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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION

H. F. No. 2880

02/20/2018 Authored by Miller and Anderson, P.,  
The bill was read for the first time and referred to the Committee on Agriculture Policy

1.1 A bill for an act  
1.2 relating to civil liability; establishing a cause of action for disparagement of  
1.3 agricultural food products; proposing coding for new law in Minnesota Statutes,  
1.4 chapter 604.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [604.135] CIVIL LIABILITY FOR DISPARAGEMENT OF  
1.7 AGRICULTURAL FOOD PRODUCTS.

1.8 Subdivision 1. Definitions. For purposes of this section:

1.9 (1) "agricultural food product" means any agricultural or aquacultural food product that  
1.10 is sold or distributed in a form that will perish or decay beyond marketability within a period  
1.11 of time;

1.12 (2) "disparagement" means dissemination in any manner to the public any information  
1.13 that the disseminator knows to be false and that states or implies that (i) an agricultural food  
1.14 product is not safe for consumption by the public, or (ii) generally accepted agricultural and  
1.15 management practices make an agricultural food product unsafe for consumption by the  
1.16 public; and

1.17 (3) "generally accepted agricultural and management practices" means those agronomic  
1.18 and animal husbandry practices commonly used by farmers in the production of an  
1.19 agricultural commodity including tillage options, fertilizers, crop protection practices, and  
1.20 the feeding, transporting, housing, and health practices for livestock.

1.21 Subd. 2. Cause of action for damages. Any producer of an agricultural food product  
1.22 who suffers damage as a result of another person's disparagement of the agricultural food

2.1 product has a cause of action for damages and any other appropriate relief in a court of  
2.2 competent jurisdiction.

2.3 Subd. 3. **Liability for damages.** Any person who disparages an agricultural food product  
2.4 with intent to harm the producer is liable to the producer for triple the damages caused.

2.5 Subd. 4. **Limitation on actions for damages.** Any civil action for damages for  
2.6 disparagement of an agricultural food product must be commenced within the time period  
2.7 applicable to actions under section 541.07, clause (1).