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1. Pinon Nut Act

Chapter 25, Article 10, Sections 1 through 5, New Mexico Statutes Annotated, 1978
Compilation

Sections:

25-10-1. Short title.

25-10-2. Unlawful labeling, advertising or selling of products as pinon nuts.

25-10-3. Enforcement.

25-10-4. Genetic research program initiated.

25-10-5. Penalty.

25-10-1. Short title.

This act [25-10-1 to 25-10-5 NMSA 1978] may be cited as the "Pinon Nut Act".

25-10-2. Unlawful labeling, advertising or selling of products as pinon nuts.

A. It is unlawful for any person to package any product and label the product as pinon nuts or as containing pinon nuts or to use the words pinon nuts in any prominent location on the label of such product or to advertise, sell or offer for sale any product which is labeled pinon nuts or as containing pinon nuts unless the product consists of pinon nuts or uses pinon nuts as an ingredient in the product.

B. As used in this section, "pinon nuts" means the edible nut which is the product of the pinon tree, scientifically known as genus "pinus", subgenus "strobis", section "parrya", subsection "cembroides".

25-10-3. Enforcement.

A. The board of regents of New Mexico state university shall enforce and administer the Pinon Nut Act [25-10-1 to 25-10-5 NMSA 1978] through the New Mexico department of agriculture. The board shall have the authority to promulgate regulations necessary for the enforcement of the Pinon Nut Act.

B. The department through its authorized inspectors or agents is authorized to:

- (1) audit the purchase and sales records of any person, firm or corporation dealing with pinon nut sales; and

(2) enter, on any business day during the usual hours of business, any store, market or any other business or place where pinon nuts are sold or offered for sale under the provisions of the Pinon Nut Act in this state.

25-10-4. Genetic research program initiated.

New Mexico state university shall:

- A. devote an appropriate portion of its funding for the purpose of initiating a program of genetic research and procedures for developing a seed source for faster growing pinon trees suitable to New Mexico's climate;
- B. study methods to prevent and control diseases that threaten the pinon trees in this state;
- C. conduct and publish a nutritional analysis of pinon nuts;
- D. research and recommend storage methods for both shelled and unshelled nuts for periods of up to three years;
- E. recommend packaging methods for shelled nuts to preserve freshness;
- F. conduct a marketing study to define the potential of exploiting the state's present wild-growing pinon nut crop resource both for in-state consumption and for out-of-state export;
- G. conduct research in the development of mechanical means for harvesting pinon nuts from wild trees that will not cause damage to the trees or their surroundings and mechanical means for shelling the pinon nuts; and
- H. report annually to the legislature regarding the amount of funding it is devoting and expending for the research, development and marketing programs called for in this section, the funding being devoted to and expended for other agricultural, range, forestry and land stewardship programs and the progress being made towards fulfilling the research, development and marketing programs called for in this section.

25-10-5. Penalty.

Any person who violates the provisions of the Pinon Nut Act [25-10-1 to 25-10-5 NMSA 1978] or any regulation promulgated pursuant to that act is guilty of a misdemeanor and each violation shall constitute a separate offense.