

ASSEMBLY, No. 3208

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Permits community gardens to sell excess produce.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT allowing community gardens to sell excess produce and
2 supplementing Title 4 of the Revised Statutes.

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

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7 1. a. As used in this section, "community garden" means
8 public or private land upon which individuals have the opportunity
9 to garden on pieces of land that they do not individually own.

10 b. Consistent with all other applicable laws, an individual may
11 sell excess produce that has been grown in a community garden,
12 provided that:

13 (1) the soil in the community garden has been tested for
14 contaminants and is safe for growing food for human consumption;

15 (2) water sources used for the community garden have been
16 tested for contaminants and are safe for growing food for human
17 consumption;

18 (3) the produce has been handled, stored, transported, and
19 prepared safely and in accordance with applicable federal, State,
20 and local health and sanitation requirements; and

21 (4) such other criteria as determined by the Secretary of
22 Agriculture are met.

23 c. An individual shall be immune from any civil liability
24 arising from good faith actions in the selling of excess produce
25 from a community garden in accordance with the requirements of
26 this act.

27 d. The Secretary of Agriculture, in consultation with the
28 Commissioner of Health, shall adopt, pursuant to the
29 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
30 1 et seq.), such rules and regulations as may be necessary to
31 effectuate the provisions of this act.

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33 2. This act shall take effect immediately.

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STATEMENT

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38 This bill would allow individuals utilizing a community garden
39 to sell excess fresh produce that has been grown in a community
40 garden, provided that: the soil and water used in the garden have
41 been tested and are safe for growing food for human consumption;
42 water sources used for the community garden have been tested for
43 contaminants and are safe for growing food for human
44 consumption; the produce has been handled, stored, transported,
45 and prepared safely and in accordance with applicable federal,
46 State, and local health and sanitation requirements; and such other
47 criteria as determined by the Secretary of Agriculture are met.

1 The bill defines “community garden” as public or private land
2 upon which individuals have the opportunity to garden on pieces of
3 land that they do not individually own. The presence of community
4 gardens, which provide an opportunity for local residents to grow
5 fresh fruits and vegetables, is increasing in the State.