



Maine Grocers &
Food Producers
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IN OPPOSITION - LD 1823 'An Act to Respect and Protect the Right to Food'

Dear Senator Ingwersen - Chair, Representative Pluecker- Chair, and Members of the Committee on Agriculture, Conservation and Forestry,

My name is Christine Cummings and I am the Executive Director of the Maine Grocers & Food Producers Association (MGFPA). The Maine Grocers & Food Producers Association is a business trade association representing Maine's food community; Main Street businesses, including independently owned and operated grocery stores and supermarkets, food and beverage producers and processors, manufacturers, wholesalers, distributors, and supportive service companies.

Food safety is paramount and our members value compliance with Maine's food laws and regulations for good reason. It only takes one food borne illness to impact the entire food community. I specifically remember during a board meeting, one large Maine food producer, describing the headache of working through a product recall. It required complex logistical coordination and then necessary brand management post-recall.

There are numerous food safety regulations governing the growing, production and processing, distribution and selling of food products to protect the investments made by these businesses, and the health of their customers. There is nothing more valuable to maintain the health and viability of the industry than the trust of the consuming public. Licensed food manufacturers have access to training, technical assistance, sanitation best practices, and food safety protocols through the Department of Agriculture. The low barriers to entry including a \$20 home kitchen license and \$50 sample test for canned food tested through the Food Testing Services at the University of Maine are minimal investments made to preserve the health of Maine's citizens and our state's food reputation.

According to the *2023 Feeding the Economy Report*, America's food and agriculture sector, shows increased economic output in every state compared to the 2022 report. Maine's economic impact from the food and agriculture sector includes more than 205,000 jobs, \$10B in total wages, and a total output of \$32.93B. This includes the direct economic impact employed *and* doing business in agriculture, manufacturing, wholesaling, and on- and off-premise retailing as well as supplier and induced economic impact across manufacturing, transportation, government, financial services and beyond.¹

We're opposed to modifying the "Direct producer-to-consumer transaction" definition from 'at the site of production of those food or food products' to 'directly between a food producer and a consumer under mutually agreed-to terms.' Our same concerns remain from when a version of this update was presented in LD 574 of the 130th legislature. A mutually agreed upon location, which can include beyond the place of production, no longer gives the consumer the opportunity to visualize the production environment and no longer affords them the opportunity to make an informed decision on whether or not they feel comfortable buying a product from an unlicensed producer based on the production site.

¹ <https://goodstone.guerrillaeconomics.net/reports/0b790408-64c3-4730-9dc0-b585e14e557d>

We have concerns about the realities of what this proposed legislation will allow for in terms of what then defines the marketplace or the mutually agreed-upon terms. We question if this opens the doors to unregulated e-commerce sales? Does a website qualify as a mutually agreed upon place of exchange? How does this affect the potential sales of unlicensed goods across state lines?

We are pleased to hear the testimony from the Maine Federation of Farmers' Markets and their request to continue to regulate the sales environment they've worked so diligently to create. To quote one of our members when asked about this legislation, "Farmers' markets have spent years gaining public trust and the first time someone gets sick (or worse) from food traced back to the market it will have an effect on all markets and food producers."

We're fortunate in Maine that value-added food products are so highly regarded. The Maine brand is vital to our members who make substantial investments in their facilities, their employees, their businesses and their communities. We ask that you continue to protect those who value the services and reputation of being a licensed food producer while striking a balance for those efforts to further address food insecurity.

Thank you for the opportunity to provide testimony.



Christine Cummings
Executive Director