

MAINE STATE LEGISLATURE

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L.D. 1287

Date: 6/3/13

Majority

(Filing No. H-326)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 914, L.D. 1287, Bill, "An Act To Deregulate Face-to-face Transactions between the People and Small Farms and Small Food Producers"

Amend the bill in section 1 in §411 in subsection 5 in the 2nd and 3rd lines (page 1, lines 18 and 19 in L.D.) by striking out the following: "eggs, dairy products, meat and meat products, poultry and poultry products, fish and fish products" and inserting the following: 'shell eggs'

Amend the bill in section 1 in §411 in subsection 5 in the last line (page 1, line 20 in L.D.) by striking out the following: "products, apple cider and fruit juice." and inserting the following: 'products and apple cider. "Farm food product" does not include fluid milk and milk products, meat and meat products, poultry and poultry products, fish and fish products, fermented foods, fruit juice and food requiring temperature control for safety. The excluded foods are capable of supporting the rapid growth of pathogenic or toxigenic microorganisms and the growth of toxin production by Clostridium botulinum and have a pH above 4.6 and a water activity above 0.85.'

Amend the bill in section 2 in §416 by inserting after subsection 2 the following:

3. Not an approved source. An agricultural producer or home kitchen producer does not constitute an approved source of food for further retail or wholesale use.'

Amend the bill in section 2 in §416 in subsection 3 by inserting at the end a new blocked paragraph to read:

'Farm food products and homemade food must be sold in packages from a home kitchen, farm stand or farmers' market with a label on each package containing the following information: the name, address, including zip code, and phone number of the producer; the name of the food product; the ingredients of the food product in descending order of predominance by weight; any allergy information; and a net quantity declaration. Farm food products and homemade food must also be clearly labeled with the following statement, if applicable: "Sold for personal use only and not for resale. This food is exempt from licensing and inspection by the State of Maine." '

COMMITTEE AMENDMENT

R.O.F.S

1 Amend the bill in section 2 in §416 to renumber the subsections to read
2 consecutively.

3 **SUMMARY**

4 This amendment, which is the majority report of the committee, amends the
5 definition of "farm food product" to exclude fluid milk and food requiring temperature
6 control for safety. It also requires all farm food products and homemade food to contain
7 labels containing specific information, including information about the food's producer
8 and the food's ingredients, and a declaration that the food is sold for personal use and is
9 exempt from licensing and inspection by the State. The amendment also states that an
10 agricultural producer or home kitchen producer does not constitute an approved source of
11 food for retail or wholesale use.

12 **FISCAL NOTE REQUIRED**

13 (See attached)



126th MAINE LEGISLATURE

LD 1287

LR 896(02)

An Act To Deregulate Face-to-face Transactions between the People and Small Farms and Small Food Producers

Fiscal Note for Bill as Amended by Committee Amendment
 Committee: Agriculture, Conservation and Forestry
 Fiscal Note Required: Yes

A (H-326)

Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Net Cost (Savings)				
General Fund	\$22,800	\$22,800	\$22,800	\$22,800
Revenue				
General Fund	(\$22,800)	(\$22,800)	(\$22,800)	(\$22,800)

Fiscal Detail and Notes

The legislation will result in a reduction in General Fund revenue of \$22,800 beginning in fiscal year 2013-14 from eliminating the licensing requirement for agricultural producers for sales of farm food products and home kitchen producers for sales of homemade food.