

CHAPTER 30

VEGETABLES, FRUIT

30.49 Wild rice labeling.

30.49 WILD RICE LABELING.

Subdivision 1. Cultivated wild rice. (a) Except as provided in paragraph (b), wild rice containing a portion of wild rice that is cultivated and offered for wholesale or retail sale in this state must be plainly and conspicuously labeled as either "paddy grown" or as "cultivated" in letters of a size and form prescribed by the commissioner.

(b) Cultivated wild rice sold for international commerce is exempt from this subdivision.

Subd. 2. Natural lake or river wild rice. (a) A package containing only 100 percent natural lake or river wild rice that is offered for sale at wholesale or retail sale in this state may be plainly and conspicuously labeled as "100 percent naturally grown, lake and river harvested" in letters of a size and form prescribed by the commissioner. A package of wild rice labeled "100 percent naturally grown, lake and river harvested" must also contain the license number issued under section 84.152 of the last licensed dealer, if any, who handled the wild rice.

(b) A package that does not contain 100 percent natural lake or river wild rice may not contain a label authorized under paragraph (a).

Subd. 3. Records. (a) A person who buys, sells, processes, or markets over 500 pounds of wild rice not for use in packaged blended rice and ready-to-eat rice must maintain the following records and shall submit annual reports on or before December 31 of each year to the commissioners of agriculture and natural resources. A person who buys or sells, processes, or markets wild rice not for use in packaged blended rice and ready-to-eat rice shall provide the department, on demand, relevant information from the records required under this section.

(b) The report must contain:

- (1) the date of each transaction;
- (2) the quantity of wild rice bought or sold;
- (3) an identification of whether the wild rice is cultivated or paddy grown, or whether it is naturally grown lake and river-harvested wild rice;
- (4) the names and addresses of the parties of the transaction and the department of natural resources license or permit numbers;
- (5) the lot numbers of all the wild rice bought or sold in each transaction; and
- (6) documents that track the rice, by lot number, through processing and the assignment of a final lot number on the finished product offered for distribution or sale in Minnesota.

Subd. 4. Fair packaging and labeling. Natural lake and river-harvested wild rice from public waters and cultivated or paddy grown wild rice are separate and distinct ingredients under the fair packaging and labeling provisions of section 31.103.

Subd. 5. Misbranding relating to Indian harvested or processed wild rice. A wild rice label that implies the wild rice is harvested or processed by Indians is misbranded unless the package contains only 100 percent natural lake or river wild rice harvested by Indians.

Subd. 6. Packaged blended rice and ready-to-eat rice. A package containing a blend of wild rice and at least 40 percent other grains or food products, and puffed or ready-to-eat wild rice, are exempt from this section, except subdivisions 3, 5, and 7.

Subd. 7. Penalty. Any person who sells wild rice at wholesale or retail which is not labeled as required by this section is guilty of a misdemeanor.

History: 1989 c 350 art 19 s 1