



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 312

H.P. 206

House of Representatives, February 10, 2015

### **An Act To Allow the Sale of Unregulated Farm-produced Dairy Products at the Site of 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 "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative NOON of Sanford.  
Cosponsored by Senator DILL of Penobscot and  
Representatives: BLACK of Wilton, CHAPMAN of Brooksville, HARLOW of Portland,  
KUMIEGA of Deer Isle, MASTRACCIO of Sanford, RUSSELL of Portland, Senators:  
DUTREMBLE of York, LIBBY of Androscoggin.

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

2 **Sec. 1. 7 MRSA §416** is enacted to read:

3 **§416. Farm-produced dairy products**

4 **1. Definitions.** As used in this section, unless the context indicates otherwise, the  
5 following terms have the following meanings.

6 A. "Farm-produced dairy product" means a dairy product, including but not limited  
7 to yogurt, kefir and fluid milk, that is sold on the same farm on which the dairy  
8 product is produced.

9 B. "Farm-produced dairy product producer" means a person who produces farm-  
10 produced dairy products.

11 C. "Informed end consumer" means, with regard to farm-produced dairy products, a  
12 person who:

13 (1) Purchases or consumes the farm-produced dairy product;

14 (2) Does not resell the farm-produced dairy product or process and sell food  
15 prepared with the farm-produced dairy product; and

16 (3) Has been informed that the farm-produced dairy product was not produced in  
17 a food establishment licensed under Title 22, chapter 551 and that the farm-  
18 produced dairy product has not been inspected.

19 **2. License not required for sale of farm-produced dairy products.** A farm-  
20 produced dairy product producer is exempt from licensing requirements under Part 7,  
21 chapter 601 and Title 22, chapter 551 for sales of farm-produced dairy products when:

22 A. The sales and transfers of the farm-produced dairy product are made directly to an  
23 informed end consumer on the premises on which the farm-produced dairy product  
24 was produced;

25 B. The farm-produced dairy product producer allows each customer to visually  
26 inspect the farm where the farm-produced dairy product was produced. A farm-  
27 produced dairy product producer may require customers who choose to inspect the  
28 farm to follow sanitary procedures determined by the farm-produced dairy product  
29 producer;

30 C. The farm-produced dairy product producer does not advertise the farm-produced  
31 dairy product in any manner other than in a face-to-face exchange between the farm-  
32 produced dairy product producer and the customer;

33 D. The farm-produced dairy product producer successfully completes a course in  
34 dairy sanitation offered by the University of Maine Cooperative Extension and  
35 displays a certificate of completion in a conspicuous place where sales occur. The  
36 farm-produced dairy product producer must complete a course under this paragraph  
37 at least every 3 years; and

38 E. The farm-produced dairy product producer samples source water and recirculating  
39 water on the farm at least once a year, maintains records of all sampling results at the

