

CHAPTER 422

AN ACT concerning the labeling of fruits and vegetables by food retailers and supplementing Title 4 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.4:10-19.3 Prohibiting certain labels on produce; penalties.

1. a. Beginning 60 days after the effective date of this section, a food retailer shall not label, or advertise or in any way imply with labeling or signage in the store or other establishment where the fruit or vegetable is sold, that a fruit or vegetable is “locally grown,” “locally harvested,” “locally sourced,” or local to the State unless the fruit or vegetable was grown, harvested, and packaged within the State.

b. Beginning 60 days after the effective date of this section, a food retailer who violates the provisions of this section shall be subject to a penalty of not less than \$100 for the first violation, or more than \$200 for a second or subsequent violation, to be collected in a civil action in a summary proceeding pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court and the municipal court shall have jurisdiction to enforce the provisions of the "Penalty Enforcement Law of 1999" in connection with this section. Each type of fruit or vegetable improperly labeled by a food retailer in violation of this section shall constitute a separate violation. The Secretary of Agriculture is authorized to institute a civil action for a violation of this section.

c. As soon as practicable after the effective date of this act, the Department of Agriculture shall post on its website notification of the enactment and provisions of this section.

d. As used in this section, “food retailer” means an establishment that sells a selection of foods to consumers including, but not limited to, grocery stores, supermarkets, farmer’s markets, and convenience stores.

2. This act shall take effect immediately.

Approved January 18, 2022.