

## 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).]

**1-A. Consumer.** "Consumer" means an individual who acquires food or food products directly from a food producer of the individual's choosing solely for consumption by the individual or the individual's family. [PL 2025, c. 309, §5 (NEW).]

**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, eggs, grain or grain products, herbs, seasonings or spices, 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, canned fruits or vegetables, honey, nuts, maple products or condiments or any combination of those items, such as baked goods, sandwiches or other meals, and that are provided in a direct producer-to-consumer transaction. [PL 2025, c. 309, §5 (AMD).]

**2-A. Food producer.** "Food producer" means a person that provides directly to a consumer food or food products that the person:

- A. Grows, raises or produces; or [PL 2025, c. 309, §5 (NEW).]
- B. Grows, raises, produces or acquires from another source and then processes or prepares in a kitchen. [PL 2025, c. 309, §5 (NEW).]

For the purposes of this subsection, "kitchen" means a room, area, site or location where food or food products are produced, processed or prepared for a direct producer-to-consumer transaction. [PL 2025, c. 309, §5 (NEW).]

**2-B. Food sovereignty.** "Food sovereignty" means the right of persons to healthy and culturally appropriate food produced through ecologically sound and sustainable methods and the right of persons to define their own food and agriculture systems. [PL 2025, c. 309, §5 (NEW).]

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

**4. Traditional foodways.** "Traditional foodways" means the cultural, social and economic practices related to the production and consumption of food, including the conveyance of knowledge regarding food production, preservation, preparation and presentation.  
[PL 2025, c. 309, §5 (NEW).]

#### SECTION HISTORY

PL 2017, c. 314, §1 (NEW). PL 2021, c. 625, §§1, 2 (AMD). PL 2023, c. 420, §1 (AMD). PL 2025, c. 309, §5 (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 State shall support policies that: [PL 2025, c. 309, §6 (AMD).]

**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;  
[PL 2025, c. 309, §7 (AMD).]

**5. Rural economic development.** Enhance rural economic development and the environmental and social wealth of rural communities; and  
[PL 2025, c. 309, §8 (AMD).]

**6. Right to food.** Protect the right to food as declared in the Constitution of Maine, Article I, Section 25.  
[PL 2025, c. 309, §9 (NEW).]

#### SECTION HISTORY

PL 2017, c. 314, §1 (NEW). PL 2025, c. 309, §§6-9 (AMD).

#### §283-A. Food sovereignty principles

The Legislature finds that advancing the principles of food sovereignty will further the preservation of rural life and values as set forth in section 1-B and protect the right to food as declared in the Constitution of Maine, Article I, Section 25. Food sovereignty: [PL 2025, c. 309, §10 (NEW).]

**1. Focuses on the people.** Centers the right to sufficient, healthy and culturally appropriate food for the people of the State in food, agriculture, livestock and fisheries policies;  
[PL 2025, c. 309, §10 (NEW).]

**2. Values food producers.** Values all those who grow, harvest and process food, including women, small-scale farmers, herders, persons who fish commercially, forest dwellers, indigenous populations and agricultural, migrant and fisheries workers;  
[PL 2025, c. 309, §10 (NEW).]

**3. Localizes food systems.** Brings food producers and consumers closer together so they can make joint decisions on food issues that benefit and protect the people of the State; [PL 2025, c. 309, §10 (NEW).]

**4. Promotes local control.** Respects the right of food producers to have control over their land, seeds and water and protects natural resources for the people of the State; [PL 2025, c. 309, §10 (NEW).]

**5. Builds knowledge and skills.** Values the sharing of local knowledge and skills that have been passed down through generations to safeguard traditional foodways and enhance sustainable food production, free from technologies that undermine bodily health and well-being; and [PL 2025, c. 309, §10 (NEW).]

**6. Works with nature.** Focuses on production and harvesting methods that maximize the contribution of ecosystems and improve the resiliency of local food systems in the face of drought and other extreme weather conditions. [PL 2025, c. 309, §10 (NEW).]

#### SECTION HISTORY

PL 2025, c. 309, §10 (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 traditional foodways and direct producer-to-consumer transactions, and the State shall recognize such ordinances by not enforcing those laws or implementing rules with respect to those traditional foodways or direct producer-to-consumer transactions that are governed by the ordinance. [PL 2025, c. 309, §11 (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 traditional foodways and 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 traditional foodways or direct producer-to-consumer transactions that are governed by the ordinance. [PL 2025, c. 309, §11 (AMD).]

#### SECTION HISTORY

PL 2017, c. 314, §1 (NEW). PL 2021, c. 625, §3 (AMD). PL 2025, c. 309, §11 (AMD).

#### §284-A. Application

The provisions of this chapter apply to any local food ordinance adopted by a municipality, plantation or county, including those local food ordinances adopted prior to October 31, 2017. [PL 2025, c. 309, §12 (NEW).]

#### SECTION HISTORY

PL 2025, c. 309, §12 (NEW).

#### §284-B. Construction

To advance food sovereignty, the principles of food sovereignty pursuant to section 283-A and the policy of the State as set forth in this chapter, and to protect the right to food as declared in the Constitution of Maine, Article I, Section 25, this chapter may not be construed to require a specific

form or framework for any ordinance regarding traditional foodways or direct producer-to-consumer transactions authorized pursuant to section 284. [PL 2025, c. 309, §13 (NEW).]

In accordance with Title 30-A, section 3001, subsections 1 and 3, any ordinance regarding traditional foodways or direct producer-to-consumer transactions must be liberally construed to effectuate the purpose of that ordinance. [PL 2025, c. 309, §13 (NEW).]

#### SECTION HISTORY

PL 2025, c. 309, §13 (NEW).

#### **§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).

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