

SENATE BILL REPORT

SB 6352

AS OF FEBRUARY 4, 1992

Brief Description: Creating a legal claim for disparagement of agricultural food products.

SPONSORS: Senators Jesernig, Barr, Madsen, Metcalf, Stratton, Bailey, Thorsness, Patterson, Vognild, Moore, Owen, Bauer, Sutherland and von Reichbauer

SENATE COMMITTEE ON AGRICULTURE & WATER RESOURCES

Staff: John Stuhlmiller (786-7446)

Hearing Dates: February 6, 1992

BACKGROUND:

Concern has been expressed regarding false claims made against agricultural products of this state.

SUMMARY:

Any producer of agricultural food products who suffers damage as a result of another person's disparagement of any such agricultural food product may sue for damages. If damages are awarded under this provision, the court shall award the plaintiff all costs of the litigation including reasonable attorney's fees. The court shall also impose a civil fine on all liable parties of up to \$100,000 to be paid to the plaintiff.

The statute of limitations for actions under this provision is three years.

Disparagement is defined as the dissemination to the public of any false information that is not based on reliable scientific fact and scientific data, that the disseminator knows or should have known to be false, and that cast doubt on the safety of any agricultural food product to the consuming public.

Appropriation: none

Revenue: none

Fiscal Note: none requested

Effective Date: The bill contains an emergency clause and takes effect immediately.