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LAW/KR

ASSEMBLY, No. 2305

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 25, 2010

Sponsored by:

Assemblyman MATTHEW W. MILAM
District 1 (Cape May, Atlantic and Cumberland)
Assemblyman NELSON T. ALBANO
District 1 (Cape May, Atlantic and Cumberland)
Assemblywoman CELESTE M. RILEY
District 3 (Salem, Cumberland and Gloucester)
Assemblyman GILBERT "WHIP" L. WILSON
District 5 (Camden and Gloucester)
Assemblyman PAUL D. MORIARTY
District 4 (Camden and Gloucester)

Co-Sponsored by:

Assemblywoman McHose, Senators Van Drew, Oroho, Whelan and Ruiz

SYNOPSIS

Expands “Jersey Fresh” program to include “Made With Jersey Fresh” designation of certain baked goods and other food products.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/23/2010)

A2305 MILAM, ALBANO

2

1 AN ACT concerning baked goods and other food products and the
2 “Jersey Fresh” designation, amending P.L.1999, c.32 and
3 P.L.2008, c.40, and supplementing P.L.1939, c.136 (C.4:10-16 et
4 seq.).

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. (New section) The Secretary of Agriculture in conjunction
10 with the State Board of Agriculture shall develop and implement the
11 inclusion of baked goods or other food products that are baked or
12 made with “Jersey Fresh” products into the “Jersey Fresh”
13 designation and program as “Made With Jersey Fresh” designated
14 products.

15
16 2. Section 3 of P.L.2008, c.40 (C.4:1-11.2) is amended to read
17 as follows:

18 3. The State Board of Agriculture shall adopt, pursuant to the
19 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
20 seq.), rules and regulations to provide for the buying and selling of
21 agricultural or horticultural products and baked goods or other
22 food products that are baked or made with “Jersey Fresh” products,
23 at service areas along toll roads in the State that may be transported
24 in or out of State from those service areas.

25 (cf: P.L.2008, c.40, s.3)

26
27 3. Section 1 of P.L.2008, c.40 (C.27:23-48) is amended to read
28 as follows:

29 1. a. The New Jersey Turnpike Authority shall adopt, in
30 consultation with the Department of Agriculture and pursuant to the
31 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
32 seq.), rules and regulations to provide for and encourage the sale of
33 agricultural products labeled "Jersey Fresh" **[and]** and other
34 agricultural or horticultural products grown and raised in the State and
35 and “Made With Jersey Fresh” products that are baked or made with
36 “Jersey Fresh” products , at service areas along the Garden State
37 Parkway and the New Jersey Turnpike. These rules and regulations
38 shall include, but need not be limited to, provisions allowing for:

39 (1) the selection of appropriate service areas;

40 (2) the designation of locations for such sales at selected
41 service areas;

42 (3) procedures for growers and sellers of agricultural or
43 horticultural products and bakers or producers of “Made With
44 Jersey Fresh” products, to use these designated sales locations; and

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (4) compliance with the rules and regulations adopted by the
2 State Board of Agriculture pursuant to section 3 of P.L.2008, c.40
3 (C.4:1-11.2).

4 b. To the extent necessary, appropriate, and practicable, the
5 New Jersey Turnpike Authority shall initiate discussions with
6 contracted vendors at service areas concerning the promotion and
7 sale of agricultural products labeled "Jersey Fresh" and other
8 agricultural or horticultural products and "Made With Jersey
9 Fresh" baked goods and other food products, at service areas and
10 shall incorporate any necessary provisions in the contracts of the
11 vendors to allow for the promotion and sale of these products at
12 service areas along the Garden State Parkway and the New Jersey
13 Turnpike.

14 (cf: P.L.2008, c.40, s.1)

15

16 4. Section 2 of P.L.2008, c.40 (C.27:25A-43) is amended to
17 read as follows:

18 2. a. The South Jersey Transportation Authority shall adopt, in
19 consultation with the Department of Agriculture and pursuant to the
20 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
21 seq.), rules and regulations to provide for and encourage the sale of
22 agricultural products labeled "Jersey Fresh" **[and]** , other
23 agricultural or horticultural products grown and raised in the State ,
24 and "Made With Jersey Fresh" products that are baked or made with
25 "Jersey Fresh" products , at service areas along the Atlantic City
26 Expressway. These rules and regulations shall include, but need not
27 be limited to, provisions allowing for:

28 (1) the selection of appropriate service areas;

29 (2) the designation of locations for such sales at selected service
30 areas;

31 (3) procedures for growers and sellers of agricultural or
32 horticultural products , and bakers and producers of "Made With
33 Jersey Fresh" products, to use these designated sales locations; and

34 (4) compliance with the rules and regulations adopted by the
35 State Board of Agriculture pursuant to section 3 of P.L.2008, c.40
36 (C.4:1-11.2).

37 b. To the extent necessary, appropriate, and practicable, the
38 South Jersey Turnpike Authority shall initiate discussions with
39 contracted vendors at service areas concerning the promotion and
40 sale of agricultural products labeled "Jersey Fresh" and other
41 agricultural or horticultural products , and "Made With Jersey
42 Fresh" baked goods and other food products, at service areas and
43 shall incorporate any necessary provisions in the contracts of the
44 vendors to allow for the promotion and sale of these products at
45 service areas along the Atlantic City Expressway.

46 (cf: P.L.2008, c.40, s.2)

A2305 MILAM, ALBANO

4

1 5. Section 1 of P.L.1999, c.32 (C.52:32-1.6) is amended to read
2 as follows:

3 1. a. The Director of the Division of Purchase and Property in
4 the Department of the Treasury shall, upon consultation with the
5 Department of Agriculture, review and modify all bid and product
6 specifications relating to the purchase of agricultural and
7 horticultural products and commodities, so that the specifications
8 do not discriminate against, but encourage, the maximum purchase
9 of "Jersey Fresh," "Jersey Grown," **[and]** other agricultural food
10 products and commodities grown or raised in New Jersey , and
11 "Made With Jersey Fresh," baked goods or other food products
12 baked or made with "Jersey Fresh" products . In purchasing any
13 agricultural or horticultural products **[or]** , commodities , or goods
14 for use by the various agencies and departments of the State
15 government, for the entities defined in section 1 of P.L.1959, c.40
16 (C.52:27B-56.1), or for any county, municipality or school district
17 pursuant to P.L.1969, c.104 (C.52:25-16.1 et al.), the Director of the
18 Division of Purchase and Property, to the maximum extent possible,
19 shall make contracts available for "Jersey Fresh," "Jersey Grown,"
20 **[and]** other agricultural food products and commodities grown or
21 raised in New Jersey, and "Made With Jersey Fresh" baked goods
22 or other food products baked or made with "Jersey Fresh" products,
23 unless the director determines it to be inconsistent with the public
24 interest or the cost to be unreasonable. The Department of
25 Agriculture shall provide information regarding the location and
26 time of year "Jersey Fresh," Jersey Grown," "Made With Jersey
27 Fresh," and other agricultural food products and commodities
28 grown or raised in New Jersey are available to the Division of
29 Purchase and Property.

30 b. To the extent any agency or department of State government
31 purchases agricultural or horticultural products or commodities
32 other than through or by the Division of Purchase and Property, the
33 agency or department shall follow guidelines therefor to be
34 developed and issued by the Division of Purchase and Property in
35 consultation with the Department of Agriculture. These guidelines
36 shall encourage and promote to the maximum extent practicable the
37 purchase of "Jersey Fresh," Jersey Grown," **[and]** other agricultural
38 food products and commodities grown or raised in New Jersey , and
39 "Made With Jersey Fresh" baked goods or other food products
40 baked or made with "Jersey Fresh" products .

41 (cf: P.L.2004, c.4, s.1)

42

43 6. This act shall take effect immediately.

1 STATEMENT

2

3 This bill would provide for the designation of baked goods and
4 other food products prepared with “Jersey Fresh” produce as “Made
5 With Jersey Fresh,” and would encourage and support the purchase
6 of such baked goods and other food products as part of the “Jersey
7 Fresh” program.

8 The bill directs the Secretary of Agriculture in conjunction with the
9 State Board of Agriculture to develop and implement “Made With
10 Jersey Fresh” as part of the “Jersey Fresh” designation and program.

11 The bill would encourage the purchase of “Made With Jersey
12 Fresh” products (1) by the New Jersey Division of Purchase and
13 Property, in the Department of the Treasury, and (2) at service areas
14 along the Garden State Parkway, New Jersey Turnpike, and Atlantic
15 City Expressway, operated by the New Jersey Turnpike Authority
16 and South Jersey Transportation Authority, respectively.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2305

STATE OF NEW JERSEY

DATED: MARCH 8, 2010

The Assembly Agriculture and Natural Resources Committee reports favorably Assembly Bill No. 2305.

This bill would provide for the designation of baked goods and other food products prepared with “Jersey Fresh” produce as “Made With Jersey Fresh,” and would encourage and support the purchase of such baked goods and other food products as part of the “Jersey Fresh” program.

The bill directs the Secretary of Agriculture in conjunction with the State Board of Agriculture to develop and implement “Made With Jersey Fresh” as part of the “Jersey Fresh” designation and program.

The bill would encourage the purchase of “Made With Jersey Fresh” products (1) by the New Jersey Division of Purchase and Property, in the Department of the Treasury, and (2) at service areas along the Garden State Parkway, New Jersey Turnpike, and Atlantic City Expressway.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2305

STATE OF NEW JERSEY

DATED: OCTOBER 14, 2010

The Senate Economic Growth Committee reports favorably Assembly Bill No. 2305.

This bill would provide for the designation of baked goods and other food products prepared with “Jersey Fresh” produce as “Made With Jersey Fresh,” and would encourage and support the purchase of such baked goods and other food products as part of the “Jersey Fresh” program.

The bill directs the Secretary of Agriculture in conjunction with the State Board of Agriculture to develop and implement “Made With Jersey Fresh” as part of the “Jersey Fresh” designation and program.

The bill would encourage the purchase of “Made With Jersey Fresh” products (1) by the New Jersey Division of Purchase and Property, in the Department of the Treasury, and (2) at service areas along the Garden State Parkway, New Jersey Turnpike, and Atlantic City Expressway.

As reported by the committee, this bill is identical to Senate Bill No. 1179, as amended and reported by the committee.

SENATE, No. 1179

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 4, 2010

Sponsored by:

Senator JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Senator STEVEN V. OROHO

District 24 (Sussex, Hunterdon and Morris)

Co-Sponsored by:

Senator Whelan

SYNOPSIS

Designates “Made With Jersey Fresh” baked goods and other food products.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/29/2010)

S1179 VAN DREW, OROHO

2

1 AN ACT concerning baked goods and other food products and the
2 "Jersey Fresh" designation, and amending P.L.1999, c.32 and
3 P.L.2008, c.40.

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

7
8 1. Section 3 of P.L.2008, c.40 (C.4:1-11.2) is amended to read
9 as follows:

10 3. The State Board of Agriculture shall adopt, pursuant to the
11 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
12 seq.), rules and regulations to provide for the buying and selling of
13 agricultural or horticultural products , and baked goods or other
14 food products that are baked or made with "Jersey Fresh" products.
15 at service areas along toll roads in the State that may be transported
16 in or out of State from those service areas.

17 (cf: P.L.2008, c.40, s.3)

18

19 2. Section 1 of P.L.2008, c.40 (C.27:23-48) is amended to read
20 as follows:

21 1. a. The New Jersey Turnpike Authority shall adopt, in
22 consultation with the Department of Agriculture and pursuant to the
23 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
24 seq.), rules and regulations to provide for and encourage the sale of
25 agricultural products labeled "Jersey Fresh" **[and]** , other
26 agricultural or horticultural products grown and raised in the State ,
27 and "Made With Jersey Fresh" products that are baked or made with
28 "Jersey Fresh" products , at service areas along the Garden State
29 Parkway and the New Jersey Turnpike. These rules and regulations
30 shall include, but need not be limited to, provisions allowing for:

31 (1) the selection of appropriate service areas;

32 (2) the designation of locations for such sales at selected
33 service areas;

34 (3) procedures for growers and sellers of agricultural or
35 horticultural products , and bakers or producers of "Made With
36 Jersey Fresh" products. to use these designated sales locations; and

37 (4) compliance with the rules and regulations adopted by the
38 State Board of Agriculture pursuant to section 3 of P.L.2008, c.40
39 (C.4:1-11.2).

40 b. To the extent necessary, appropriate, and practicable, the
41 New Jersey Turnpike Authority shall initiate discussions with
42 contracted vendors at service areas concerning the promotion and
43 sale of agricultural products labeled "Jersey Fresh" and other
44 agricultural or horticultural products , and "Made With Jersey
45 Fresh" baked goods and other food products. at service areas and

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 shall incorporate any necessary provisions in the contracts of the
2 vendors to allow for the promotion and sale of these products at
3 service areas along the Garden State Parkway and the New Jersey
4 Turnpike.

5 (cf: P.L.2008, c.40, s.1)

6

7 3. Section 2 of P.L.2008, c.40 (C.27:25A-43) is amended to
8 read as follows:

9 2. a. The South Jersey Transportation Authority shall adopt,
10 in consultation with the Department of Agriculture and pursuant to
11 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
12 seq.), rules and regulations to provide for and encourage the sale of
13 agricultural products labeled "Jersey Fresh" **[and]** , other
14 agricultural or horticultural products grown and raised in the State ,
15 and "Made With Jersey Fresh" products that are baked or made with
16 "Jersey Fresh" products , at service areas along the Atlantic City
17 Expressway. These rules and regulations shall include, but need not
18 be limited to, provisions allowing for:

19 (1) the selection of appropriate service areas;

20 (2) the designation of locations for such sales at selected service
21 areas;

22 (3) procedures for growers and sellers of agricultural or
23 horticultural products , and bakers and producers of "Made With
24 Jersey Fresh" products, to use these designated sales locations; and

25 (4) compliance with the rules and regulations adopted by the
26 State Board of Agriculture pursuant to section 3 of P.L.2008, c.40
27 (C.4:1-11.2).

28 b. To the extent necessary, appropriate, and practicable, the
29 South Jersey Turnpike Authority shall initiate discussions with
30 contracted vendors at service areas concerning the promotion and
31 sale of agricultural products labeled "Jersey Fresh" and other
32 agricultural or horticultural products , and "Made With Jersey
33 Fresh" baked goods and other food products, at service areas and
34 shall incorporate any necessary provisions in the contracts of the
35 vendors to allow for the promotion and sale of these products at
36 service areas along the Atlantic City Expressway.

37 (cf: P.L.2008, c.40, s.2)

38

39 4. Section 1 of P.L.1999, c.32 (C.52:32-1.6) is amended to read
40 as follows:

41 1. a. The Director of the Division of Purchase and Property in
42 the Department of the Treasury shall, upon consultation with the
43 Department of Agriculture, review and modify all bid and product
44 specifications relating to the purchase of agricultural and
45 horticultural products and commodities, so that the specifications
46 do not discriminate against, but encourage, the maximum purchase
47 of "Jersey Fresh," "Jersey Grown," **[and]** other agricultural food
48 products and commodities grown or raised in New Jersey , and

1 “Made With Jersey Fresh,” baked goods or other food products
2 baked or made with “Jersey Fresh” products . In purchasing any
3 agricultural or horticultural products **[or]** , commodities , or goods
4 for use by the various agencies and departments of the State
5 government, for the entities defined in section 1 of P.L.1959, c.40
6 (C.52:27B-56.1), or for any county, municipality or school district
7 pursuant to P.L.1969, c.104 (C.52:25-16.1 et al.), the Director of the
8 Division of Purchase and Property, to the maximum extent possible,
9 shall make contracts available for "Jersey Fresh," "Jersey Grown,"
10 **[and]** other agricultural food products and commodities grown or
11 raised in New Jersey, and “Made With Jersey Fresh” baked goods
12 or other food products baked or made with “Jersey Fresh” products,
13 unless the director determines it to be inconsistent with the public
14 interest or the cost to be unreasonable. The Department of
15 Agriculture shall provide information regarding the location and
16 time of year "Jersey Fresh," Jersey Grown," “Made With Jersey
17 Fresh,” and other agricultural food products and commodities
18 grown or raised in New Jersey are available to the Division of
19 Purchase and Property.

20 b. To the extent any agency or department of State government
21 purchases agricultural or horticultural products or commodities
22 other than through or by the Division of Purchase and Property, the
23 agency or department shall follow guidelines therefor to be
24 developed and issued by the Division of Purchase and Property in
25 consultation with the Department of Agriculture. These guidelines
26 shall encourage and promote to the maximum extent practicable the
27 purchase of "Jersey Fresh," Jersey Grown," **[and]** other agricultural
28 food products and commodities grown or raised in New Jersey , and
29 “Made With Jersey Fresh” baked goods or other food products
30 baked or made with “Jersey Fresh” products .

31 (cf: P.L.2004, c.4, s.1)

32

33 5. This act shall take effect immediately.

34

35

36

STATEMENT

37

38 This bill would designate baked goods and other food products
39 prepared with “Jersey Fresh” produce as “Made With Jersey Fresh,”
40 and would encourage and support the purchase of such baked goods
41 and other food products.

42 The bill would encourage the purchase of “Made With Jersey
43 Fresh” products (1) by the New Jersey Division of Purchase and
44 Property, in the Department of the Treasury, and (2) at service areas
45 along the Garden State Parkway, New Jersey Turnpike, and Atlantic
46 City Expressway, operated by the New Jersey Turnpike Authority
47 and South Jersey Transportation Authority, respectively.

S1179 VAN DREW, OROHO

5

1 The “Jersey Fresh” promotional program, developed by the
2 Department of Agriculture over 25 years ago, informs consumers of
3 the availability and variety of fruits and vegetables grown in New
4 Jersey. New Jersey grows more than 100 different varieties of
5 fruits, vegetables, and herbs, and the State is ranked nationally in
6 the top ten as a producer of blueberries (2nd), cranberries (4th),
7 peaches (4th), bell peppers (4th), squash (7th), and tomatoes (8th).
8 Expanding the “Jersey Fresh” market to bakers and others who use
9 “Jersey Fresh” produce in their baked goods or other food products
10 will further grow the “Jersey Fresh” label and support farmers and
11 bakers in the State. A “Made With Jersey Fresh” designation will
12 also allow consumers an opportunity to buy baked goods or other
13 food products that use locally grown fruits and vegetables.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 1179

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 14, 2010

The Senate Economic Growth Committee reports favorably Senate Bill No. 1179, with committee amendments.

This bill, as amended by the committee, would provide for the designation of baked goods and other food products prepared with “Jersey Fresh” produce as “Made With Jersey Fresh,” and would encourage and support the purchase of such baked goods and other food products as part of the “Jersey Fresh” program.

The bill would encourage the purchase of “Made With Jersey Fresh” products (1) by the New Jersey Division of Purchase and Property, in the Department of the Treasury, and (2) at service areas along the Garden State Parkway, New Jersey Turnpike, and Atlantic City Expressway.

The committee amended the bill to add a provision directing the Secretary of Agriculture, in conjunction with the State Board of Agriculture, to develop and implement the inclusion of baked goods or other food products that are baked or made with “Jersey Fresh” products into the “Jersey Fresh” designation and program as “Made With Jersey Fresh” designated products.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 2305 of 2010 as also reported by the committee.