

Bill as Introduced

HB 1206 - AS INTRODUCED

2010 SESSION

10-2391
08/01

HOUSE BILL **1206**

AN ACT adopting apple cider as the New Hampshire state beverage.

SPONSORS: Rep. Mitchell, Ches 7

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill adopts apple cider as the official New Hampshire state beverage.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT adopting apple cider as the New Hampshire state beverage.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 1 New Section; State Emblems; State Beverage. Amend RSA 3 by inserting after section 25 the
- 2 following new section:
- 3 3:26 State Beverage. Apple cider is hereby designated as the official state beverage of
- 4 New Hampshire.
- 5 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 277
HB 1206 - FINAL VERSION

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6 Approved: July 8, 2010

7 Effective Date: September 6, 2010

Committee Minutes

SENATE CALENDAR NOTICE
EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Senator Jacalyn Cilley Chairman ✓
 Senator Martha Fuller Clark V Chairman
 Senator Betsi DeVries ✓
 Senator Michael Downing ✓
 Senator Sharon Carson ✓

Start 3:01 pm
end 3:22 pm

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: April 21, 2010

HEARINGS

Tuesday

5/4/2010

EXECUTIVE DEPARTMENTS AND ADMINISTRATION	LOB 101	2:00 PM
(Name of Committee)	(Place)	(Time)

EXECUTIVE SESSION MAY FOLLOW

2:00 PM	HB1170	relative to licensure of home health care providers.
2:15 PM	HB1487	relative to the definition of certified wetland scientists.
2:30 PM	HB1512	(New Title) establishing a deferred retirement option in the judicial retirement plan.
2:45 PM	HB1206	adopting apple cider as the New Hampshire state beverage.

Sponsors:

HB1170

Rep. Alida Millham Rep. Laurie Harding

HB1487

Rep. Bernard Benn Rep. Laurie Harding Rep. Tara Sad Rep. Jim McClammer
 Rep. Chris Christensen Sen. Harold Janeway Sen. Sharon Carson

HB1512

Rep. Janet Wall

HB1206

Rep. Bonnie Mitchell

Executive Departments & Administration Committee Hearing Report

TO: Members of the Senate

FROM: Patrick Murphy, *Legislative Aide*

RE: Hearing report on HB1206 adopting apple cider as the New Hampshire state beverage.

HEARING DATE: May 4, 2010

MEMBERS OF THE COMMITTEE PRESENT:

Senator Cilley (Dist 6), Senator Fuller Clark (Dist 24), Senator DeVries (Dist 18),
Senator Downing (Dist 22), Senator Carson (Dist 14)

MEMBERS OF THE COMMITTEE ABSENT:

None

Sponsor(s):

Rep. Mitchell, Ches 7

What the bill does:

This bill adopts apple cider as the official New Hampshire state beverage.

Supporters of the bill:

Rep. Horrigan, Straf 7; Principle Susan Shaw-Sarles; Sheila Nichols; Jesse Whicker;
Delaney Joaquin; Shanleigh Bosse; Joshua Joaquin; Logan Allen; Chuck Souther, NH
Fruit Growers Association

Those in opposition to the bill:

None

Speaking to the bill/Neutral:

None

Summary of testimony received:

Senator Carson, Dist 14

- Introduced the bill on behalf of the prime sponsor.
Principle Susan Shaw-Sarles, Sheila Nichols, Jesse Whicker, Delaney Joaquin, and
Shanleigh Bosse

- These students wrote a letter to their state representative, Representative Mitchell, requesting that she write a bill to have cider named the official state beverage.
- During the country wide school mail race at Jaffrey Grade School in 2009 we found out that South Carolina has milk as a state drink. We thought NH should have a state beverage, and seeing that there is a considerable amount of apple orchards in NH, apple cider should be that drink.
- There are 26 different apple species.
- 3,100 individual operations qualify as commercial farms in NH. The state's farms produce a wide variety of crops, with milk and apples being the largest. NH orchards produce about 1 million bushels of apples each year. Apple cider is an \$8 million per year industry, which is bigger than maple syrup and honey which make about \$3.5 million per year.
- Apple cider reminds people of the fall, and when you think about the fall you think about leaves changing color and apples. Tourists come to NH in the fall for the fall foliage and to go apple picking. You can get milk any time of the year, but there is nothing like buying fresh sweet cider from a local farm stand during apple season.
- 18 other states already have milk as their state drink. Why would we want to just "follow the herd?" Why not have NH as the first in the nation to have apple cider as our state drink.

Chuck Souther, NH Fruit Growers Association

- The history of apple cider is long and well documented. From the beginning of recorded history, cider and cider vinegar have been used to treat various ailments; Hippocrates used cider vinegar as a healing elixir, Christopher Columbus had cider vinegar in barrels on his ships to prevent scurvy, and cider vinegar was used in the Civil War to disinfect and treat wounds.
- Apple cider's history is intrinsically woven into NH's history. The planting of apples was one of the first tasks the colonists undertook in NH. With no refrigerated storage the best way to preserve apples was as cider. Before the introduction of cane sugar and the commercial production of maple sugar, apples and the cider from them were sweet foods available to early settlers. Meats, eggs and vegetables were pickled with cider vinegar.
- Early Portsmouth records indicate apple trees being planted at Strawberry Banke and a cooperage at the Jackson House, the oldest wood frame building in NH. Granite State native and journalist Horace Greeley wrote that cider, next to water, was the cheapest and most abundant beverage in his home state.
- In the early 1900's, as populations left rural America for the cities, NH became a center of apple production in New England, producing fruit for sale to the Boston Markets. In the 1930's the town of Lyndenborough was noted as the apple center of New England.
- Pilgrim Foods, located in Greenville NH was a well-known producer of Cider. Londonderry has celebrated its agricultural history with the naming of several roads as part of the "apple way."
- In 2009, NH apple growers produced in excess of 140,000 gallons of cider. The farm gate value of that cider is in excess of three quarters of a million dollars.

Funding:

None

Action:

Senator DeVries made a motion of ought to pass and was seconded by Senator Carson. The vote was 5-0; Senator DeVries will report HB 1206 to the floor.

Senator Sharon M. Carson, D. 14: Thank you.

Senator Jacalyn L. Cilley, D. 6: Could I call on Susan Shaw, it is Sarles?

Ms. Susan Shaw-Sarles: Sarles, that's correct.

Senator Jacalyn L. Cilley, D. 6: Sarles.

Ms. Shaw-Sarles: Thank you, Madam Chair, for having us today. My name is Susan Shaw-Sarles and I'm here as the Principal of Jaffrey Grade School. With your permission, I have a teacher from my school and several students from my school. Is it alright if we go through our presentation?

Senator Jacalyn L. Cilley, D. 6: Absolutely, bring chairs up, but each person will need to identify themselves for the microphone. And Cathy, should we move that to the middle of the table, to pick it up?

Cathy Mullen, Senate Secretary: It's more than sensitive enough at this point.

Senator Jacalyn L. Cilley, D. 6: Okay.

Unknown photographer: Madam Chairman, is it okay...?

Senator Jacalyn L. Cilley, D. 6: Absolutely, absolutely, feel free.

Ms. Shaw-Sarles: So we did speak to Representative Mitchell a few moments ago. She was dashing down and dashing back and trying to get in important votes, so hopefully she will join us.

Senator Jacalyn L. Cilley, D. 6: Okay. Alright, and if we could each introduce ourselves, for the record.

Ms. Shaw-Sarles: Alright.

Mr. Jesse Whicker: I am Jesse Whicker.

Senator Jacalyn L. Cilley, D. 6: Jesse Whicker.

Mr. Whicker: Yup.

Ms. Delaney Joaquin: Delaney Joaquin.

Senator Jacalyn L. Cilley, D. 6: Delaney Joaquin.

Ms. Shanleigh Bosse: Shanleigh Bosse.

Senator Jacalyn L. Cilley, D. 6: Shanleigh Bosse.

Ms. Sheila Nichols: Sheila Nichols.

Senator Jacalyn L. Cilley, D. 6: Sheila Nichols. Welcome to the Senate Executive Department and Administration Committee.

Ms. Shaw-Sarles: Thank you very much.

Ms. Nichols: Thank you for having us.

Ms. Shaw-Sarles: Well, this all began in Sheila Nichols' classroom, so we're going to ask her to start today.

Ms. Nichols: Thank you for inviting us to speak before you this afternoon. My name is Sheila Nichols and I am privileged to have had these three students in my Third Grade Class last year at Jaffrey Grade School. Over the course of this school year, we participated in a nationwide program called *The Great Mail Race*, where students from all over the country write to each other to learn about differences and similarities of their states. After learning that some states have an official state beverage and that New Hampshire did not, Delaney, Jesse and Shanleigh asked me, what could be done about that? I explained to my students that they have a voice in our country and that they can use that voice to initiate positive change in our state and national government.

We in Jaffrey are very fortunate to have Mrs. Bonnie Mitchell as our Representative. She is a tireless advocate for education and a supporter of both students and teachers. These students wrote a letter to Mrs. Mitchell, requesting that she write a bill to have cider named the official state beverage. Her respectful and thoughtful response to the students has brought us here today. I am very proud of Delaney, Jesse and Shanleigh for their curiosity, excitement for learning, and the way that they have approached this whole process with professionalism and dedication. Today is their day and I will now step back and enjoy one of the things that makes me so passionate about teaching, which is to see my students assimilate their learning and demonstrate self-confidence and explore opportunities afforded to them by people such as yourselves.

Thank you.

Senator Jacalyn L. Cilley, D. 6: Thank you.

Ms. Shaw-Sarles: Now Jesse Whicker.

Mr. Whicker: Hello. My name is Jesse Whicker and I am 10. The idea of having apple cider being the state, the New Hampshire state drink started when we were participating in a countrywide school mail race at Jaffrey Grade School in 2009. This is a countrywide contest that you send a letter to a school in each state. During the contest, we found that South Carolina had a state drink. It is milk. We thought New Hampshire should have a state beverage, and seeing that there is a considerable amount of apple orchards in New Hampshire, that apple cider could be the state drink.

Going back to the early colonies, I can even find proof that they preferred apples as their main fruit of choice and apple cider to drink. The early settlers brought the apple seeds with them to grow the trees and apple orchards became plentiful.

As you can see, apple cider is deeply rooted in the history of the United States. There are 26 different species of apples in New Hampshire.

Ms. Shaw-Sarles: Before Delaney speaks, I do need to offer one apology. Shanleigh's role was poster girl, and about in Hopkinton I realized we left the posters back in Jaffrey. So apologies for that.

Ms. Nichols: So she's here to smile.

Senator Jacalyn L. Cilley, D. 6: Well, perhaps you could join us on the Senate floor next week and bring them.

Senator Betsi DeVries, D. 18: Except, Madam Chair, and I know we're not in exec session, but we were just admonished from doing that last week with placards and stuff up in the gallery.

Ms. Shaw-Sarles: Really? We didn't have it in the gallery. We did have it at the hearing last time, but we didn't bring them in.

Ms. Joaquin: Good afternoon, Ladies and Gentlemen. My name is Delaney Joaquin and I'm fourth grade student at Jaffrey Grade School.

According to a UNH website, agriculture is a major part of New Hampshire's economy. About 3,100 individual operations qualify as commercial farms in

New Hampshire. The state's farms produce a wide variety of crops with milk and apples being the largest. Did you know that New Hampshire orchards produce about 1 million bushels of apples each year? These apples are sold throughout the Eastern U.S. and Europe. Apple cider has become a major product line for many orchard operations. This is an \$8 million industry. That's even bigger than the maple syrup or honey industry here in the state, which makes about \$3.5 million per year.

Now since milk and apples are the largest crops in the state, you might wonder why I think apple cider should be official state drink rather than milk. First of all, apple cider is my favorite beverage. It reminds me of fall. When I think about New Hampshire, I think of fall, the leaves and apples. That's when a lot of tourists come to see our beautiful state. They come to see the fall foliage and go apple picking. You can get milk any old time of the year, but there's nothing like buying fresh sweet cider from my favorite local farm stand right at the beginning of apple season.

Secondly, apple cider is good for you. I'm sure you've heard the saying, an apple a day keeps the doctor away. I did some research on the internet and found at least 50 different studies to prove it. One cup of apple cider is equal to one recommended five servings of fruits and vegetables you're supposed to get each day. A University of California at Davis Medical Center study showed that daily consumption of 12 ounces of apple cider can reduce the risk of heart disease. Cornell University research shows cider retains the health benefits of a whole fresh apple in the form of antioxidants called flavonoids, which inhibits the growth of certain types of cancer cells. Another study done at UMASS Lowell study shows that apples, apple juice can help prevent Alzheimer's disease. And that's just three of the more recent studies.

Finally, 18 other states already have milk as their state drink. We'd just be following the herd if milk was our state drink. We have been first in the nation to vote, why not be first in the nation to have apple cider as our state drink?

I thank you for your time and consideration.

Senator Jacalyn L. Cilley, D. 6: Shanleigh, would you like to add anything to that? Thank you very, very much. Was that a little play on words, following the herd?

Ms. Shaw-Sarles: Yes.

Ms. Nichols: Cute and clever.

CJM

Ms. Shaw-Sarles: Jesse has one other piece.

Senator Jacalyn L. Cilley, D. 6: Oh, yes. Jesse.

Mr. Whicker: In 2006, there was a specialty crop block grant in New Hampshire. The final report was released in 2009. Quoting, a study conducted by the University of New Hampshire in 2007 found that nearly three quarters of New Hampshire's adults surveyed say it is important to them to know if farm products or processed foods are available in retail stores were grown or made in New Hampshire. The vast majority of New Hampshire adults in the survey say they would be likely to buy New Hampshire farm products and processed foods if labeled as such, instead of those produced elsewhere.

When we promote our own crops, such as apples for apple cider, we are supporting our own economy. If New Hampshire were to adopt apple cider as their state drink, we would be able to advertise and tell people from other states that this is something we make here in New Hampshire. If you think about how busy it is during the fall and all the people that come to New Hampshire to see the leaves, how cool would it be to use the fall as a time to tell everyone that apple cider is our state drink.

Thank you for your time and consideration.

Ms. Shaw-Sarles: Thank you, Jesse.

Senator Jacalyn L. Cilley, D. 6: That's excellent research that went into that. Thank you very much.

Ms. Shaw-Sarles: They really did this on their own and came in with their writing, so we were impressed too.

Just to summarize, as I said, I'm Susan Shaw-Sarles, the Principal of the school and proud to be their Principal.

Senator Jacalyn L. Cilley, D. 6: I can imagine that both you and their teacher are incredibly proud of these young people.

Ms. Shaw-Sarles: The New Hampshire social studies standards do state that students will demonstrate an understanding of rights and responsibilities of citizenship and the ability to apply their knowledge of local, state and national government through the political process and citizen involvement. No curriculum that we could provide would help these students learn as much as this process has learned. So I thank you very much for taking time

to hear the testimony and I applaud you and your colleagues for supporting the involvement of young people in our state legislative process. I believe it's a wise thing to do, because they are the future of our political process.

In schools across the country, students do complete reports about the 50 states, often in third or fourth grade. And inevitably, these reports seem to include the state symbols. Although granite is not unique to New Hampshire, being the Granite State does paint a picture of our home for young people across the nation. And likewise, we believe that apple cider will represent the spirit of New Hampshire. Colonists cleared the woods and planted apple trees to supply their families with cider and independent farmers in New Hampshire are still producing quality cider products today.

So we again think cider represents the taste of New Hampshire. You can take a sip, close your eyes, you'll surely see mountains in the distance, colorful leaves on trees and a welcoming farm stand on a wonderful New Hampshire day.

So thank you once again. We hope that we will be first in the nation with apple cider as our state drink. See written testimony of Ms. Shaw-Sarles, Ms. Nichols and the students attached hereto and hereafter referred to as Attachment 1.

Senator Jacalyn L. Cilley, D. 6: Thank you. Are there questions? Senator Fuller Clark.

Senator Martha Fuller Clark, D. 24: I don't exactly have a question, but if it's appropriate, I wondered if your students were aware that they were among a long line of students who have come forth with legislative initiatives. And I did have the pleasure of working with a group of students from Holderness to put forth our conservation heritage license plate. And by the time we were successful, those students who started in fourth grade were getting their drivers licenses.

Ms. Shaw-Sarles: So we're doing well!

Senator Martha Fuller Clark, D. 24: I want to say that you have a record for having moved this legislation through to this point as quickly as you have, and we really want to commend you for your hard work.

Ms. Nichols: Thank you.

Senator Betsi DeVries, D. 18: And Madam Chair?

Senator Jacalyn L. Cilley, D. 6: Senator DeVries.

Senator Betsi DeVries, D. 18: Thank you. I wanted to clarify my comments earlier. Though certainly it was a group of students that I was working with that last week caused both themselves and I to be admonished on the floor for the placards that they were using, that doesn't mean that you don't have an invitation to join us on the floor.

Senator Jacalyn L. Cilley, D. 6: Next Wednesday.

Senator Betsi DeVries, D. 18: I believe it would be a week from Wednesday, to see the final leg of your journey for the last step, at least in the Legislature, for enactment should this bill pass today. Would you believe?

Senator Jacalyn L. Cilley, D. 6: And we do something a little cool in the Senate. We actually have a roll call vote, and sometimes for very special occasions, we actually sign the roll call vote and that could be perhaps wall decoration in the school.

Ms. Shaw-Sarles: Oh, wonderful.

Senator Jacalyn L. Cilley, D. 6: I have, actually, a substantive question. Now you three young people did your research and it's very impressive, and I definitely don't want to follow the herd with 17 other states that have milk. But I am concerned, because my father-in-law grows apples and I actually won a pie contest, a Pillsbury pie contest. But he has eight varieties. Now, in my pie, I used all eight varieties. Now what are we going to use for, do you have a recommendation of what kind for cider?

Mr. Whicker: McIntosh.

Senator Jacalyn L. Cilley, D. 6: Good standby. It's our heritage, is it not, Jesse?

Mr. Whicker: Or Hampshire.

Ms. Nichols: Hampshire, Hampshire, yeah, go ahead, Jesse.

Senator Jacalyn L. Cilley, D. 6: But I thought the Mac was here first?

Mr. Whicker: Yes, it was.

Ms. Nichols: The Hampshire apple is?

Mr. Whicker: Native to New Hampshire.

Ms. Nichols: Unique to New Hampshire.

Senator Jacalyn L. Cilley, D. 6: It is?

Ms. Shaw-Sarles: An apple expert.

Senator Jacalyn L. Cilley, D. 6: Oh, so we are going to have to hear from him, because typically when we name something, it is because it is unique to New Hampshire. So the Hampshire apple is the official apple of New Hampshire? We're going to hear from our expert, okay.

Thank you again very, very much, and I do hope that you will have the opportunity to join us on the floor. If you do, please contact my office and let me know that you'll be there. What we typically do when we know that we have guests that are there for a particular bill, is we'll special order it probably to the beginning of the calendar, or when you'll be there.

Ms. Nichols: Oh, great. Thank you.

Ms. Shaw-Sarles: Thank you very much.

Senator Jacalyn L. Cilley, D. 6: And thank you for the wonderful job you've done with these young people. So, is it Chuck Souther?

Mr. Chuck Souther: Yes, it is.

Senator Jacalyn L. Cilley, D. 6: From the New Hampshire Fruit Growers.

Mr. Chuck Souther: Here's my written testimony. Thank you, Madam Chairman. My name is Chuck Souther, I'm a farmer here in Concord. My wife and I own and operate Apple Hill Farm where we grow apples, not surprisingly, but a variety of other crops too. **See written testimony of Mr. Chuck Souther attached hereto and hereafter referred to as Attachment 2.**

I'm here today representing the New Hampshire Fruit Growers Association, whose members include nearly every apple grower in the state, and our association wholeheartedly supports House Bill 1206. I have submitted written testimony and I think the young people that came before me did a great job of presenting the case for passage of 1206 and we urge that you do that.

What I can do is offer to be sort of technical assistance, if I can, and answer any questions that come up or that you might have about the production of cider in New Hampshire. And I can start with the controversy over the variety called Hampshire. It is a variety that was originated here in New Hampshire at Gould Hill Orchard in Contoocook. It has been patented, so it is protected.

Senator Jacalyn L. Cilley, D. 6: Interesting.

Mr. Souther: But it is not the official apple of New Hampshire, but seeing how it originated here, the Ledbetter family thought that that was an appropriate name for the apple.

Senator Jacalyn L. Cilley, D. 6: So would you agree with Jesse that the best cider is produced from the Mac?

Mr. Souther: I would say that in polling our members and in our operation, most members have a secret recipe that they use, of which McIntosh is the base. But considering that there are numerous varieties grown and it does change through the years, it's a highly guarded secret of what the varieties are that you put in your cider.

Senator Jacalyn L. Cilley, D. 6: Just as a curiosity, and I see that there are other questions, but just as a curiosity, one of the things that has astounded me in going to the farmers' markets these days and also visiting an apple orchard out in Hampton Falls last fall, is that I don't recall the number of varieties in my childhood that I see today. I mean, what's that one out by, is that your district, Hampton Falls, or is that Maggie's?

Senator Martha Fuller Clark, D. 24: Yeah.

Senator Jacalyn L. Cilley, D. 6: Applecrest?

Mr. Souther: That would be Applecrest Orchards, yup.

Senator Martha Fuller Clark, D. 24: Applecrest.

Senator Jacalyn L. Cilley, D. 6: And they have, half of their barn is different varieties, it's amazing to me.

Mr. Souther: An interesting thing has occurred in the apple industry and I talk about it a little bit in my written testimony. Yes, our industry throughout the '30s, '40s up until, through the '80s was based around the

variety McIntosh. This is, New England is collectively known as McIntosh Country.

When we got into a period in the '90s where we were in a global marketplace, we ran into difficulties selling one variety in the wholesale marketplace. And that caused growers to step back and take a little look and focus on their retail operations. And one of the keys to that is offering something that you can't get at the supermarkets. And the supermarkets, because of space, are usually five varieties. In reality, there are thousands of varieties of apples.

Senator Jacalyn L. Cilley, D. 6: There's been a growing awareness over the last year, and that also every one of those has a more specific... You know, some are better in pies, some are better in applesauce. That's why I asked the question about cider.

Mr. Souther: You've got it. And so that's why you're seeing, when you go to the farmers' market and retail farm stand, all of that, we can offer varieties of apples that you'll never see in the supermarket.

Senator Jacalyn L. Cilley, D. 6: Interesting. I'm not sure who had their hand up first. I saw Senator DeVries, Senator Fuller Clark. Were there hands up over here?

Senator Betsi DeVries, D. 18: I had a quick clarification if I could.

Senator Jacalyn L. Cilley, D. 6: Okay. Senator DeVries.

Senator Betsi DeVries, D. 18: What's the name of the orchard in Contoocook with the Hampshire apple?

Mr. Souther: Gould Hill Orchards.

Senator Jacalyn L. Cilley, D. 6: Gould Hill.

Senator Betsi DeVries, D. 18: Gould Hill, thank you.

Senator Jacalyn L. Cilley, D. 6: Okay. Senator Fuller Clark.

Senator Martha Fuller Clark, D. 24: Just, my question was that is it not often the case that there's not just one type of apple that is put into a product, whether it be cider or apple pie or whatever it is. But that it's sort of the cook or chef or cider maker's discretion to mix different types of apples and oftentimes won't tell you what they are. Is that true?

Mr. Souther: That's true and it's playing off from the individual characteristics of those apples. You know, an apple pie made with just McIntosh would be a little bit on the runny side. Some people like it that way, some don't.

Senator Jacalyn L. Cilley, D. 6: Any further questions? Okay, thank you very much, Mr. Souther.

Mr. Souther: Thank you.

Senator Jacalyn L. Cilley, D. 6: Was there anybody else?

Senator Martha Fuller Clark, D. 24: Very nice testimony that you provided.

Senator Jacalyn L. Cilley, D. 6: Was there anybody else here who wished to speak on this bill? Okay, not seeing any, I'm going to close the hearing on 1206.

Hearing closed at 3:22 p.m.

Respectfully submitted,



Catherine S. Mullen
Senate Secretary
5/6/10

2 Attachments

Testimony

HB 1206

Adopting apple cider as the New Hampshire state beverage

Executive Departments and Administration

May 4, 2010

Jaffrey Grade School

Presenters:

Sheila Nichols

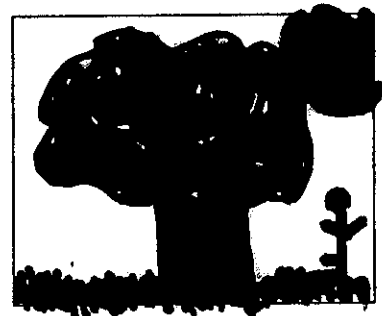
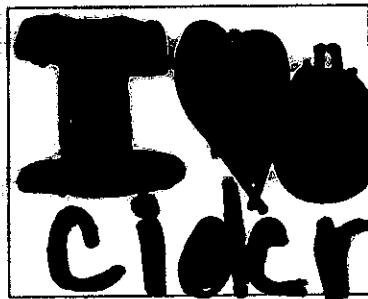
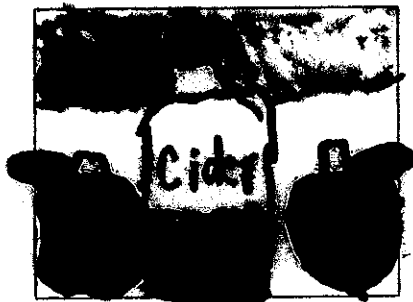
Jesse Whicker

Delaney Joaquin

Shanleigh Bosse (poster presentation)

Jesse Whicker (part 2)

Susan Shaw-Sarles



Tom
Gr. 2

Testimony of SHEILA NICHOLS
HB 1206 (State Beverage)
May 4, 2010

Members of the Committee:

Thank you for inviting us to speak before you this morning. My name is Sheila Nichols and I was privileged to have these three students in my third grade class last year at Jaffrey Grade School.

Over the course of the school year we participated in a Nation wide program called, *The Great Mail Race*, where students from all over the country write to each other to learn about differences and similarities of our states.

After learning that some states had official State Beverages and that New Hampshire did not, Delaney Joaquin, Jesse Whicker and Shanleigh Bosse, asked me what could be done about that.

I explained to my students that they have a voice in our country and that they can use that voice to initiate positive change in our state and national government.

We, in Jaffrey are very fortunate to have Ms Bonnie Mitchell as our representative. She is a tireless advocate for education and supporter of both students and teachers.

These students wrote a letter to Ms Mitchell requesting that she write a Bill to have Cider named the official State Beverage. Her respectful and thoughtful response to the students has brought us here today.

I am very proud of Delaney, Jesse and Shanleigh for their curiosity, excitement for learning and the way that they have approached this whole process with professionalism and dedication.

Today is their day and I will now step back and enjoy one of the things that makes me so passionate about teaching, seeing my students assimilate their learning, demonstrate self confidence and explore opportunities afforded to them by people such as yourselves.

Thank you for considering the Bill today.

Sheila Nichols

Testimony of JESSE WHICKER

HB 1206 (State Beverage)

May 4, 2010

Part 1

Hello, my name is Jesse Whicker and I am almost 10. The idea of having apple cider being the NH drink started when we were participating in a country wide school mail race at Jaffrey Grade School in 2009. This is a country wide contest that you send a letter to a school in each state. During the contest we found out that South Carolina had a state drink. It is milk. We thought NH should have a state beverage, and seeing that there is a considerable amount of apple orchards in NH that apple cider could be the state drink.

Going back to the early colonies I can even find proof that they preferred apples as their main fruit of choice and apple cider to drink. (<http://www.answers.com/topic/new-england>)

The early settlers brought the apple seeds with them to grow the trees and apple orchards became plentiful.

(<http://www.drinkfocus.com/articles/apple-cider/history-of-cider.php>)

As you can see apple cider is deeply rooted in the history of the United States.

Testimony of DELANEY JOAQUIN

HB 1206 (State Beverage)

May 4, 2010

Good morning ladies and gentlemen. My name is Delaney Joaquin, and I am a fourth grade student at Jaffrey Grade School.

According to a UNH website, agriculture is a major part of New Hampshire's economy. About 3,100 individual operations qualify as commercial farms in NH. The state's farms produce a wide variety of crops, with milk and apples being the largest. Did you know that NH orchards produce about one million bushels of apples each year? These apples are sold throughout the Eastern U.S. and Europe. Apple cider has become a major product line for many orchard operations. *This is an \$8 million dollar per year industry!!!* That's even bigger than the maple syrup and honey industry here in the state, which makes about \$3.5 million per year.¹

Now, since milk and apples are the largest crops in the state, you might wonder why I think apple cider should be the official state drink rather than milk. First of all, apple cider is my favorite beverage. It reminds me of fall. When I think about New Hampshire, I think of fall, the leaves and apples. That's when a lot of tourists come to our beautiful state. They come to see the fall foliage and to go apple picking. You can get milk any old time of year, but there is nothing like buying fresh sweet cider from my favorite local farm stands (like Coll's Farm in Jaffrey, NH and Tenney Farm in Antrim, NH) right at the beginning of apple season.

Secondly, apple cider is good for you. I'm sure you have heard the saying "An apple a day keeps the doctor away." I did some research on the Internet and found at least 50 different studies to prove it! One cup of apple cider is equal to one of the recommended five servings of fruits and vegetables we are supposed to get each day. A University of California-Davis Medical Center study shows that daily consumption of 12 ounces of apple cider can reduce the risk of heart disease.² Cornell University research shows "cider retains the health benefits of a whole fresh apple in the form of antioxidants called flavonoids, which inhibit the growth of certain types of cancer cells."³ Another study, done at UMASS Lowell shows that apples/apple juice can help prevent Alzheimer's disease.⁴ And, that's just three of the more recent studies!

Finally, 18 other states already have milk as their state drink. We would just be "following the herd" if milk was our state drink. We have been "first in the nation" to vote, why not be first in the nation to have apple cider as our state drink?

I thank you for your time and consideration.

1. http://horticulture.unh.edu/agri_economy.html

2. <http://www.universityofcalifornia.edu/news/article/8181>

3. <http://www.nutritionj.com/content/3/1/5>

Department of Food Science and Institute of Comparative and Environmental Toxicology, Cornell University, Ithaca, New York 14853-7201 USA Email: Jeanelle Boyer, jdb42@cornell.edu ; Rui Hai Liu, rl23@cornell.edu

Nutrition Journal 2004, 3:5 doi:10.1186/1475-2891-3-5

4. <http://www.j-alz.com/issues/9/vol9-3.html>

Amy Chan, Valerie Graves and Thomas B. Shea. Apple juice concentrate maintains acetylcholine levels following dietary compromise. *Journal of Alzheimers Disease*. Volume 9, Number 3, August 2006 Pages 287-291

Testimony of JESSE WHICKER

HB 1206

May 4, 2010

Part 2

In 2006 there was a specialty crop block grant in NH, the final report was released in 2009. Quoting-

"A study conducted by the University of New Hampshire in 2007 found that nearly three-quarters of New Hampshire adults surveyed (73%) say it is important to them to know if farm products or processed foods available in retail stores were grown or made in NH. The vast majority of NH adults (90%) in this survey say they would be likely to buy NH farm products and processed foods if labeled as such, instead of those produced elsewhere."

(<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5077667>)

When we promote our own crops such as apples for apple cider we are supporting our own economy. If NH were to adopt apple cider as their state drink, we would be able to advertise and tell people from other states that this is something we make here in NH. If you think about how busy it is during the fall, and all the people that come to NH to see the leaves; how cool would it be to use the fall as a time to tell everyone that apple cider is our state drink!

Testimony of SUSAN SHAW-SARLES
HB 1206
May 4, 2010
Executive Departments and Administration

Members of the Committee:

My name is Susan Shaw-Sarles and I am the principal of Jaffrey Grade School. I am pleased to be here today to offer my support for HB 1206.

The New Hampshire Social Studies standards state:

Students will demonstrate an understanding of the rights and responsibilities of citizenship, and the ability to apply their knowledge of local, state, and national government through the political process and citizen involvement.

No curriculum on civic responsibility could match the impact of this learning experience on our students and others who have been following their story.

I thank the committee for taking the time to hear their testimony. I applaud you and your colleagues for supporting the involvement of young people in our state legislative process. I believe it's a wise thing to do. These students are our future.

In schools across the country, young students complete reports about the fifty states. Inevitably these reports include information on state symbols. Although granite is not unique to New Hampshire, being the "Granite State" paints a picture of our home for young people in faraway locations. Likewise, apple cider will represent the spirit of New Hampshire. Colonists cleared the woods and planted apple trees to supply their families with cider. Independent farmers in New Hampshire are still producing quality cider products today. We think cider represents the taste of New Hampshire. Take a sip, close your eyes, and you'll surely see mountains in the distance, colorful leaves on the trees, and a welcoming farm stand on a wonderful New Hampshire day!

Thank you once again for your consideration. I hope we will be "first in the nation" in making apple cider our state drink.

Vote YES for apple cider!

We support HB 1206, adopting apple cider as the New Hampshire state beverage.

Do you know why you should vote for apple cider?

It is good for your health:

It has lots of nutritional value.

It is good for the economy:

People come to NH for the autumn leaves and they will come to buy cider. That will help our state make money.

It good for education:

Students learned how a bill is written and about the process of getting a bill through the legislature. This process demonstrated the willingness of our government to invest in our students' education.

Thank you for your consideration.

*Delaney Joaquin, Shanleigh Bosse and Jesse Whicker
Students from Jaffrey Grade School*

Testimony on behalf of the New Hampshire Fruit Growers Assn.

HB 1206

Feb. 5, 2010

Environment and Agriculture Committee Rm 308

The NHFGA, whose members include nearly every apple grower in NH would like to offer our support of HB 1206, naming Cider as the official state beverage.

The history of apple cider is long and well documented. From the beginning of recorded history, cider and cider vinegar have been used to treat various ailments; Hippocrates used cider vinegar as a healing elixir, Christopher Columbus had cider vinegar in barrels on his ships to prevent scurvy, and cider vinegar was used in the Civil War to disinfect and treat wounds.

Apple cider's history is intrinsically woven into New Hampshire's history. The planting of apples was one of the first tasks the colonists undertook in New Hampshire. With no refrigerated storage the best way to preserve apples was as cider. Before the introduction of cane sugar and the commercial production of maple sugar, apples and the cider from them were sweet foods available to early settlers. Meats, eggs and vegetables were pickled with cider vinegar. Early Portsmouth records indicate apple trees being planted at Strawberry Banke and a cooperage at the Jackson House, the oldest wood frame building in New Hampshire. Granite State native and journalist Horace Greeley, wrote that cider, next to water, was the cheapest and most abundant beverage in his home state. At times, it was in fact even cleaner than the water.

In the early 1900's, as populations left rural America for the cities, NH became a center of apple production in New England, producing fruit for sale to the Boston Markets. In the 1930's the town of Lyndeborough was noted as the apple center of New England. Pilgrim Foods, located in Greenville New Hampshire was a well-

known producer of Cider, Cider Vinegar and later mustards. The town of Londonderry has celebrated its agricultural history with the naming of several roads as part of the "apple way". Many thousands of acres of apples were in production to supply to a growing urban population. Cider was a natural affiliated product for apple growers to have, and this tradition has continued.

In the 1990's our country entered a period of globalization of markets and apples were not immune to the forces of competition with products from across the globe. In the period from 1990 to 1995 Apple growers faced prices that were below the cost of production, as a result there was a loss of one half of the apple producing acreage in NH during this period.

Today apple growing in New Hampshire is once again on the rise. With out any government programs or price support structures apple growers have rebuilt their shattered businesses. Growers have replanted trees and are actively courting consumers who are looking for locally produced foods and are looking for a real farm experience when purchasing these products. Pick your own is a business well within itself, and no resident of New Hampshire would consider it a complete fall weekend without a trip to a New Hampshire orchard to purchase or pick apples and pick up a jug a fresh New Hampshire cider.

A survey of NHFGA members tells us that in 2009 New Hampshire apple growers produced in excess of 140,000 gallons of cider. The farm gate value of that cider is in excess of three quarters of a million dollars. That money is kept in the local economy. Today Cider is produced on many farms, and customers can often watch cider being produced and have the opportunity to purchase this most nutritious beverage knowing that it is as fresh as possible.

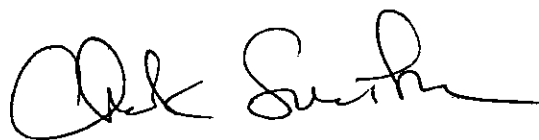
The U.S Food and Drug Administration proposed rule changes that would have all but eliminated on farm production of cider in 1996. Apple growers and more importantly the customers of orchards flooded FDA with comments on this proposed rule. This out pouring of support has allowed for on farm cider production to continue. In a true collaborative effort the NHFGA, the NH Dept of Agriculture and the NH Dept of Public Health, supported legislation,

and then formulated rules to address the production of Cider. These rules and laws recognize that, using proper food handling methods protects the value of Cider to both producers and consumers. There is a voluntary Seal of Quality program administered by the Dept. Agriculture Markets and Food that inspects, and certifies cider makers. Identifying Cider as the State Beverage supports this effort. In New Hampshire when a label says "Fresh Cider" consumers can be assured that the product is produced in a safe manner, and that it is solely the juice of apples. It cannot have preservatives, have been pasteurized, treated, frozen or anything added in any way. This New Hampshire effort, RSA 434:40-a thru h, and rules PART Agr 907 have been the basis for many other states to develop similar programs.

It is only fitting that the New Hampshire legislature recognize this truly unique beverage. Produced in New Hampshire, from New Hampshire apples. Apples that are grown on trees that absorb carbon dioxide, release oxygen, contribute no greenhouse gasses, orchards are as "green" as you can get. Located on hilltops orchards provide vistas and experiences that are representative of real New Hampshire.

Based on an 8 oz serving Cider has only 120 calories, zero trans fat, Zero saturated fat, zero cholesterol. It has natural levels of Potassium, Vitamin C, Iron and sodium. It's naturally occurring level of fructose provides a healthy 10% of FDA's recommended daily allowance of carbohydrates. We do not need to enrich it with any other vitamins or minerals. If an apple a day keeps the doctor away a glass of cider cannot be far behind.

We ask that you keep New Hampshire first in the nation, and be the first State to name Cider, as its official state beverage. Vote yes on HB 1206.

A handwritten signature in black ink, appearing to read "Bob Smith". The signature is fluid and cursive, with a large initial "B" and "S".

Speakers

Voting Sheets

Senate ED&A Committee

EXECUTIVE SESSION

Bill # HB 1206

Hearing date: 5-4-10

Executive session date: 5-4-10

Motion of: OTP

VOTE: 5-0

Made by Cilley
Senator: Fuller Clark
 DeVries
 Downing
 Carson

Seconded Cilley
by Senator: Fuller Clark
 DeVries
 Downing
 Carson

Reported Cilley
by Senator: Fuller Clark
 DeVries
 Downing
 Carson

Motion of: _____

VOTE: _____

Made by Cilley
Senator: Fuller Clark
 DeVries
 Downing
 Carson

Seconded Cilley
by Senator: Fuller Clark
 DeVries
 Downing
 Carson

Reported Cilley
by Senator: Fuller Clark
 DeVries
 Downing
 Carson

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Cilley, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Fuller Clark, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator DeVries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Downing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Carson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Amendments: OTP BD
SZ

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Date: May 4, 2010

THE COMMITTEE ON Executive Departments and Administration
to which was referred House Bill 1206

AN ACT adopting apple cider as the New Hampshire state
 beverage.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS

BY A VOTE OF: 5-0

AMENDMENT # s

Senator Betsi DeVries
For the Committee

Cathy Mullen 271-3067

New Hampshire General Court - Bill Status System

Docket of HB1206

Docket Abbreviations

Bill Title: adopting apple cider as the New Hampshire state beverage.*Official Docket of HB1206:*

Date	Body	Description
12/10/2009	H	Introduced 1/6/2010 and Referred to Environment and Agriculture; HJ 6 , PG.232
01/19/2010	H	Public Hearing: 2/4/2010 10:00 AM LOB 308
01/26/2010	H	Executive Session: 2/11/2010 2:00 PM LOB 308
02/18/2010	H	Committee Report: No Recommendation for Mar 17 (RC); HC 21 , PG.1190-1191
03/17/2010	H	Special Order to Regular Place on Mar 18 Calendar, Without Objection; HJ 26 , PG.1391
03/18/2010	H	Ought to Pass (Rep Mitchell); HJ 27 , PG.1429
03/18/2010	H	Lay on the Table (Rep McGuire): MF DIV 103-192; HJ 27 , PG.1429
03/18/2010	H	Ought to Pass: MA DIV 230-74; HJ 27 , PG.1429-1430
03/24/2010	S	Introduced and Referred to Executive Departments and Administration; SJ 11 , Pg.260
04/21/2010	S	Hearing: May 4, 2010, Room 101, LOB, 2:45 p.m.; SC17
05/05/2010	S	Committee Report: Ought to Pass, 5/12/10; SC19
05/12/2010	S	Without Objection, Chair moved to Special Order to the front of the Calendar; SJ 18 , Pg.413
05/12/2010	S	Ought to Pass, MA, VV; OT3rdg; SJ 18 , Pg.413
05/12/2010	S	Passed by Third Reading Resolution; SJ 18 , Pg.497
05/19/2010	S	Enrolled; SJ 20 , Pg.664
05/19/2010	H	Enrolled; HJ 46 , PG.2244
07/09/2010	H	Signed by the Governor 07/08/2010; Effective 09/06/2010; Chapter 0277

NH House

NH Senate

Contact Us

New Hampshire General Court Information Systems
 107 North Main Street - State House Room 31, Concord NH 03301

Other Referrals

