

Municipality of Lowell

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 - § 286.

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 a face-to-face transaction involving food or food products at the site of production of those food or food products. 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. 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, social event or venue is itself the site of production of the food or food product.

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 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. § 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. Effective Date. This ordinance shall become effective upon its adoption.

A TRUE ATTESTED COPY:

JESSE MCNALLY, MUNICIPAL CLERK, LOWELL MAINE

Jesse McNally 6/7/22