

CHAPTER 8-F

MAINE FOOD SOVEREIGNTY ACT

§281. Short title

This chapter may be known and cited as "the Maine Food Sovereignty Act." [PL 2017, c. 314, §1 (NEW).]

SECTION HISTORY

PL 2017, c. 314, §1 (NEW).

§282. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2017, c. 314, §1 (NEW).]

1. Direct producer-to-consumer transaction. "Direct producer-to-consumer transaction" means an exchange of food or food products directly between a food producer and a consumer by barter, trade or purchase on the property or premises owned, leased or rented by the food producer; at roadside stands, fundraisers, farmers' markets and community social events; or through buying clubs, deliveries or community-supported agriculture programs, herd-share agreements and other private arrangements. [PL 2023, c. 420, §1 (AMD).]

2. Food or food products. "Food or food products" means food or food products that are grown, produced, processed or prepared for human consumption, including, but not limited to, vegetables, fruit, milk or milk products, meat or meat products, poultry or poultry products, fish or fish products, seafood or seafood products, cider or juice, acidified foods or canned fruits or vegetables. [PL 2021, c. 625, §1 (AMD).]

3. State food law.
[PL 2021, c. 625, §2 (RP).]

SECTION HISTORY

PL 2017, c. 314, §1 (NEW). PL 2021, c. 625, §§1, 2 (AMD). PL 2023, c. 420, §1 (AMD).

§283. Statement of policy; local control and rural economic development

It is the policy of this State to encourage food self-sufficiency for its citizens. The department shall support policies that: [PL 2017, c. 314, §1 (NEW).]

1. Local control. Through local control, preserve the ability of communities to produce, process, sell, purchase and consume locally produced foods; [PL 2017, c. 314, §1 (NEW).]

2. Small-scale farming and food production. Ensure the preservation of family farms and traditional foodways through small-scale farming and food production; [PL 2017, c. 314, §1 (NEW).]

3. Improved health and well-being. Improve the health and well-being of citizens of this State by reducing hunger and increasing food security through improved access to wholesome, nutritious foods by supporting family farms and encouraging sustainable farming and fishing; [PL 2017, c. 314, §1 (NEW).]

4. Self-reliance and personal responsibility. Promote self-reliance and personal responsibility by ensuring the ability of individuals, families and other entities to prepare, process, advertise and sell foods directly to customers intended solely for consumption by the customers or their families; and

[PL 2017, c. 314, §1 (NEW).]

5. Rural economic development. Enhance rural economic development and the environmental and social wealth of rural communities.

[PL 2017, c. 314, §1 (NEW).]

SECTION HISTORY

PL 2017, c. 314, §1 (NEW).

§284. Authority

Pursuant to the home rule authority granted to municipalities by Title 30-A, section 3001 and by the Constitution of Maine, Article VIII, Part Second, pursuant to the authority granted to plantations by Title 30-A, section 7051, and notwithstanding any provision of law regulating food in this Title or Title 22 to the contrary, except as contained in section 285, a municipality or plantation may adopt ordinances regarding direct producer-to-consumer transactions and the State shall recognize such ordinances by not enforcing those laws or implementing rules with respect to those direct producer-to-consumer transactions that are governed by the ordinance. [PL 2021, c. 625, §3 (AMD).]

Pursuant to the authority granted to county commissioners by Title 30-A, section 7505 and notwithstanding any provision of law regulating food in this Title or Title 22 to the contrary, except as contained in section 285, a county may adopt ordinances regarding direct producer-to-consumer transactions within one or more unorganized territories within that county and the State shall recognize such an ordinance by not enforcing those laws or implementing rules with respect to those direct producer-to-consumer transactions that are governed by the ordinance. [PL 2021, c. 625, §3 (NEW).]

SECTION HISTORY

PL 2017, c. 314, §1 (NEW). PL 2021, c. 625, §3 (AMD).

§285. Departmental authority; livestock and poultry

Notwithstanding any provision in this chapter to the contrary, the department shall implement and enforce all provisions of Title 22, chapter 562-A and the rules adopted thereunder that are necessary to ensure that the requirements of the State's meat and poultry products inspection, registration and licensing program are at least equal to the applicable requirements specified under applicable federal acts, as defined by the United States Department of Agriculture or other federal agencies, without exception. [PL 2021, c. 64, §1 (AMD).]

SECTION HISTORY

PL 2017, c. 314, §1 (NEW). PL 2021, c. 64, §1 (AMD).

§286. Compliance with food safety regulations

An individual who grows, produces, processes or prepares food or food products for purposes other than direct producer-to-consumer transactions in a municipality, plantation or unorganized territory governed by an ordinance authorized pursuant to section 284 shall grow, produce, process or prepare the food or food products in compliance with all applicable state and federal food safety laws, rules and regulations. [PL 2021, c. 625, §4 (AMD).]

SECTION HISTORY

PL 2017, c. 314, §1 (NEW). PL 2021, c. 625, §4 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is

subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.