



# NC Handler's Act

NC Department of Agriculture & Consumer Services

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## Handler's Act

- Article 44 of G.S. 106-496 was created in 1941 and was last updated in 1994.
- The act pertains only to handlers of fresh fruits and vegetables.
- Anyone who deals with the purchase or transportation of fresh produce is considered a handler.
- The purpose is to protect NC farmers against unfair trade practices.



# Handler's Act-Permit

- The article covers only written contracts with no association to spot market sales.
- Handlers must request a permit from NCDA&CS.
- Permit applications are required by March 1 every year before any written contracts are made.

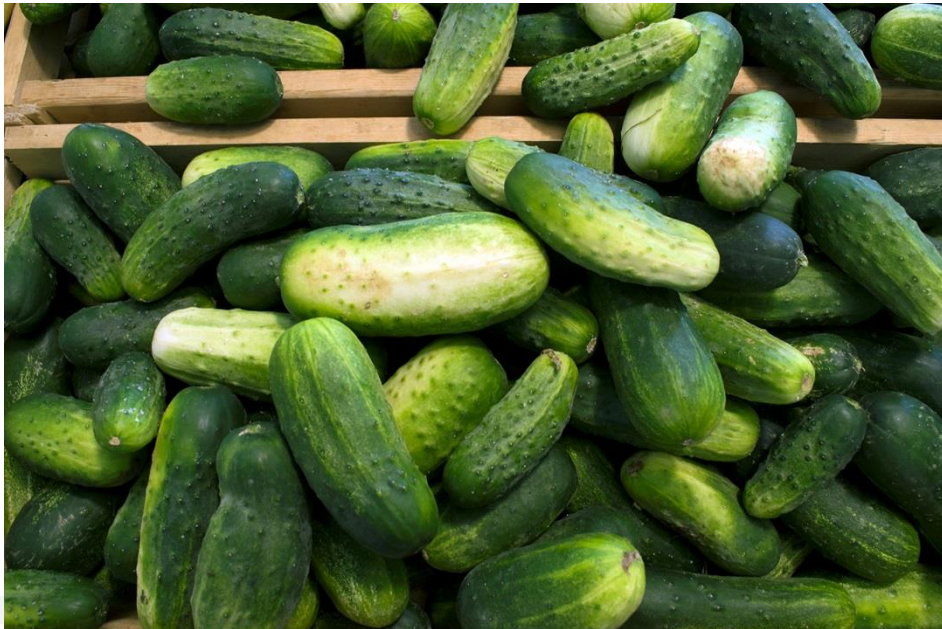
Handlers must provide:

- 1) Two copies of a blank contract along with related requirements that would apply to the grower.
- 2) A notarized letter of bonding.



# Permits

- 19 companies have a 2017 Handler's Act permit.
- 25,100 acres are grown under contract for companies who have a Handler's Permit.



# State by State Comparison

|                  | <u>NC</u>            | <u>Virginia</u> | <u>Georgia</u> | <u>South<br/>Carolina</u> | <u>Florida</u>        | <u>Maine</u>                   |
|------------------|----------------------|-----------------|----------------|---------------------------|-----------------------|--------------------------------|
| <b>Coverage</b>  | Written<br>Contracts | All handlers    | All handlers   | All handlers              | All<br>handlers       | Potatoes and<br>rotation crops |
| <b>Fees</b>      | \$0.00               | \$50.00         | \$50 -\$100    | \$50                      | \$170-\$300           | \$100                          |
| <b>Promotion</b> | Website              | Website/ list   | Website /list  | Website                   | Website/<br>list      | Website                        |
| <b>Bond MIN</b>  | \$10,000             | \$1,000         | \$10,000       | highest<br>month          | \$5,000               | \$50,000                       |
| <b>Bond MAX</b>  | \$50,000             | \$40,000        | \$500,000      | \$25,000                  | \$100,000             | \$500,000                      |
| <b>Penalty</b>   | Misdemeanor          | Misdemeanor     | Misdemeanor    | Fine and<br>Misdemeanor   | \$100 + no<br>listing | Fine and<br>Misdemeanor        |

# Handler's Act-Permit

- The penalty for not applying for a permit is \$25.00.
- Any person who violates the provisions of this Article or the rules and regulations promulgated thereunder shall be guilty of a Class 1 misdemeanor.
- A bond is required made payable to the Commissioner of Agriculture in the amount of not less than \$10,000.00 or more than \$50,000.00.



# Questions?

