

## CHAPTER 31

## FOOD

31.101 Rules; hearings; uniformity with federal law.

31.94 Commissioner duties.  
31.95 Organic certification.

**31.101 RULES; HEARINGS; UNIFORMITY WITH FEDERAL LAW.**

*[For text of subds 1 to 9, see M.S.1998]*

Subd. 10. **Meat and poultry rules.** Federal regulations in effect on January 1, 1999, as provided by Code of Federal Regulations, title 9, part 301, et seq., are incorporated as part of the meat and poultry rules in this state. The rules may be amended by the commissioner under chapter 14.

*[For text of subd 11, see M.S.1998]*

**History:** 1999 c 231 s 55

**31.94 COMMISSIONER DUTIES.**

(a) The commissioner shall enforce sections 31.92 to 31.95. The commissioner shall withhold from sale or trade any product sold, labeled, or advertised in violation of sections 31.92 to 31.95.

(b) The commissioner shall investigate the offering for sale, labeling, or advertising of an article or substance as organically grown, organically processed, or produced in an organic environment if there is reason to believe that action is in violation of sections 31.92 to 31.95.

(c) The commissioner may adopt rules that further clarify organic food standards and marketing practices.

(d) In order to promote opportunities for organic agriculture in Minnesota, the commissioner shall:

(1) survey producers and support services and organizations to determine information and research needs in the area of organic agriculture practices;

(2) work with the University of Minnesota to demonstrate the on-farm applicability of organic agriculture practices to conditions in this state;

(3) direct the programs of the department so as to work toward the promotion of organic agriculture in this state;

(4) inform agencies of how state or federal programs could utilize and support organic agriculture practices; and

(5) work closely with farmers, the University of Minnesota, the Minnesota trade office, and other appropriate organizations to identify opportunities and needs as well as ensure coordination and avoid duplication of state agency efforts regarding research, teaching, and extension work relating to organic agriculture.

(e) By November 15 of each even-numbered year the commissioner, in conjunction with the task force created in section 31.95, subdivision 3a, shall report on the status of organic agriculture in Minnesota to the legislative policy and finance committees and divisions with jurisdiction over agriculture. The report must include:

(1) a description of current state or federal programs directed toward organic agriculture, including significant results and experiences of those programs;

(2) a description of specific actions the department of agriculture is taking in the area of organic agriculture, including the proportion of the department's budget spent on organic agriculture;

(3) a description of current and future research needs at all levels in the area of organic agriculture; and

(4) suggestions for changes in existing programs or policies or enactment of new programs or policies that will affect organic agriculture.

**History:** 1999 c 231 s 56

**31.95 ORGANIC CERTIFICATION.**

*[For text of subs 1 and 3, see M.S.1998]*

Subd. 3a. **Certification organizations.** (a) A Minnesota grown organic product that is labeled "certified" must be certified by a designated certification organization.

(b) A certified organic product sold in this state must be certified by a designated certification organization or by a certification organization approved by the commissioner. Before approving a certification organization, the commissioner must seek the evaluation and recommendation of the Minnesota organic advisory task force.

(c) The commissioner shall appoint a Minnesota organic advisory task force to advise the commissioner on policies and practices to improve organic agriculture in Minnesota. The task force shall consist of the following residents of the state:

- (1) three farmers using organic agriculture methods;
- (2) one organic food retailer or distributor;
- (3) one representative of organic food certification agencies;
- (4) one organic food processor;
- (5) one representative from the Minnesota extension service;
- (6) one representative from an environmental nonprofit organization;
- (7) two at-large members; and
- (8) one representative from the agricultural utilization research institute.

Terms, compensation, and removal of members are governed by section 15.059, subdivision 6. The task force must meet at least twice each year and expires on June 30, 2003.

*[For text of subd 4, see M.S.1998]*

**History:** 1999 c 231 s 57