

# Food Sovereignty Ordinance of the Town of Portage Lake, Maine



---

Adopted by the Inhabitants of Portage Lake at Annual Town Meeting dated

\_\_\_\_\_

Approved by the Portage Lake Select Board this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Michelle Johnson, Chair \_\_\_\_\_

Richard Lyons \_\_\_\_\_

Calvin Mokler \_\_\_\_\_

Attest: This is a True Document.

\_\_\_\_\_

(seal)

Portage Lake Town Clerk

Date: \_\_\_\_\_

## **Sec. 1        Short Title**

This ordinance, adopted by the Town of Portage Lake (hereinafter “The Town”) shall be known and may be cited as the “Local Food Sovereignty Ordinance.”

## **Sec. 2        Authority and Purpose**

This Ordinance is intended to provide increased access for residents 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-§286.

## **Sec. 3        Definitions**

As used in this Ordinance, the following terms have the meanings stated below:

Community Social Event: An event where people gather as part of a community for the benefit of those gathering or for the community, including, but not limited to, a church or religious social, school event, potluck, neighborhood gathering, library meeting, traveling food sale, fundraiser, craft fair, farmer’s market, agricultural fair, and other public events.

Direct Producer-to-Consumer Transaction: “Direct producer-to-consumer transaction” means a face-to-face transaction involving food or food products at the site of production of those food or food products, roadside stands, fundraiser, farmers’ markets, and community social events.

Food or Food Products: “Food or food products” means food or food products intended for human consumption, including, but not limited to, 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.

Local Food System: A Local Food System is a food system that integrates food production, processing, consumption, direct producer-to-consumer transactions, and traditional foodways to enhance the environmental, economic, social and physical health of the Town and its residents.

Local Food: Any local food product that is grown, produced, processed, or prepared by individuals who exchange that food directly with patrons.

Patron: An individual who acquires local food directly from a processor or producer.

Processor: An individual who processes or prepares products of the soil or animals for food or drink.

Producer: A farmer or gardener who grows or raises any plan or animal for food or drink.

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 by the producer, grower or processor. The term does not include a farmers’ market, community social event, or other venue unless the market, event or venue is itself the site of production of the food or food product.

Traditional Foodways: The cultural, social, and economic practices related to the production and consumption of food and the conveying of knowledge regarding food production and preparation.

#### **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 State food law licensure and inspection requirements with respect to their direct producer-to-consumer transactions conducted exclusively at the site of production of those food products.
- B. Pursuant to 7 M.R.S. §285, the exemption provided in Section 4A above does not apply to any transaction involving meat, meat products, poultry or poultry products, as those terms are defined in 22 M.R.S. §2511. All such transactions remain subject to state inspection and licensing pursuant to Chapter 562-A of Title 22 of the Maine Revised Statues and the rules adopted thereunder.

#### **Sec. 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.

#### **Sec. 6        Effective Date**

This Ordinance shall become effective upon its adoption by the legislative body of the Town of Portage Lake.