

Town of Woodland, ME.

Local Food Sovereignty Ordinance

Sec. 1 Short Title

This ordinance shall be known and may be cited as the "Local Food Sovereignty Ordinance."

Sec. 2. Authority and Purpose.

This Ordinance is intended to provide residents increased access to local food, to support the ability of residents to produce, sell, purchase and consume locally produced foods, and to reduce governmental regulation of local foods to the extent permitted by and pursuant to 7 M.R.S. 281 - 5 286. This Ordinance is enacted pursuant to 7 M.R.S. 284 and the home rule authority granted to municipalities by 30-A M.R.S. 3001.

Sec. 3. Definitions

As used in this ordinance, the following words have the meanings stated below:

-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, community social events; or through buying clubs, deliveries or community-supported agriculture programs, herd-share agreements and other private arrangements within a food sovereign municipality.

-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, fresh produce, cider or juice, acidified foods or canned fruits or vegetables.

-State food law. "State food law" means any provision of Title 7 or Title 22 of the Maine Revised Statutes that regulates direct producer-to-consumer transactions.

-Site of production. "Site of production" means the premises where a food or food product is grown, raised, processed or produced such as a farm, home kitchen, farm-based kitchen or similar location controlled or rented by the producer, grower or processor. The term does not include a farmer's market.

Sec. 4. License and Inspection Exemptions

A. Notwithstanding any other provision of the Ordinances of this municipality to the contrary, producers, growers, and processors of food or food products in the municipality are exempt from licensure and inspection requirements contained in State food law (as defined above) with respect to their direct producer-to-consumer transactions conducted exclusively at the site of production (as defined) of those food products.

B. Pursuant to 7 M.R.S. 5 285, the exemption provided in section 4(A) above does not apply to any transactions involving meat, meat products, poultry or poultry products, as those terms are defined in 22 M.R.S. 5 2511. All such transactions remain subject to state inspection and licensing pursuant to Chapter 562-A of Title 22 of the Maine Revised Statutes and the rules adopted thereunder.

5. Severability.

Should any section or provision of this ordinance be declared to be invalid by a court of competent jurisdiction, such decision shall not invalidate any other section or provision of this ordinance.

6. Reciprocity,

The Town of Woodland further elects to maintain sovereign reciprocity with local food sovereign towns and territories for the purpose of aiding food security for residents while encouraging mutual barter, trade or other exchanges between producers and consumers of these reciprocal food sovereign entities.

7. Liability,

The Town of Woodland assumes no liability for any transactions.

8. Effective Date.

This ordinance shall become effective upon _____ or upon its adoption, whichever is later.