

- “A Great Day for the State of Maine: Food Sovereignty Becomes Law of the Land” (June 2017)
- “Food Sovereignty Law Under Attack” (September 2017)
- “Maine’s Food Sovereignty Law Bends But Doesn’t Break After USDA Threats” (October 2017)

By Bonnie Preston and Heather Retberg

The headlines in Maine have swung wildly in their reporting about Food Sovereignty efforts here, and have left many wondering just where we stand in our work toward self-governance over local food. Since 2011, towns across Maine have been adopting Local Food and Community Self-Governance (LFCSG) Ordinance. <http://localfoodrules.org/ordinance-template/>

This ordinance asserts our basic self-determination within municipal boundaries as to how our food needs are met. It also recognizes the necessity for a degree of autonomy from the industrial food system and its regulatory arms, to continue to farm and feed ourselves in traditional ways that are ecologically responsible and healthful.

The LFCSG ordinances cite Maine’s Right to Self-Governance: “All citizens of (name of town) possess the right to a form of governance which recognizes that all power is inherent in the people, that all free governments are founded on the people’s authority and consent.” Thus constitutionally grounded, the template ordinance continues to further establish the following: “Right to Access and Purchase (name of town) Citizens possess the right to save and exchange seed, produce, process, sell, purchase and consume local foods of their choosing.”

The LCSG ordinance accomplishes this with the following specific exemptions: “Producers or processors of local foods in the Town (name of town) are exempt from licensure and inspection provided that the transaction is only between the producer or processor and a patron when the food is sold for home consumption. This includes any producer or processor who sells his or her products at farmers’ markets or roadside stands; sells his or her products through farm-based sales directly to a patron; or delivers his or her products directly to patrons. And (...) provided that their products are prepared for, consumed, or sold at a community social event.”

Since 2011, 20 towns and one city have adopted the LFCSG ordinance, increasing support for food freedom and eventually Food Sovereignty in each consecutive legislative session at the state level in Maine. For years, it was one step forward, two steps back, with wins and losses.

By 2015, Maine’s House passed by more than 2/3 a resolution to amend Maine’s Constitution establishing a right to food freedom and food self-sufficiency. It was later rejected by Maine’s Senate in a parliamentary maneuver. The same session, three other bills supportive of small diversified farms, increasing food self-sufficiency and community governance passed unanimously in both chambers, before they were killed with political theater, contrived fiscal notes

and lobbying pressure. Still towns continued to assert community self-governance over their local food systems, despite the failure of Maine to recognize our authority to do so.

When the legislature convened in 2017, we met with key legislators and came up with a plan to try one more time. We formed a strong team of legislative sponsors. And, we came up with a winning strategy.

We had grown increasingly convinced that we could not continue to press toward the recognition of food sovereignty at the state level without also addressing water sovereignty and included it in the bill proposal.

Because the bill language dealt with the interrelation of local government to state government and not only food, but also water, the bill was referred to the Committee on State & Local Government instead of the Committee on Agriculture, Conservation and Forestry. This enabled a whole different set of considerations that rightly dealt with governance instead of food regulation. The essential question we’d long been posing could finally be addressed: “Who decides?”

Water would prove to be a lightning rod that brought out all the corporate suits including a Poland Spring employee who testified, starkly, that “Local control threatens our parent company (Nestle).” Water was stricken from the bill before it went to the floor for a vote.

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In the end, the Senate would vote unanimously for its passage and the House vote would safely surpass the 2/3 veto proof margin. Governor Paul LePage signed the bill into law June 16th. It required the state of Maine to recognize municipal authority to regulate local food systems governing direct sales to consumers.

It was a huge and resounding victory, clear in its purpose and effect, shifting the power of decision-making over food exchanges away from corporate food monopolies to communities themselves, voting for our own laws at town meetings or the ballot box! Who decides? We do!

By August of 2017, however, the gathering backlash storm broke and the Governor Paul LePage announced he would call a special session to amend Maine’s Food Sovereignty Law. The USDA threatened to take over Maine’s meat inspection program, effectively closing the doors on some of Maine’s state-inspected facilities, unless the law was amended to recognize that the Department of Agriculture retained the authority to license and inspect all meat and poultry processing in the state of Maine

This action elicited a nation-wide response, prompting people in other states to take up the banner of Food Sovereignty along with 25 other towns in Maine. For more on this, check out Chrys Ostrander’s article: <http://inlandfoodwise.online/archive/september-1-2017/are-people-allowed-to-feed-each-other-food-sovereignty-in-the-inland>

In the end, Maine was successful in that the law was amended to recognize municipal authority to enact local laws regarding direct producer-to-consumer sales of food. The state of Maine retains the authority to implement and enforce its meat and poultry inspection program under USDA oversight.



Governor Paul Le Page Signs Food Sovereignty Law  
First of its Kind in the Nation

Source: Bangor Daily News June 20th 2017

Anne Weiberg of Chase Stream Farm in Monroe Maine, smiles next to some of her produce she was recently selling at new United Farmers Market in Belfast, Maine. Thanks to recently enacted food sovereignty legislation, small producers like Weiberg will have an easier time selling their products locally.

It is one for the victory column. The power has shifted downward toward local governance of food and away from the corporate-food entangled bureaucracy. Towns that have adopted or will adopt the LFCSG ordinance will be able to exchange food directly amongst each other with no state or federal intervention (except meat and poultry). The trajectory is now set toward Food Sovereignty in Maine.

The Winter 2015 issue of the “Justice Rising” newsletter from the Alliance for Democracy is devoted to the topic of Local Rules for Local Food. You can download a copy: <http://www.thealliancefordemocracy.org/htm/eng/2600-AA.shtml>. You can also order a print copy by contacting: [afd@thealliancefordemocracy.org](mailto:afd@thealliancefordemocracy.org)

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