

CHAPTER 176

AN ACT concerning organic farming and supplementing Title 4 of the Revised Statutes.

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

C.4:10-79 Establishment of organic certification program.

1. a. The Secretary of Agriculture shall establish an organic certification program. In establishing the program, the secretary shall consider any national standards that may be adopted by the United States Department of Agriculture for agricultural products.

b. In establishing an organic certification program, the secretary may:

(1) designate one or more organizations to certify organic farming and handling practices, and provide that a designated certifying organization may charge fees to cover reasonable costs associated with the certification process;

(2) establish certification procedures for "certified organic" and "transitional sustainable";

(3) design a label to be affixed to agricultural products that receive certification as "certified organic" or "transitional sustainable," as appropriate; and

(4) charge fees to cover reasonable additional costs associated with the organic certification program and the federal program requirements.

c. The secretary shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), any rules and regulations necessary to implement an organic certification program, which rules and regulations may include, but need not be limited to, a list of approved, regulated and prohibited production practices and substances.

2. This act shall take effect immediately.

Approved September 10, 2003.