

HOUSE No. 747

By Ms. Flanagan of Leominster, petition of Jennifer L. Flanagan and others relative to the quality, safety or value of milk or milk products purchased in the Commonwealth. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

Jennifer L. Flanagan
Denise Provost

Christine E. Canavan

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO CONSUMER PROTECTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 94A, Section 25 of the General Laws is hereby
2 amended by adding the following section:—

3 Section 25A. Consumer protection from misleading and/or decep-
4 tive milk product labeling.

5 (a) It is hereby declared that it is in the public interest that Massa-
6 chusetts consumers are not misled about the quality, safety or value
7 of milk and milk products purchased in the Commonwealth. The
8 Commissioner shall investigate milk product labels such as “no
9 antibiotics”, “no hormones”, “no pesticides”, “hormone free”, “not
10 from cloned cows” and any other absence claims, pledges, or repre-
11 sentations, including ”organic” to ensure they do not mislead con-
12 sumers.

13 (b) The Commissioner may conduct consumer opinion surveys,
14 among other things, to deduce consumers’ perceptions of milk and
15 milk products.

16 (c) The Commissioner may request drug residue detect records
17 from states and or milk processing plants where milk represented as
18 “Organic”, as defined by the United States Department of Agricul-
19 ture National Organic Marketing Program, is produced and shipped
20 into the Commonwealth.

21 (d) The Commissioner may deem a milk product label “advertise-
22 ments” as a representation disseminated within the Commonwealth
23 and directed to Massachusetts consumers. In such case, the Commis-
24 sioner shall confer with the Attorney General Consumer Protection
25 Division on investigation, enforcement and sanctions under 940
26 CMR 6.00: Retail Advertising.