

MINNESOTA STATUTES 1977 SUPPLEMENT

30.003 VEGETABLES, FRUIT

CHAPTER 30. VEGETABLES, FRUIT

Sec.		Sec.	
30.003	Declaration of policy. [New]	30.121	Repealed.
30.10	Potato grades.	30.13	Repealed.
30.101	Repealed.	30.14	Repealed.
30.102	Standard grades. [New]	30.161	Certificate of inspector. [New]
30.103	Seed potatoes exempt. [New]	30.20	Fees.
30.104	Sale of artificially colored potatoes prohibited. [New]	30.469	Assessment levied.
		30.478	Repealed.

30.003 Declaration of policy.

The intent and purpose of this section and sections 30.01 to 30.201 is to regulate the grade and to improve the quality of potatoes offered for sale in Minnesota.

[1977 c 234 s 2]

30.10 Potato grades.

All potatoes sold or offered for sale at retail in a closed container must be graded and clearly labeled according to grades as established by section 30.102. This shall not apply to potatoes grown by a producer and sold by the producer directly to the consumer.

[1977 c 234 s 3]

30.101 [Repealed, 1977 c 20 s 1]

NOTE: Section 30.101 is repealed effective January 1, 1978 pursuant to Laws 1977, Chapter 20, Section 2.

30.102 Standard grades.

The commissioner shall establish by rule standard grades for potatoes offered for sale in Minnesota. The standard grades shall conform insofar as practical to the latest generally accepted grades in use throughout the United States, except that additional consumer grades may be established if deemed necessary.

[1977 c 234 s 4]

30.103 Seed potatoes exempt.

Seed potatoes inspected and certified under authority of the commissioner are not affected by the provisions of sections 27.07 and 30.01 to 30.201, but shall be inspected, certified and tagged as required under sections 21.111 to 21.122.

[1977 c 234 s 5]

30.104 Sale of artificially colored potatoes prohibited.

No person, firm, corporation or officer, employee or agent thereof shall sell at retail to a consumer any potato which is artificially colored. The commissioner shall by regulation prescribe the meaning of "artificially colored".

[1977 c 234 s 6]

30.121 [Repealed, 1977 c 234 s 9]

30.13 [Repealed, 1977 c 234 s 9]

30.14 [Repealed, 1977 c 234 s 9]

30.161 Certificate of inspector.

In determining controversies and standards between the parties, including but not limited to growers, as to the quality and condition of potatoes offered for sale or tendered in performance of contracts for sale in this state, the certificates of a fully authorized and commissioned inspector of the commissioner shall be prima facie evidence both of the grade and quality of the potatoes offered for sale or tendered in performance of any such contract.

[1977 c 234 s 7.]

30.20 Fees.

Fees for inspection shall be determined by the commissioner as provided in section 27.07.

[1977 c 234 s 8]

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30.469 Assessment levied.

Commencing July 1, 1977, an assessment at the rate of two cents per hundredweight shall be levied and imposed upon all potatoes grown or sold or delivered to a first handler in this state. The assessment shall not be imposed upon potatoes retained by growers to be used for seed purposes or for their own consumption.

(a) The assessment imposed by sections 30.461 to 30.477 and 30.479 shall be due upon any identifiable lot or quantity of potatoes.

(b) A first handler of potatoes shall file an application with the council on forms prescribed and furnished by the council which shall contain the name under which the handler is transacting business within the state, the place or places of business and location of loading and shipping places of agents of the first handler, the names and addresses of the several persons constituting a firm or partnership, and, if a corporation, the corporate name and the names and addresses of its principal officers and agents within the state. The council shall issue a certificate to the first handler and a first handler shall not sell or ship any potatoes until the certificate is furnished as required by this section.

(c) Each first handler of potatoes shall collect the assessment imposed by sections 30.461 to 30.477 and 30.479 by charging and collecting from the seller the assessment at the rate of two cents per hundredweight by deducting the assessment from the purchase price of all potatoes subject to the assessment and purchased by the first handler.

(d) Every first handler shall keep as a part of his permanent records a record of all purchases, sales, and shipments of raw potatoes, which records shall be open for examination by the commissioner at all reasonable times. Every first handler shall render a report to the council stating the quantity of potatoes received, sold, or shipped by him during the preceding calendar quarter, on forms to be furnished by the council. The report shall be due not later than 15 days after the end of the calendar quarter. The report shall contain such further information as the council shall prescribe. With the filing of the report, each first handler shall pay to the council an assessment at the rate of two cents per hundredweight upon all potatoes reported as purchased, sold, or shipped, as determined by the council.

All moneys levied and collected under sections 30.461 to 30.477 and 30.479 shall be paid to the area council having jurisdiction for deposit to the credit of that area, in a fund designated "Potato Fund", in a bank, or banks, or other depository, approved by the commissioner of banks and shall be disbursed by such officers and employees as may be approved by the commissioner of agriculture with the advice and consent of the area potato council. Such funds are to be used exclusively to carry out the intent and the purposes of sections 30.461 to 30.477 and 30.479 as it relates to that area.

[1977 c 18 s 1]

30.478 [Repealed, 1977 c 234 s 9]

CHAPTER 32. DAIRY PRODUCTS

Sec.
32.394 Grade A pasteurized milk.

Sec.
32.486 Minnesota farmstead cheese. [New]

32.394 Grade A pasteurized milk.

[For text of subds 1 to 7, see M.S.1976]

Subd. 8. Any processor of milk, milk products or goat milk who wishes to acquaint himself and his producers with Grade A requirements may make a request to the commissioner for exploratory inspections and meetings for this purpose. Upon receipt of such request, the commissioner at his convenience shall cause such