



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 363

H.P. 289

House of Representatives, February 8, 2011

### An Act To Facilitate Local Food Production

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative TILTON of Harrington.  
Cosponsored by Senator SHERMAN of Aroostook and  
Representatives: EDGECOMB of Caribou, PARKER of Veazie, Senator: President RAYE of  
Washington.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §1870-A** is enacted to read:

3 **§1870-A. Exception for beverage containers used by an agricultural producer**

4 This chapter does not apply to beverage containers that contain a beverage made by  
5 an agricultural producer and sold by that agricultural producer to a consumer, dealer or  
6 distributor. For the purposes of this section, "agricultural producer" means a person who  
7 grows fruits or vegetables in this State and uses those fruits or vegetables as the primary  
8 ingredient or ingredients in the making of a beverage.

9 **Sec. 2. Department of Agriculture, Food and Rural Resources to review**  
10 **regulation of food production.** The Department of Agriculture, Food and Rural  
11 Resources shall review state laws and rules pertaining to the production and processing of  
12 food and beverages in the State for sale in the State. The department shall develop  
13 recommendations to reduce the regulatory burden on small-scale agricultural producers  
14 and small-scale food processors. The department shall define "small-scale agricultural  
15 producers" and "small-scale food processors" or other terms appropriate for clarifying to  
16 whom the exemptions and less burdensome standards would apply. The department shall  
17 report its findings and recommendations to the Joint Standing Committee on Agriculture,  
18 Conservation and Forestry no later than December 7, 2011. The department concurrently  
19 shall submit legislation necessary to implement its recommendations to the Second  
20 Regular Session of the 125th Legislature.

21 **SUMMARY**

22 This bill exempts fruit and vegetable growers who process and bottle beverages for  
23 sale in this State from the laws requiring collection of a deposit on beverage containers. It  
24 also directs the Department of Agriculture, Food and Rural Resources to review all state  
25 laws and rules pertaining to the production and processing of food and beverages in this  
26 State for sale in this State and to develop recommendations to exempt small-scale  
27 agricultural producers and food processors from certain laws and rules and reduce the  
28 regulatory burdens on those producers and processors. The department is directed to  
29 submit legislation to implement its recommendations to the Second Regular Session of  
30 the 125th Legislature.