

# Local Food Sovereignty Ordinance

Cherryfield, Maine

## Section 1. Title

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

## Section 2. Authority and Purpose

This Ordinance is intended to provide Cherryfield residents with 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- § 286.

**Section 3. Right to Food.** The citizens and residents of the Town possess the right to save and exchange seed and the right to grow, raise, harvest, produce, and consume the food of their own choosing for their own nourishment, sustenance, bodily health, and well-being as long as they do not commit trespass, theft, poaching or other abuses of private property rights, public lands, or natural resources in the harvesting, production, or acquisition of food.

## Section 4. License and Inspection Exemption

Notwithstanding any other provision of this Ordinance or any other ordinances or regulations of the Town to the contrary, and except as set forth in subsection 3.1, below, direct producer-to-consumer transactions involving local food are exempt from state and local licensing and inspection requirements.

1. Exception. In accordance with 7 M.R.S.A. § 285, manufacturers of meat, meat products, poultry, or poultry products (as those terms are defined in 22 M.R.S.A. § 2511) are not exempt from those state inspection and licensing requirements 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.

## Section 5. Definitions

For purposes of this Ordinance, the following terms have the following meanings:

1. “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.

2. “Local food” means any food or food products (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, live plants, cider or juice, acidified foods, fermented foods, or canned fruits or vegetables) that are grown, produced, processed, or prepared for human consumption within the Town.
3. “Producer” means any person who cultivates or harvests food from the land; husband livestock on the land; catches or harvests food from the water; makes food from one or more ingredients (including - but not limited to - by baking, boiling, bottling, canning, cooking, cutting, drying, distilling, fermenting, evaporating, extracting, freezing, grinding, mixing, pasteurizing, rendering, packaging, trimming, washing, or waxing); or plates, serves, or otherwise provides food to a consumer.

**Section 6. 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.

**Section 7. Effective Date.**

This ordinance shall become effective upon its adoption at a Town Meeting.