

§426. Contents of market order or market agreement

Any market order or market agreement adopted by the commissioner may contain any or all of the following: [PL 1981, c. 154, §1 (NEW).]

1. Surplus. Provisions for determining the existence and extent of the surplus of any agricultural commodity, or of any grade, size or quality thereof, and for regulating and disposing of the surplus; [PL 1981, c. 154, §1 (NEW).]

2. Quantity. Provisions for limiting the total quantity of any agricultural product, or of any grade or grades, size or sizes, or quality or portions of those agricultural products which may be marketed during any specified period or periods. The total limitations of any commodity so regulated shall not provide for the marketing of less than the quantity which the commissioner finds is reasonably necessary to supply the market demand of consumers for that commodity; [PL 1981, c. 154, §1 (NEW).]

3. Time periods. Provisions for regulating the period or periods, during which any agricultural commodity, or any grade or grades, size or sizes or quality or portions or combinations of a commodity, may be marketed; [PL 1981, c. 154, §1 (NEW).]

4. Standards. Provisions for establishing uniform standards of quality, grade, condition, size, maturity or pack of any agricultural commodity delivered by producers or other persons to handlers or processors or others engaged in the handling of agricultural commodities; [PL 1981, c. 154, §1 (NEW).]

5. Prohibition on sale; mandatory inspection. Provisions prohibiting a producer of an agricultural commodity to which a market order or market agreement applies from selling, offering for sale or delivering a commodity not meeting and complying with standards established pursuant to subsection 4. A provision for mandatory inspection under a market order must be indicated in the market order and specifically included in the referendum proposal under section 425, subsection 2; [PL 2005, c. 512, §8 (RPR).]

6. Other sales. Provisions for requiring that no handler or processor of any agricultural commodity for which standards are established pursuant to subsection 4 may, except as otherwise provided in the market agreement or order, have in the handler's or processor's possession, sell, offer for sale, process, distribute or otherwise handle any such commodity produced within or without the State, not meeting or complying with the established standards; [RR 2021, c. 1, Pt. B, §68 (COR).]

7. Other provisions. Such other provisions as may be necessary to carry out the declared purposes of this subchapter. [PL 1981, c. 154, §1 (NEW).]

SECTION HISTORY

PL 1981, c. 154, §1 (NEW). PL 2005, c. 512, §8 (AMD). RR 2021, c. 1, Pt. B, §68 (COR).

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