

**ASSEMBLY, No. 2320**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

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**District 38 (Bergen)**

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**SYNOPSIS**

Requires Department of Agriculture to take various actions to publicize and promote community supported agriculture in New Jersey.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 2/22/2024)**

1 AN ACT concerning the promotion of community supported  
2 agriculture, supplementing Title 4 of the Revised Statutes, and  
3 amending various parts of the statutory law.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. (New section) a. As used in P.L. , c. (C. ) (pending  
9 before the Legislature as this bill):

10 “Community supported agriculture” means a method of on-the-  
11 farm direct sales and marketing in which the retail sale, to a  
12 consumer, of a share of the agricultural output of a commercial  
13 farm is effectuated through a paid subscription service.

14 “Community supported agriculture program” or “CSA program”  
15 means a farm product retail sales and marketing program in which  
16 participating consumers agree to pay a seasonal or annual  
17 subscription fee to a farm in exchange for the consumers’ regular  
18 and ongoing receipt of weekly shares of the farm’s seasonal  
19 agricultural output.

20 “Department” means the Department of Agriculture.

21 “Secretary” means the Secretary of Agriculture.

22 b. Within 180 days after the effective date of P.L. ,  
23 c. (C. ) (pending before the Legislature as this bill), the  
24 Secretary of Agriculture shall develop and implement a publicity  
25 and marketing program to promote community supported  
26 agriculture in the State. As part of the program, the department  
27 shall:

28 (1) establish and regularly update, on its Internet website, a  
29 webpage that is dedicated to community supported agriculture,  
30 which webpage shall, at a minimum: (a) include a searchable list of  
31 all CSA programs in the State and the farms participating therein;  
32 and (b) provide hyperlinks, or use another simple methodology, to  
33 enable members of the public to subscribe to CSA programs in their  
34 local area;

35 (2) use all available means, including, but not limited to, print  
36 media, television, radio, road and other signage, the Internet, and  
37 social media to advertise and publicize: (a) the availability of, and  
38 the benefits of participating in, community supported agriculture in  
39 the State; (b) the names and locations of farms that participate in  
40 CSA programs; and (c) the availability of the community supported  
41 agriculture webpage, established pursuant to paragraph (1) of this  
42 subsection; and

43 (3) develop, print, and distribute distinct promotional and  
44 marketing labels that may be used by farmers to identify  
45 agricultural products that are being marketed and sold through

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 community supported agriculture. The labels developed pursuant to  
2 this paragraph may contain the official New Jersey State map  
3 symbol, developed pursuant to R.S.4:10-5, as well as a “Jersey  
4 Fresh,” “Premium Jersey Fresh,” or “Made with Jersey Fresh”  
5 designation, as deemed by the secretary to be appropriate, but shall  
6 additionally indicate, in large and distinctive typeface, that the  
7 labeled products are being marketed and sold through community  
8 supported agriculture. Nothing in this paragraph shall be deemed to  
9 prohibit the operator of a farm, after first consulting with the  
10 department, from creating the farm’s own promotional labels and  
11 using those labels to identify agricultural products that are being  
12 marketed and sold by the farm through community supported  
13 agriculture.

14

15 2. (New section) a. The Department of Agriculture, acting in  
16 cooperation with the Department of Education and in coordination  
17 with farmers, public, private, and charter schools and their food  
18 services, the New Jersey Farm to School Network or its successor  
19 entity, and other interested and relevant organizations and groups,  
20 as determined by the Department of Agriculture and the Department  
21 of Education to be appropriate, shall establish and annually observe  
22 a week of promotional events to be known as “Community  
23 Supported Agriculture Week.”

24 b. “Community Supported Agriculture Week” shall highlight  
25 and promote the value and importance of community supported  
26 agriculture, both as a means by which farming operations can better  
27 ensure their ongoing productivity, success, and financial stability,  
28 and as a means by which individuals, families, and businesses in the  
29 State can obtain fresh, seasonal, and easily accessible farm-to-table  
30 foods, throughout the year, while developing closer, more  
31 supportive, and reciprocal relationships with local farmers and  
32 becoming more invested in, and aware of the factors affecting, the  
33 seasonal and long-term success, stability, and viability of farming  
34 operations.

35 c. “Community Supported Agriculture Week” shall be  
36 celebrated on an annual basis, throughout the State, during the last  
37 full week in February, and shall be observed through the holding of  
38 relevant promotional events. Such promotional events shall be  
39 made available to members of the public at farms, community  
40 farmers’ markets, farm stands, grocery stores, community group  
41 meetings, churches, and service organizations; to children at school,  
42 through the use of in-class presentations, food sampling  
43 opportunities, and field trips to farms that are engaged in  
44 community supported agriculture; to students of higher education at  
45 on-campus events; and to any other groups or organizations at any  
46 other locations, as may be deemed by the Department of  
47 Agriculture to be beneficial or essential to the effective promotion,

1 throughout the State, of the value and importance of community  
2 supported agriculture.

3

4 3. Section 1 of P.L.1939, c.136 (C.4:10-16) is amended to read  
5 as follows:

6 1. a. For the purpose of advertising and promoting the sale of  
7 New Jersey farm **【product and】** products, the "Jersey Fresh"  
8 program, and the value and importance of community supported  
9 agriculture, the Secretary of Agriculture is **【hereby】** authorized to  
10 solicit and receive funds, either as direct contributions, or from the  
11 sale of labels or the right to use labels authorized by the Department  
12 of Agriculture, or from any other source **【for advertising and**  
13 **promotional purposes】**. The monies received pursuant to this  
14 subsection shall be deposited in the "New Jersey Farm Products  
15 Publicity Fund," established pursuant to subsection b. of this  
16 section.

17 b. There is established in the Department of Agriculture a  
18 special nonlapsing fund to be known as the "New Jersey Farm  
19 Products Publicity Fund." The fund shall be administered by the  
20 Department of Agriculture, and monies in the fund shall be used  
21 exclusively for the purposes of advertising and promoting: (1) the  
22 sale of New Jersey farm products **【and】**; (2) the "Jersey Fresh"  
23 program; and (3) the value and importance of community supported  
24 agriculture. Any monies deposited into a bank or trust company  
25 designated to accept deposits of State money prior to the effective  
26 date of P.L.2017, c.267 and pursuant to section 1 of P.L.1939, c.136  
27 (C.4:10-16), for the "New Jersey Farm Products Publicity Fund"  
28 shall be transferred to the fund established pursuant to this  
29 subsection. Monies deposited in the fund shall be held in interest-  
30 bearing accounts in public depositories, as defined pursuant to  
31 section 1 of P.L.1970, c.236 (C.17:9-41), and may be invested or  
32 reinvested in such securities as are approved by the State Treasurer.  
33 Interest or other income earned on monies deposited into the fund,  
34 and any monies **【which】** that may be appropriated or otherwise  
35 become available for the purposes of the fund, shall be credited to  
36 and deposited in the fund for use as set forth in this section.

37 c. The Secretary of Agriculture may notify interested persons  
38 and business entities of the opportunity to contribute funds to be  
39 used for the **【purpose established in subsection a. of】** purposes of  
40 this section.

41 (cf: P.L.2017, c.267, s.1)

42

43 4. Section 2 of P.L.1939, c.136 (C.4:10-17) is amended to read  
44 as follows:

45 2. All **【moneys so】** monies deposited in the "New Jersey Farm  
46 Products Publicity Fund" shall be disbursed by the Secretary of  
47 Agriculture for advertising and general publicity purposes, **【to be】**

1 as determined by the secretary, in [co-operation] cooperation with  
2 contributing commodity groups, to be appropriate, and shall be used  
3 to promote the sale of New Jersey farm products; to publicize the  
4 “Jersey Fresh” program and the value and importance of community  
5 supported agriculture; [for] to cover the expenses of printing and  
6 distributing labels [to be] used [in identifying] either in  
7 identifying products sold under official State brands, as hereinafter  
8 provided, or in identifying products that are being marketed and  
9 sold through community supported agriculture; and [for] to cover  
10 any other expenses that are incident to [carrying out the provisions]  
11 the implementation of [this act] P.L.1939, c.136 (C.4:10-16 et seq.)  
12 or P.L. , c. (C. ) (pending before the Legislature as this  
13 bill); provided, however, that no greater amount shall be expended  
14 from such fund for the promotion of a publicity campaign for any  
15 particular product than the amount of revenue in such fund that is  
16 derived from such product. The Secretary of Agriculture shall keep  
17 accurate accounts of the receipts and disbursements of this fund,  
18 which accounts may be subject to audit by the State Comptroller.  
19 (cf: P.L.1939, c.136, s.2)  
20

21 5. Section 7 of P.L.2011, c.218 (C.4:10-19.2) is amended to  
22 read as follows:

23 7. a. A person shall not advertise, or in any way imply in any  
24 advertising or on any packages or devices, that any produce,  
25 seafood, dairy, or other agricultural product;

26 (1) has been produced in New Jersey unless the product,  
27 seafood, dairy, or other agricultural product was produced in New  
28 Jersey or the waters thereof; or

29 (2) has been marketed and sold through means of community  
30 supported agriculture unless the product, seafood, dairy, or other  
31 agricultural product was marketed and sold through such means.

32 b. A person who [shall violate] violates the provisions of this  
33 section shall be liable to a penalty of \$100, to be collected in a civil  
34 action in a summary proceeding, pursuant to the "Penalty  
35 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.),  
36 and paid to the General Fund. The Superior Court and the  
37 municipal court shall have jurisdiction to enforce the provisions of  
38 the "Penalty Enforcement Law of 1999" in connection with this  
39 section. Each package, product, or device that is improperly  
40 labeled in violation of this section shall constitute a separate  
41 violation.

42 c. The Secretary of Agriculture, in conjunction with the  
43 Division of Consumer Affairs in the Department of Law and Public  
44 Safety, shall have the power, by seeking an injunction or otherwise,  
45 to restrain any person or organization violating the provisions of  
46 this section. [Notwithstanding] Notwithstanding any law, rule, or  
47 regulation to the contrary, a Department of Agriculture [inspectors]

1 inspector may issue **【citations】** a citation to any person suspected of  
2 violating the provisions of this section.

3 (cf: P.L.2011, c.218, s.7)

4  
5 6. Section 2 of P.L.2011, c.10 (C.4:10-25.2) is amended to read  
6 as follows:

7 2. a. The Department of Agriculture shall develop a "New  
8 Jersey Farm to School Program" and, pursuant to the  
9 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
10 seq.), adopt rules and regulations for its implementation, including,  
11 but not necessarily limited to, rules and regulations that:

12 (1) **【provide encouragement for】** encourage schools **【that**  
13 **participate】** participating in school meal programs to: (a) expand or  
14 improve their kitchen facilities to allow for the daily production of  
15 meals that incorporate more fresh, locally grown or produced farm  
16 produce, fruit, or other products; and (b) obtain fresh, locally grown  
17 or produced agricultural products for school meals by subscribing  
18 to, and participating in, a community supported agriculture  
19 program;

20 (2) establish a bidding matrix that provides for school purchases  
21 of New Jersey-grown food **【and】**, allows schools to adopt price  
22 preferences for local agricultural and farm products, and encourages  
23 schools to participate as subscribers in a community supported  
24 agriculture program; and

25 (3) in conjunction and cooperation with the Department of  
26 Education, provide for the incorporation and coordination of school  
27 curricula that provides students with information about:

28 (a) New Jersey agriculture;

29 (b) the importance and significance of farms and farmers to  
30 New Jersey's economy, culture, history, and quality of life; **【and】**

31 (c) the health value of eating fresh farm foods and locally grown  
32 produce and fruits; and

33 (d) the value and importance of community supported  
34 agriculture, both to farmers and to the community as a whole, and  
35 the ways in which students and their families can become active  
36 participants in community supported agriculture programs.

37 b. The Department of Agriculture, in conjunction with the  
38 Department of Education, shall develop a training program with  
39 emphasis on the **【theme of】** "Farm to School" theme, and shall  
40 offer this program to schools, teachers, and other event providers.

41 c. (1) The Department of Agriculture shall establish a "New  
42 Jersey Farm to School" website that shall be designed to:

43 (a) provide opportunities for the establishment of product  
44 purchasing networks and the execution of community supported  
45 agriculture subscription agreements between and among farmers,  
46 distributors, and schools or school districts;

(b) facilitate the development and refinement of promotional events in association with "Jersey Fresh Farm to School Week," established pursuant to section 1 of P.L.2011, c.10 (C.4:10-25.1), and in association with "Community Supported Agriculture Week," established pursuant to section 2 of P.L. , c. (C. ) (pending before the Legislature as this bill); and

(c) provide for the dissemination of information about, and the website-based promotion of, these and other related events.

The department shall include, on the "New Jersey Farm to School" website, a copy of any public contract or other written agreement for the purchase of fresh foods and the provision thereof to school children, including, but not limited to, a community supported agriculture subscription agreement, which has been entered into and successfully implemented by any school or school district in the State.

(2) The department shall post, in a prominent location on the homepage of its Internet website, a hyperlink that provides visitors with direct access to the "New Jersey Farm to School" website established pursuant to this subsection.

(cf: P.L.2014, c.37, s.1)

7. Section 1 of P.L.2014, c.41 (C.4:10-25.2c) is amended to read as follows:

1. a. The Department of Agriculture, in consultation with the Department of Education and the Department of Health, shall establish and maintain, or partner with a nonprofit organization to establish and maintain, a website to serve as a clearinghouse for farmers to provide produce and dairy products to school breakfast programs, school lunch programs, and food banks throughout the State. The website shall include a list of schools, school districts, and food banks **【with】** that have a need for produce or dairy products【,】 or that are interested in participating as subscribers in a community supported agriculture program. The list shall be organized by county, with hyperlinks to each individual school, school district, or food bank website.

b. The Department of Agriculture may adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), any rules and regulations necessary for the implementation of this **【act】** section.

(cf: P.L.2014, c.41, s.1)

8. The Secretary of Agriculture shall adopt rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to implement the provisions of this act.

9. This act shall take effect immediately.

## STATEMENT

This bill would require the Department of Agriculture (DOA) to take certain actions to publicize and promote community supported agriculture in the State. “Community supported agriculture” is a method of on-the-farm direct sales and marketing in which the retail sale, to a consumer, of a share of the agricultural output of a commercial farm is effectuated through a paid subscription service. “Community supported agriculture program” or “CSA program” is defined by the bill to mean a farm product retail sales and marketing program in which participating consumers agree to pay a seasonal or annual subscription fee to a farm in exchange for the consumers’ regular and ongoing receipt of weekly shares of the farm’s seasonal agricultural output.

The bill would provide, in particular, that within 180 days after the bill’s effective date, the Secretary of Agriculture is to develop and implement a publicity and marketing program to promote community supported agriculture in the State. As part of the program, the department would be required to:

(1) establish and regularly update, on its Internet website, a webpage that is dedicated to community supported agriculture, which webpage, at a minimum, is to include a searchable list of all CSA programs in the State and the farms participating therein, and provide hyperlinks, or use another simple methodology, to enable members of the public to subscribe to CSA programs in their local area;

(2) use all available means, including, but not limited to, print media, television, radio, road and other signage, the Internet, and social media to advertise and publicize: the availability of, and the benefits of participating in, community supported agriculture in the State; the names and locations of farms that participate in CSA programs; and the availability of the community supported agriculture webpage, established pursuant to the bill; and

(3) develop, print, and distribute distinct promotional and marketing labels that may be used by farmers to identify agricultural products that are being marketed and sold through community supported agriculture.

Nothing in the bill would prohibit the operator of a farm, after first consulting with the DOA, from creating the farm’s own promotional labels and using those labels to identify agricultural products that are being marketed and sold by the farm through community supported agriculture.

The bill would also require the DOA, acting in cooperation with the Department of Education and in coordination with farmers, public, private, and charter schools and their food services, the New Jersey Farm to School Network or its successor entity, and other interested and relevant organizations and groups, as determined by the Department of Agriculture and the Department of Education to



1 be appropriate, to establish and annually observe a week of  
2 promotional events to be known as “Community Supported  
3 Agriculture Week.”

4 “Community Supported Agriculture Week” would be intended to  
5 highlight and promote the value and importance of community  
6 supported agriculture, both as a means by which farming operations  
7 can better ensure their ongoing productivity, success, and financial  
8 stability, and as a means by which individuals, families, and  
9 businesses in the State can obtain fresh, seasonal, and easily  
10 accessible farm-to-table foods, throughout the year, while  
11 developing closer, more supportive, and reciprocal relationships  
12 with local farmers and becoming more invested in, and aware of the  
13 factors affecting, the seasonal and long-term success, stability, and  
14 viability of farming operations. The week would be celebrated on  
15 an annual basis, throughout the State, during the last full week in  
16 February, and would be observed through the holding of relevant  
17 promotional events.

18 The bill would further require the DOA, through the State’s  
19 existing “Farm to School Program,” to encourage schools in the  
20 State to obtain fresh, locally grown or produced agricultural  
21 products for school meals by subscribing to, and becoming  
22 participants in, a community supported agriculture program, and to  
23 work in cooperation with the Department of Education to ensure  
24 that school curriculum addresses the value and importance of  
25 community supported agriculture, both to farmers and to the  
26 community as a whole, and the ways in which students and their  
27 families can become active participants in community supported  
28 agriculture. In addition, the bill would require the State’s existing  
29 “Farm to School” website to: (1) provide opportunities for the  
30 execution of community supported agriculture subscription  
31 agreements between and among farmers, distributors, and schools  
32 or school districts; (2) facilitate the development and refinement of  
33 promotional events in association with “Community Supported  
34 Agriculture Week”; and (3) include a copy of any community  
35 supported agriculture subscription agreement that has been entered  
36 into and successfully implemented by any school or school district  
37 in the State.

38 The bill would also require the existing State website that serves  
39 as a clearinghouse for farmers, and that currently provides a list of  
40 schools, school districts, and food banks that have a need for  
41 produce or dairy products, to additionally provide a list of schools,  
42 school districts, and food banks that are interested in participating  
43 as subscribers in a community supported agriculture program.

44 The bill authorizes the Secretary of Agriculture to solicit and  
45 receive funds, either as direct contributions, or from the sale of  
46 labels or the right to use labels authorized by the DOA, or from any  
47 other source, for the purposes of advertising and promoting the  
48 value and importance of community supported agriculture in the

1 State, as provided by the bill. This authority would be  
2 supplemental to the secretary's existing authority to solicit and  
3 receive funds for the purpose of advertising and promoting the sale  
4 of NJ farm products and the "Jersey Fresh" program. Any monies  
5 received for the purposes of the bill are to be deposited in the  
6 State's existing "New Jersey Farm Products Publicity Fund." The  
7 bill would clarify that, in addition to the existing purposes for  
8 which monies in the "New Jersey Farm Products Publicity Fund"  
9 may be used, such monies may be used to publicize the value and  
10 importance of community supported agriculture; to cover the  
11 expenses of printing and distributing labels used in identifying  
12 products being marketed and sold through community supported  
13 agriculture; and to cover any other expenses that are incident to the  
14 implementation of this bill.