applicant of a certified vendor identification stamp, a certified vendor identification sign and the applicant copy of the department-vendor agreement.

(b) Vendor certification shall expire at the end of each year of issuance. The department shall not limit the number of vendors who may become certified under CFM/WIC. A vendor who satisfies all the following criteria shall be certified to accept vouchers:

(1) Agrees to maintain only Connecticut-grown fresh produce on display in a certified vendor stall;

(2) Indicates an intent to participate in one or more authorized farmers' markets;

(3) Demonstrates participation in training on CFM/WIC rules and procedures through attendance in an entire session of one of the scheduled training meetings conducted by department staff;

(4) Submits a signed statement of receipts of a vendor certification handbook;

(5) Submits a completed application and crop plan to the department prior to the deadline established by the department; and

(6) Submits completed and signed certified vendor agreements to the department.

Sec. 22-6m. Connecticut Farmers' Market/Women, Infants and Children Program: Responsibilities of vendors. (a) A certified vendor may accept vouchers only for a transaction that takes place at a certified farmers' market and only in exchange for Connecticut-grown fresh produce and may accept vouchers as payment for Connecticut-grown fresh produce only if presented on or before the usage expiration date printed on the face of the voucher.

(b) A certified vendor shall (1) prominently display a certified vendor identification sign as outlined in the certified vendor handbook, (2) provide Connecticut-grown fresh produce to participants upon receipt of a valid and properly completed voucher, which is signed by the WIC client, (3) handle transactions with WIC participants in the same manner as transactions with all other customers, (4) not collect state or local taxes on purchases involving vouchers, (5) charge participants a price for Connecticut-grown fresh produce that is equal to or less than the current price charged to nonparticipant customers, (6) not levy a surcharge based on the use of vouchers by participants, (7) return no cash or issue credit in any form to participants during sales transactions that involve vouchers only and in the event of a single transaction in which a participant presents a combination of cash and vouchers for the purchase of Connecticut-grown fresh produce, cash or credit up to the value of the cash portion of the payment shall be

Ch. 3: Statutes Pertaining to Farming and Farmers' Markets

given to the participant, (8) participate in training as the department deems necessary to carry out the intent of CFM/WIC, (9) cooperate with the department in the evaluation of each season by completely and accurately responding to a survey, with resubmission to the department in a specified and timely manner, (10) immediately inform the department in the event of loss, destruction, or theft of either the certified vendor endorsement stamp or certified vendor identification sign so that a replacement may be issued, and (11) comply with all procedures and rules as herein outlined and as delineated in the department-vendor agreement, the certified vendor handbook and official written notices of clarification issued by the department to the vendor.

Sec. 22-6n. Connecticut Farmers' Market/Women, Infants and Children Program: Penalties for violations. (a) The commissioner shall return a voucher to a certified vendor unpaid if the certified vendor identification number is not properly affixed to the back of the voucher, the certified vendor does not endorse the voucher or the participant's signature is missing on the face of the voucher. A voucher may be resubmitted for payment in the event that the signature or vendor certification identification error can be properly and legally corrected by the certified vendor. Violations of CFM/WIC procedures and rules applicable to a certified vendor shall be identified as Class I violations, Class II violations and Class III violations. Violations involving the use of multiple vouchers in a single sales transaction shall be considered as a single violation. Violations involving multiple sales transactions, regardless of time elapsed, shall be considered multiple violations at a standard of one violation per sales transaction.

(b) For Class I violations, the commissioner shall issue a warning letter to the violating certified vendor. Failure to appropriately display the certified vendor identification sign shall constitute a Class I violation.

(c) For Class II violations, the commissioner shall issue an official written citation of noncompliance to the violating certified vendor. The following shall constitute Class II violations:

(1) Noncompliance with rules and procedures as outlined in the vendor certification handbook and in the department-vendor agreement which is not specifically identified as a Class I violation;

(2) Participant is charged a price that is greater than that charged nonparticipant or is charged for items not received;

(3) Refusal to accept valid vouchers for Connecticut-grown fresh produce;

(4) Failure to permit or comply with procedures regarding inspection of evidence by the department when point of origin of fresh produce on display or offered for sale in a certified vendor stall is in question;

(5) Abusive or discriminatory treatment of participants or CFM/WIC staff;

(6) Displaying or offering for sale non-Connecticut-grown fresh produce in a certified vendor stall;

(7) An authorized farmers' market is neither open nor staffed during posted hours and days during the season in which the certified vendor is a designated participant; or

(8) The second like instance of a Class I violation by a single certified vendor.

(d) For Class III violations, the commissioner shall suspend the violating vendor from

Ch. 3: Statutes Pertaining to Farming and Farmers' Markets

participation in CFM/WIC. The following shall constitute Class III violations:

- (1) A third Class I violation by a single vendor;
- (2) The second of two Class II violations of the same type by a single vendor;
- (3) Exchanging ineligible products or cash for vouchers; or
- (4) Cashing vouchers for a noncertified market.

(e) The commissioner shall issue a written official notice of noncompliance to the certified vendor within seventy-two hours of receipt of evidence involving an act of noncompliance. Suspension of a certified vendor from participation in CFM/WIC shall remain in effect for the remainder of the season. An exception shall occur when suspension occurs within thirty days of the expiration date for voucher usage by participants. In such case, suspension shall also include the entire season of the following calendar year. In the event of a suspension, the vendor shall reimburse the commissioner for the value of any vouchers deposited and paid upon after the official date of suspension notification. At the conclusion of a suspension period, the vendor may reapply for certification in order to resume participation in CFM/WIC.

(f) Any vendor successfully recertified following a suspension shall be on probationary status for one full season. Recurrence of a Class II violation during the probationary period and for which the certified vendor has been cited shall be sufficient grounds for immediate and automatic suspension.

Sec. 22-6o. Connecticut Farmers' Market/Women, Infants and Children Program: Citation of noncompliance of vendor. A written notice of noncompliance or suspension from the department shall be pending for seventy-two hours of receipt by the certified vendor. The certified vendor shall be granted the pending period for presenting sufficient evidence to the department to substantiate a reversal. Remedies undertaken in response to receipt of written notice of a pending citation of noncompliance or suspension shall not constitute evidence in defense of such citation. Failure to present any evidence to the department within the specified pending period shall constitute acceptance of the citation of noncompliance or suspension by the certified vendor. Submission of insufficient evidence by the certified vendor for determination of reversal on the pending citation by the department shall result in an official citation of noncompliance or suspension upon completion of the pending period.

Sec. 22-6p. Connecticut Farmers' Market/Women, Infants and Children Program: Assurances. Vouchers. (a) Assurances, on forms provided by the department, must be submitted no later than the first day of March in order for the farmers' market to receive consideration of authorization for the upcoming season.

(b) All applications shall be submitted no later than one month preceding the last date in which vouchers may be used by participants at authorized farmers' markets.

(c) Vouchers shall be valid from the time of issue through the season ending date as designated by the department. Such date shall be clearly printed on the voucher face. Voucher usage shall be null and void after expiration date.

(d) All vouchers accepted by a certified vendor shall be deposited on or before thirty days following the date of expiration for voucher usage by participants. Such date shall be clearly printed on the front of vouchers. Any claim to voucher payment beyond the voucher reimbursement expiration date is not valid and shall be denied.

Ch. 3: Statutes Pertaining to Farming and Farmers' Markets

(e) Deadlines for submission of records, reports, survey instruments and undistributed vouchers by local agencies shall be established by the department and specified in the agreement entered into with the local agency.

(f) The department shall develop and submit a completed operations report in January in a manner prescribed by USDA-FNS which summarizes the CFM/WIC operations for the previous year.

Connecticut Farmers' Market/Senior Nutrition Program

The following is the section that establishes the Connecticut Farmers' Market/Senior Nutrition program to allow qualifying seniors access to nutritional food.

Sec. 22-6q. Connecticut Farmers' Market/Senior Nutrition Program. (a) There is established the Connecticut Farmers' Market/Senior Nutrition Program which shall be provided for from funds available to the commissioner and from other sources as such funds may become available. The program shall supply Connecticut-grown fresh produce to senior participants through the distribution of vouchers that are redeemable only at designated Connecticut farmers' markets. For purposes of this section, a "senior participant" is defined as a person who is sixty years of age or older and is currently residing in elderly housing, or is a participant of a registered congregate meal site, or has been identified by a municipal elderly agent as being at nutritional risk. The program is designed to provide both a supplemental source of fresh produce for the dietary needs of seniors who are judged to be at nutritional risk and to stimulate an increased demand for Connecticut-grown produce at Connecticut farmers' markets.

Advertising and usage of "Connecticut Grown", "Native", "Native-Grown", "Local", or "Locally-Grown"

The following section provides a description of proper usage of those terms. Proof that products were grown or produced in Connecticut is required. Violations are punishable by a fine.

Sec. 22-38. Advertising of Connecticut-Grown farm products. Advertising of locally-grown farm products. Only farm products grown and eggs produced in Connecticut shall be advertised or sold in Connecticut as "Connecticut-Grown". Farm products grown and eggs produced in Connecticut may be advertised or sold in Connecticut as "Native", "Native-Grown", "Local" or "Locally-Grown". Farm products grown and eggs produced within a ten-mile radius of the point of sale for such farm products or eggs may be advertised or sold in Connecticut as "Native", "Native-Grown", "Local", or "Locally-Grown". Any person, firm, partnership or corporation advertising farm products as "Native", "Native-Grown", "Local", "Locally-Grown", or "Connecticut-Grown" shall be required to furnish proof that such products were grown or produced in Connecticut or within a ten-mile radius of the point of sale, as applicable, if requested to do so by the Commissioner of Agriculture. Any person who violates any provision of this section shall be fined not more than one hundred dollars for each violation.

For further information regarding land use and agriculture, please visit the Department of Agriculture's website at www.ct.gov/doag or www.CTGrown.gov.

Ch. 3: Statutes Pertaining to Farming and Farmers' Markets

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