

HB 1263 – AS INTRODUCED

2014 SESSION

14-2313
08/03

HOUSE BILL **1263**

AN ACT relative to exempting maple syrup products produced and sold in state from federal regulation.

SPONSORS: Rep. Hoell, Merr 23; Rep. Rideout, Coos 7; Rep. Cordelli, Carr 4

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill declares maple syrup products sold in state exempt from federal regulation.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through]~~.
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to exempting maple syrup products produced and sold in state from federal regulation.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subdivision; Regulation of Maple Syrup Produced in New Hampshire. Amend RSA 429
2 by inserting after section 28 the following new subdivision:

3 Regulation of Maple Syrup Produced in New Hampshire

4 429:29 Prohibitions. Notwithstanding any other law to the contrary, maple syrup and maple
5 flavored products that are manufactured commercially or privately in New Hampshire and that
6 remain within the state of New Hampshire are not subject to federal law or taxation, or federal
7 regulation under the authority of Congress to regulate interstate commerce. It is declared by the
8 legislature that those items have not traveled in interstate commerce. This section applies only to
9 maple syrup and maple flavored products that are wholly produced in New Hampshire.

10 429:30 Marketing of Maple Syrup and Maple Flavored Products. Maple syrup or maple flavored
11 products made with maple syrup produced or sold in New Hampshire under this chapter shall have
12 the words “Made in New Hampshire” clearly stamped, inscribed, or otherwise marked on the
13 container of maple syrup or maple flavored product.

14 429:31 Penalty.

15 I. Any public servant of the state of New Hampshire as defined in RSA 640:2 that enforces
16 or attempts to enforce an act, order, law, statute, rule, or regulation of the government of the
17 United States upon a container of maple syrup or maple flavored product that is produced
18 commercially or privately in New Hampshire and that remains within the state of New Hampshire
19 as provided in this subdivision shall be guilty of a class A misdemeanor.

20 II. Any official, agent, or employee of the government of the United States, or employee of a
21 corporation providing services to the government of the United States that enforces or attempts to
22 enforce an act, order, law, statute, rule, or regulation of the government of the United States upon
23 maple syrup or maple flavored products that are produced commercially or privately in
24 New Hampshire and that remains within the state of New Hampshire as provided in this
25 subdivision shall be guilty of a class B felony.

26 429:32 Applicability. This subdivision shall apply to maple syrup and maple flavored products,
27 as described in this subdivision, that are manufactured and retained in New Hampshire after
28 January 1, 2015.

29 2 Grades of Maple Syrup and Honey. Amend RSA 429:13, VI(a)-(c) to read as follows:

HB 1263 – AS INTRODUCED

- Page 2 -

1 (a) Established by the commissioner of agriculture, markets, and food as the official
2 grades for maple syrup or honey produced in the state of New Hampshire as provided in RSA 426:1;

3 ***or***

4 (b) ~~Established by the United States Department of Agriculture; or~~

5 (e) Established by the laws of some other state if the maple syrup or honey was
6 produced in whole or in part in such other state.

7 3 Effective Date. This act shall take effect January 1, 2015.