

OFFICE OF POLICY AND LEGAL ANALYSIS

To: Members, Joint Standing Committee on Agriculture, Conservation and Forestry
From: Karen S. Nadeau, Legislative Analyst
Date: March 9, 2021
Subj: **LD 416** An Act Regarding the Production and Sale of Birch Syrup and Birch Syrup Products

SUMMARY: This bill provides for the regulation of the production, sale and labeling of birch syrup and birch syrup products.

TESTIMONY

Proponents: *Department of ACF-Quality Assurance and Regulations; Birch syrup producer from Canton; Temple Tappers; Maine Farm Bureau*
Written only: Maine Forest Products Council

- This bill establishes standard expectations around the quality and labeling of product in the nascent industry similar to what exists for maple syrup.
- There are components of the bill, such as requiring the producer's seal along with tracing and product information on the cap, that seem cumbersome and can be addressed through the rulemaking process as referenced in the bill.
- While there are a few birch syrup producers currently operating in the state, it is important for the industry to have guidelines and standards as it grows.
- Intent of the bill is to align birch syrup with the laws and rules for maple syrup.
- Birch syrup is currently categorized as a processed food rather than an agricultural product for licensing and sales.
- Birch syrup is not really a table syrup; used more for cooking – tangy, balsamic taste.
- Birch syrup season is after maple syrup season – sometime in April – and the season is brief.
- It takes 120 gallons of birch sap to make one gallon of birch syrup compared to 40 gallons of maple sap to make one gallon of maple syrup.
- Maine has more tappable birch trees than any other state except Alaska; trees must be 8 to 10 inches in diameter.
- Birch sap is currently being used in breweries and wineries in NY, soda makers in VT, ice cream companies in AK and as a main ingredient in cosmetic formulas in Europe and Asia.

Opponents: *None*

NFNA: *None*

NOTES:

- Emergency preamble and emergency clause on the bill.

PRELIMINARY FISCAL IMPACT STATEMENT: *Not yet received.*