

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Facilitate Local Food Production**

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

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

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

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

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

## **SUMMARY**

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