

CHAPTER 249

AN ACT concerning produce served in schools and supplementing chapter 33 of Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.18A:33-20 Public schools authorized to serve certain produce grown in community gardens.

1. a. As used in this section, “community garden” means public or private land upon which individuals have the opportunity to garden on pieces of land that they do not individually own.

b. Consistent with all other applicable laws, a school district may serve to students fresh produce that has been grown in a community garden, provided that:

(1) the soil in the community garden has been tested for contaminants and is safe for growing food for student consumption;

(2) water sources used for the community garden have been tested for contaminants and are safe for growing food for student consumption;

(3) the produce has been handled, stored, transported, and prepared safely and in accordance with applicable federal, State, and local health and sanitation requirements; and

(4) such other criteria as determined by the Secretary of Agriculture are met.

c. A school district and its employees shall be immune from any civil liability arising from good faith actions in the serving of produce from a community garden in accordance with the requirements of this act.

d. The Secretary of Agriculture, in consultation with the State Board of Education, shall promulgate regulations pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the provisions of this act.

2. This act shall take effect immediately.

Approved January 17, 2014.