

2017 Regular Session

HOUSE BILL NO. 232

BY REPRESENTATIVE THOMAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AGRICULTURE: Provides relative to the mislabeling of fresh fruits and vegetables

1 AN ACT

2 To amend and reenact R.S. 3:903 and 904(B), relative to the mislabeling of fresh fruits and
3 vegetables; to clarify certain authority of the commissioner; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:903 and 904(B) are hereby amended and reenacted to read as
7 follows:

8 §903. Fees for inspection, classification, and grading

9 The ~~commission~~ commissioner may collect fees for the inspection,
10 classification, and grading of farm products, fruits, and vegetables. The fees shall
11 not exceed the actual cost necessary to provide for the proper inspection, grading,
12 and classification of the products.

13 §904. Penalty for violations; injunctive relief; costs

14 * * *

15 B. In addition to the penalties authorized in this Section, the ~~commission~~
16 commissioner may apply for injunctive relief restraining violations of this Part or
17 institute necessary actions for failure to pay accounts due the ~~commission~~
18 department. The person condemned in any such proceeding shall be liable for the

1 costs of court and for any additional costs incurred by the ~~commission~~ department
 2 in gathering the necessary evidence, including reasonable attorney fees and expert
 3 witness fees.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 232 Original

2017 Regular Session

Thomas

Abstract: Clarifies the authority of the commissioner regarding the mislabeling of fresh fruits and vegetables.

Present law authorizes the commission to collect fees for the inspection, classification, and grading of farm products, fruits, and vegetables.

Present law authorizes the commission may apply for injunctive relief restraining violations of this Part or institute necessary action for failure to pay accounts due.

Proposed law changes reference to commission in present law to commissioner.

Present law specifies that injunctive relief restraining violations of the Part or necessary actions instituted may be taken for failure to pay accounts due to the commission.

Present law provides that the person condemned in any such proceeding shall be liable for the costs of court and for any additional costs incurred by the commission in gathering the necessary evidence, including reasonable attorney and expert witness fees.

Proposed law changes reference to commission in present law to department.

(Amends R.S. 3:903 and 904(B))