

LOCAL FOOD AND COMMUNITY SELF-GOVERNANCE ORDINANCE OF 2024

AN ORDINANCE TO PROTECT THE HEALTH AND INTEGRITY OF THE LOCAL FOOD SYSTEM IN THE TOWN OF WALDOBORO, LINCOLN COUNTY, MAINE

§1. Title

This ordinance, adopted by the town of Waldoboro (hereinafter “the Town”), shall be known and may be cited as the “Local Food and Community Self-Governance Ordinance.”

§2. Preamble

We, the People of the Town have the right to produce, process, sell, purchase, and consume local foods thus promoting self-reliance, the preservation of family farms, and local food traditions. We recognize that family farms; sustainable agricultural practices; and food processing by individuals, families, and non-corporate entities offer stability to our rural way of life by enhancing the economic, environmental, and social wealth of our community. As such, our right to a local food system requires us to assert our inherent right to self-government. We recognize the authority to protect that right as belonging to the Town.

We have faith in our citizens’ ability to educate themselves and make informed decisions. We hold that certain federal and state regulations unnecessarily impede local food production and constitute a usurpation of our citizens’ right to foods of their choice. We support food that fundamentally respects human dignity and health; nourishes individuals and the community; and sustains producers, processors, and the environment. We are therefore duty bound under the Constitution of the State of Maine to protect and promote reasonably unimpeded access to local foods.

All individuals have a natural, inherent, and unalienable right to acquire, produce, process, prepare, preserve, and consume the food of their own choosing for their own nourishment and sustenance. Furthermore, all individuals have a right to barter, trade, and purchase food and to save and exchange seed from the sources of their own choosing for their own physical health and well-being. Every individual is fully responsible for the exercise of these rights, which may not be infringed.

§3. Purpose

It is the policy of this State to encourage food self-sufficiency for its citizens. The purpose of the Local Food and Community Self-Governance Ordinance is to:

1. Through local control, preserve the ability of individuals and communities to save and exchange seed, to produce, process, sell, purchase, and consume locally produced foods;
2. Ensure the preservation of family farms and traditional foodways through small-scale farming, food production, Homesteads, and community social events;
3. Improve the health and well-being of citizens of this State by reducing hunger and increasing food security through unimpeded access to wholesome, nutritious foods by encouraging ecological farming;

4. Promote self-reliance and personal responsibility by ensuring the ability of individuals, families and other entities to prepare, process, advertise, and sell foods directly to customers intended solely for consumption by the customers or their families;
5. Enhance rural economic development and the environmental and social wealth of rural communities; and
6. Protect access to local food through direct producer-to-consumer transactions.

§4. Definitions

As used in this ordinance, unless the context otherwise indicates, the following terms have the meanings stated below:

- A. **COMMUNITY SOCIAL EVENT:** An event where people gather as part of a community for the benefit of those gathering or for the community, including, but not limited to, a church or religious social, school event, potluck, neighborhood gathering, library meeting, traveling food sale, fundraiser, craft fair, farmers' market, agricultural fair, and other public events.
- B. **DIRECT PRODUCER-TO-CONSUMER TRANSACTION:** An exchange of local food within a local food system between a producer or processor and a patron by barter, trade, or purchase on the property or premises owned, leased or rented by the producer or processor of the local food; at roadside stands, fundraisers, farmers' markets, and community social events; or through buying clubs, deliveries or community supported agriculture programs, herdshare agreements, and other private arrangements.
- C. **LOCAL FOOD SYSTEM:** A food system that integrates food production, processing, consumption, direct producer-to-consumer transactions, and traditional foodways to enhance the environmental, economic, social, and physical health of the municipality and its residents.
- D. **LOCAL FOOD:** Any food or food product that is grown, produced, processed, or prepared by individuals who exchange that food directly with patrons.
- E. **PATRON:** An informed individual who acquires local food directly from a processor or producer.
- F. **PROCESSOR:** An individual who processes or prepares products of the soil or animals for food or drink.
- G. **PRODUCER:** A farmer or gardener who grows or raises any plant or animal for food or drink.
- H. **TRADITIONAL FOODWAYS:** The cultural, social, and economic practices related to the production and consumption of food and the conveying of knowledge regarding food production and preparation.

§5. Authority

This ordinance is adopted and enacted pursuant to the inherent, inalienable, and fundamental right of the citizens of the Town to self-government, and under the authority recognized as belonging to the people of

the Town by all relevant state and federal laws including, but not limited to the following:

The Declaration of Independence of the United States of America, which declares that governments are instituted to secure peoples' rights, and that government derives its just powers from the consent of the governed.

Article I, §2 of the Constitution of the State of Maine, which declares *inter alia*: "all power is inherent in the people; all free governments are founded in their authority and instituted for their benefit, [and that] they have therefore an unalienable and indefeasible right to institute government and to alter, reform, or totally change the same when their safety and happiness require it."

Article VIII, Part Second of the Constitution of the State of Maine, which establishes Home Rule: "The inhabitants of any municipality shall have the power to alter and amend their charters on all matters, not prohibited by Constitution or general law, which are local and municipal in character."

§1-A of Title 7 of the Maine Revised Statutes, which states *inter alia*: "The survival of the family farm is of special concern to the people of the State, and the ability of the family farm to prosper, while producing an abundance of high quality food and fiber, deserves a place of high priority in the determination of public policy. For this purpose there is established the Department of Agriculture, Forestry, and Conservation"

§1-B of Title 7 of the Maine Revised Statutes, which states *inter alia*: The [...] preservation of rural life and values in the State [is] to be the joint responsibility of all public agencies, local, state and federal, whose policies and programs substantially impact the economy and general welfare of people who reside in rural Maine, such as the development and implementation of programs that assist in the maintenance of family farms [...] and improve health and nutrition.

§284 of Title 7, Chapter 8-F, Maine Food Sovereignty Act, which states *inter alia*: "a municipality may adopt ordinances regarding direct producer-to-consumer transactions and the State shall recognize such ordinances by not enforcing those state food laws with respect to those direct producer-to-consumer transactions that are governed by the ordinance."

§3001 of Title 30-A of the Maine Revised Statutes, which implements Home Rule and grants municipalities all powers necessary to protect the health, safety, and welfare of the residents of the Town where those powers have been conferred on the towns by the Legislature or not otherwise limited.

§6. Statements of Law

- A. Right to Self-Governance.** Citizens of the Town have 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.
- B. Right to Acquire and Produce Food.** Citizens of the Town possess the right to save and exchange seed and to produce, process, sell, purchase, and consume local foods of their choosing.
- C. Exemption from Licensure and Inspection.** The producers and processors of local food intended for direct producer-to-consumer transactions in the Town governed by this ordinance shall be exempt

from state licensure and inspection. In accordance with Section 284 of the Maine Food Sovereignty Act, the State of Maine shall not enforce those state food laws, rules, or regulations with respect to those transactions as defined in Section 4. The transactions enumerated in Section 4 are governed by this ordinance and provide the context otherwise indicated as stated in Section 282 of the Maine Food Sovereignty Act

D. Meat and Poultry. This ordinance is not applicable to any meat or poultry products that are required to be produced or processed in compliance with the Maine Meat and Poultry Inspection Program.

This ordinance is applicable to shared animal ownership agreements in compliance with the federal acts as defined in Title 22, Chapter 562-A, §2511 of the Maine Revised Statutes and similar private contractual agreements, herdshare agreements, and buying clubs.

E. Liability Protection. Producers and processors of local food may enter into private agreements with patrons to waive any liability for the consumption of local food.

§7. Civil Enforcement.

Any individual citizen of the Town shall have standing to enforce any rights secured by this ordinance which have been threatened or contested by any person, whether natural or juridical, and may seek relief both in the form of injunctive and compensatory relief from a court of competent jurisdiction.

§8. Effect

This ordinance shall be effective immediately upon its enactment.

§9. Severability Clause

To the extent any provision of this ordinance is deemed invalid by a court of competent jurisdiction, such provision will be removed and the balance of the ordinance shall remain valid.

§10. Repealer

All inconsistent provisions of prior ordinances adopted by the Town are hereby repealed, but only to the extent necessary to remedy the inconsistency.

§11. Human Rights and Constitutionality

Nothing in this ordinance shall be construed as authorizing any activities or actions that violate human rights protected by the U.S. Constitution or the Constitution of the State of Maine.

§12. Mutual Recognition and Inter-municipal Government Collaboration

The Town hereby recognizes producers and processors of local foods in other municipalities that have also adopted a Local Food and Community Self-Governance Ordinance. Those producers and processors of local foods from other municipalities operating under a similar ordinance may also operate under this ordinance.



What is Food Sovereignty?

Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems. It puts those who produce, distribute and consume food at the heart of food systems and policies rather than the demands of markets and corporations. It offers a strategy to resist and dismantle the corporate trade and food regime, and to provide direction for food, farming, pastoral, and fisheries systems determined by local producers. Food sovereignty prioritizes local and national economies and markets and empowers peasant and family farmer-driven agriculture, artisanal fishing, pastoralist-led grazing, and food production, distribution and consumption based on environmental, social and economic sustainability. Food sovereignty promotes transparent trade that guarantees just income to all peoples and the rights of consumers to control their food and nutrition. It ensures that the rights to use and manage lands, territories, waters, seeds, livestock, and biodiversity are in the hands of those who produce food. Food sovereignty implies new social relations free of oppression and inequality between men and women, peoples, racial groups, social classes, and generations.

Where does the concept of Food Sovereignty come from?

The concept of food sovereignty was developed by Via Campesina (an international movement) and brought to the public debate during the World Food Summit in 1996 and represents an alternative to neo-liberal policies. Since then, that concept has become a major issue of the international agricultural debate, even within the United Nations bodies. Via Campesina has played a major role in the development of international networks gathering social, environmental movements, development NGOs, and consumers.

How are neo-liberal policies wrecking food sovereignty?

Neo-liberal policies prioritize international trade, not food for people. They haven't contributed at all to hunger eradication in the world. On the contrary, they have increased peoples' dependence on agricultural imports and have strengthened the industrialization of agriculture, jeopardizing the genetic, cultural, and environmental heritage of our planet, as well as our health. They have forced millions of farmers to give up traditional agricultural practices, creating a rural exodus and forcing migration in search of food and work. International institutions such as IMF (International Monetary Fund), the World Bank, and WTO (World Trade Organization) have implemented policies dictated by the interests of large companies and superpowers. International, regional, or bilateral "free" trade agreements of agricultural products actually allow those companies to control the globalized food market.

Does Food Sovereignty include fair trade?

Food sovereignty is not contrary to trade but to the priority given to exports. Under the responsibility of United Nations (UN) trade must be granted a new framework, which 1) prioritizes local and regional production before export, 2) allows the Countries/Unions to protect themselves from low priced imports, 3) permits public aid to farmers, provided these are not intended directly or indirectly to export at low prices, and 4) guarantees stable agricultural prices at an international level through international agreements of supply management.

Agricultural policies have to support sustainable family farming and fishing in the North and the South. In order to be able to make their food sovereignty work, countries in the North and in the South have to be able to support their agriculture and fishing to guarantee the right to food of their populations, to preserve their environment, to develop sustainable agriculture and to protect themselves against dumping. They should also be able to support their agriculture and fishing to fulfill other public interests that can differ according to countries and their cultural traditions. But at present the United States and the European Union in particular abuse public support to reduce their internal market prices and to dump their surpluses on the international markets, destroying family farm based agriculture and fishing in the North and the South.



Food Sovereignty & Community

Food Sovereignty As A Step Toward Community Resilience

By Jesse Labbe-Watson, Principal Designer, Midcoast Permaculture

When we want to support local agriculture we think first to plant a garden or organize a farmers market. But rarely do we take the next logical step, which is to use local law to protect that sustainable agriculture system that we're trying to build. When we don't take that step, agribusiness corporations sometimes step into the vacuum that's created. As our farming practices return to decentralized production, so too must the decision-making about that food.

La Via Campesina coined the term "food sovereignty" in 1996, defined as the "right of peoples to define their own food, agriculture, livestock, and fisheries systems, in contrast to having food largely subject to market forces." Unlike the food security movement, aimed at ensuring that people have enough to eat, food sovereignty focuses on the question of who controls local food and agriculture policy. Who holds the power to determine those policies? Who sets goals and designs policy? Politicians? Corporations? Or the people directly affected by such policies?

As former Secretary of State, Henry Kissinger, once said, "Control oil and you control nations; control food and you control the people." Let's remember some examples of corporate attempts at control over food systems:

- Genetic engineering and forms of "biopiracy" like seed patenting
- Financial instruments over farmers like the revolving wheel of debt
- Engineering dependence on high-energy inputs (fertilizers, pesticides) often leveraging influence over university and extension agency experts to promote their use
- Collusion with government to regulate the small family farm out of existence by insisting on a "level playing field" (that is, industrial in scale). The Food Safety Modernization Act (FSMA) is the latest example of this.
- Crafting a narrative of food safety that implies all food producers are producing for national and global markets, and that all operations therefore require bureaucratic oversight and expensive equipment to ensure food safety.
- The well-known revolving door between agribusiness and regulatory agencies that write, implement and enforce food system policy

Big solutions to big problems often recreate the problem in a new form. Small scale solutions have the advantage of being site and situation specific and being more amenable to incremental organic adaptation with less risk that failure causes higher order systemic failures. For example a local raw milk CSA (Community Supported Agriculture system) has some real (very low) risk of causing illness but large scale corporate supply systems of industrial milk have created problems where large numbers of people spread across countries become sick before corrective responses can be enacted. A vision of small-scale, site-specific corrective action is offered by the political project of food sovereignty. Food sovereignty is based on the right of peoples to define their own food system and to develop policies on how food is produced, distributed and consumed. It is above all a political call for action that it is based on empowerment processes and the generation of critical knowledge in support of the collective and popular construction of alternatives.

Food Sovereignty in Maine

Food Sovereignty, as it has emerged in Maine, is the concept that people who eat and those who grow food should be at the heart of designing food systems policy instead of large-scale industrial "food commodity" manufacturers or government bureaucracies. Food sovereignty as a political movement asserts the right of people local to a geographic place to grow food, save seed and exchange products of the home economy free from government interference as long as sales are direct from producer to patron. All other food production regulations apply if you are selling to retail venues like restaurants and grocery stores.

This concept has yielded a strategy about asserting a legal space, usually within a municipality, where residents have the guaranteed right to save seeds, grow their own food and exchange it with each other in face-to-face venues (like roadside stands, church potlucks, and farmer's markets). The strategy was borne out of resisting corporate control of our food systems in our home towns using locally binding law, which is much more accessible than state or federal levels of

legislation. In Maine it takes the form of town ordinances. These ordinances are rights-based rather than regulatory in nature.

Instead of regulating what you can and can't do, a rights-based ordinance leverages language usually found in state constitutions that declare the inherent right of the people of a state to self-governance. Rights-based ordinances declare and secure rights in a positive and guaranteed way. In the United States, authority is often delegated throughout the varying levels of government. In home rule states, authority in matters of self-governance are decentralized to the local level, and people within a municipality can create governance as they see fit so long as it doesn't conflict with or frustrate the purpose of higher state or federal legislation. On matters of food and water, it is sometimes unclear who has the ultimate jurisdiction to make these sorts of policy decisions. We assert that if there is any uncertainty about what polity has the decision-making authority regarding matters of food and water, that authority should devolve to the local level. Rights-based ordinances secure these rights over the supposed rights of corporations and claimed authority of regulatory agencies, which are often dominated by corporate influence. RBOs reinforce the civil and political rights of people in their communities, and allow them to make determinations about the health, safety and welfare of their town.

Food sovereignty has enjoyed a good deal of success in Maine because many towns practice direct democracy at the municipal level. The process for getting on the agenda before a select board or city council is straightforward, accessible and often welcome. In both statute and constitution, the state of Maine grants authority to towns to pass ordinances that deal with matters "local in nature" that affect health, safety, and welfare. It would seem that there are no matters more local in nature than the procurement of food and water for general welfare. When it comes to designing food policy, the idea here is to privilege the voices of consumers and primary small-scale producers that directly feed local patrons, rather than corporate agribusiness or entrenched government bureaucracies. Many farms are small-scale, family-owned operations and Maine enjoys a relatively youthful farmer demographic that is actually getting younger, bucking the national trend. There are even cases of people relocating to Maine specifically to begin an agricultural enterprise because their town has passed a food sovereignty ordinance.

These food sovereignty ordinances in Maine are formally titled the Local Food and Community Self-Governance Ordinance (LFCSGO). The LFCSGO used language from rights-based ordinances (RBOs) in Shapleigh and Newfield, Maine, as a template. These RBOs prevented Nestle from taking water from their shared aquifer to bottle and sell back to them. These were ordinances drafted by the Community Environmental Legal Defense Fund (CELDF), which pioneered the use of RBOs. Food freedom bill proposals from Wyoming and Florida also provided inspiration for the text of the LFCSGO. (source)

First formulated in 2011 as a response to industrial scale food processing regulations applied to small-scale operations, the LFCSGO was first passed in Sedgwick, Penobscot and Blue Hill and quickly spread to other towns in a process called "horizontal diffusion." A key feature is that the ordinance language is usually uniform across different towns because we all use the same ordinance template as a starting point. "Horizontal diffusion" occurs within a "precedence of uniformity."

These ordinances have always been about small scale and face-to-face sales directly to patrons of the farm. The idea of making exemptions from corporate and industrial style regulations struck a nerve with Mainers. The LFCSGO was adopted in many towns across the state as activists flooded the state capital to pass state-level legislation that mirrored the town ordinance in spirit and content. State-level bills were narrowly defeated in 2012 and 2014, and then finally in late 2017, Maine passed the Food Sovereignty Act. This process is called "vertical diffusion." Unfortunately, it had to be amended in an emergency special session to take some food out of "food sovereignty" because the USDA, a federal agency, claims jurisdiction over the regulations around animal slaughter. So while the Maine Food Sovereignty Act doesn't pertain to meat sales, it does recognize and codify the long standing tradition of face-to-face sales at local venues of all other locally-produced food.

So we have a focus on local rules for local food grown by small-scale operators using bottom-up democracy in action by leveraging local, state, and federal law. The exciting pattern that emerged was "horizontal diffusion" (influence on other localities facing similar situations) resulting in "vertical diffusion" (influence on policy design and implementation at upper political and administrative levels), largely made possible by a "precedence of uniformity" (most food sovereignty ordinances use the same language set forth in the LFCSGO template). We think the time is right to spread these sorts legal strategies to help rebuild local economies, especially to other home rule states.

Why You Should Care? (source)

Industrial Agriculture Is Not Sustainable.

Our current system of agriculture, which substitutes chemicals for living soil, is not sustainable. It is killing soil, creating dead zones in the oceans, pouring greenhouse gases into the environment, and destroying biodiversity. The earth is our only home, and we must learn to relate to it as a living system, not as an environment we can exploit for profit, while killing its ability to regenerate.

Corporate Agriculture Is Not Healthy.

We are having epidemics of health problems created by modern agriculture, especially obesity, diabetes, heart disease and cancer. We need healthy soil to raise healthful food, both plant and animal. Food-borne pathogens, the only form of unsafe food recognized by the Food and Drug Administration, is the least of our worries. Those causing the problems are also telling us how to eat, and a great deal of what you think you know about that is wrong.

Local Food Brings Local Prosperity.

Our oligarchic food system sucks money out of our local communities and concentrates it in the hands of a few multi-national corporations. Eating locally-produced food circulates money locally and strengthens local economies. A thriving local food system means more jobs and a more vibrant and healthy economy. It also builds the resiliency needed when times get tough. Local food tastes good, too!

Food Strengthens Communities.

Breaking bread together is a time-honored way of celebrating life in community. Church suppers, bake sales, Grange pig roasts and all of the other gatherings bring people together. It is hard to be disagreeable to people when you are all eating together! And when people care about food, they care about people, and find ways to make sure that everyone gets to eat. What you can do.

Talk to your neighbors about this issue to get them interested. Rally a few friends and learn what it takes to bring legislation before your town government. Find allies both in town and in town government. Use the LFCSGO template as a starting point. If you live in Maine, you benefit by using this template because it has been passed in ~~22+ other~~ ¹¹² ~~over 40~~ towns. Make sure your legislation protects sales at roadside stands, church potlucks, and farmer's markets (all of which are allowed under the 2017 Maine Food Sovereignty Act). If you live outside of Maine, the language may largely apply, and you can customize it to make your own template to share across towns. Learn about your state's laws and find leverage points in agricultural related statutes. Once you get familiar with the legal language, you can hone your arguments using various levels of law. After that, use the tools of rhetoric and debate to start conversations and build a local coalition to bring locally binding food sovereignty legislation to your town.



Wendell Berry

Conserving Communities

IN OCTOBER OF 1993, the New York Times announced that the United States Census Bureau would "no longer count the number of Americans who live on farms." In explaining the decision, the Times provided some figures as troubling as they were unsurprising. Between 1910 and 1920, we had 32 million farmers living on farms—about a third of our population. By 1950, this population had declined, but our farm population was still 23 million. By 1991, the number was only 4.6 million, less than 2 percent of the national population. That is, our farm population had declined by an average of almost half a million people a year for forty-one years. Also, by 1991, 32 percent of our farm managers and 86 percent of our farmworkers did not live on the land they farmed.

These figures describe a catastrophe that is now virtually complete. They announce that we no longer have an agricultural class that is, or that can require itself to be, recognized by the government; we no longer have a "farm vote" that is going to be of much concern to politicians. American farmers, who over the years have wondered whether or not they counted, may now put their minds at rest: they do not count. They have become statistically insignificant.

We must not fail to appreciate that this statistical insignificance of farmers is the successful outcome of a national purpose and a national program. It is the result of great effort and of principles rigorously applied. It has been achieved with the help of expensive advice from university and government experts, by the tireless agitation and exertion of the agribusiness corporations, and by the renowned advantages of competition—of our farmers among themselves and with farmers of other countries. As a result, millions of country people have been liberated from farming, landownership, self-employment, and other idiocies of rural life.

But what has happened to our agricultural communities is not exceptional any more than it is accidental. This is simply the way a large, exploitive, absentee economy works. For example, here is a New York Times News Service report on "rape-and-run" logging in Montana:

Throughout the 1980s, the Champion International Corp. went on a tree-cutting binge in Montana, leveling entire forests at a rate that had not been seen since the cut-and-run logging days of the last century. Now the hangover has arrived. After liquidating much of its valuable timber in the Big Sky country, Champion is quitting Montana, leaving behind hundreds of unemployed mill workers, towns staggered by despair and more than 1,000 square miles of heavily logged land.

The article goes on to speak of the revival of "a century old complaint about large, distant corporations exploiting Montana for its natural resources and then leaving after the land is exhausted." And it quotes a Champion spokesman, Tucker Hill, who said, "We are very sympathetic to those people and very sad. But I don't think you can hold a company's feet to the fire for everything they did over the last twenty years."

If you doubt that exhaustion is the calculated result of such economic enterprise, you might consider the example of the mountain counties of eastern Kentucky from which, over the last three-quarters of a century enormous wealth has been extracted by the coal companies, leaving the land wrecked and the people poor.

The same kind of thing is now happening in banking. In the county next to mine an independent local bank was recently taken over by a large out-of-state bank. Suddenly some of the local farmers and small business people, who had been borrowing money from that bank for twenty years and whose credit records were good, were refused credit because they did not meet the requirements of a computer in a distant city. Old and once-valued customers now find that they are known by category rather than character. The directors and officers of the large bank clearly have reduced their economic thinking to one very simple question: "Would we rather make one big loan or many small ones?" Or to put it only a little differently: "Would we rather support one large enterprise or many small ones?" And they have chosen the large over the small.

This economic prejudice against the small has, of course, done immense damage for a long time to small or family sized businesses in city and country alike. But that prejudice has often overlapped with an industrial prejudice against anything rural and against the land itself, and this prejudice has resulted in damages that are not only extensive but also longlasting or permanent.

As we all know, we have much to answer for in our use of this continent from the beginning, but in the last half-century we have added to our desecrations of nature a deliberate destruction of our rural communities. The statistics I cited at the beginning are incontrovertible evidence of this. But so is the condition of our farms and forests and rural towns. If you have eyes to see, you can see that there is a limit beyond which machines and chemicals cannot replace people; there is a limit beyond which mechanical or economic efficiency cannot replace care.

I am talking here about the common experience, the common fate, of rural communities in our country for a long time. It has also been, and it will increasingly be, the common fate of rural communities in other countries. The message is plain enough, and we have ignored it for too long: the great, centralized economic entities of our time do not come into rural places in order to improve them by "creating jobs." They come to take as much of value as they can take, as cheaply and as quickly as they can take it. They are interested in "job creation" only so long as the jobs can be done more cheaply by humans than by machines. They are not interested in the good health-economic or natural or human-of any place on this earth. And if you should undertake to appeal or complain to one of these great corporations on behalf of your community, you would discover something most remarkable: you would find that these organizations are organized expressly for the evasion of responsibility. They are structures in which, as my brother says, "the buck never stops." The buck is processed up the hierarchy until finally it is passed to "the shareholders," who characteristically are too widely dispersed, too poorly informed, and too unconcerned to be responsible for anything. The ideal of the modern corporation is to be (in terms of its own advantage) anywhere and (in terms of local accountability) nowhere. The message to country people, in other words, is this: Don't expect favors from your enemies.

And that message has a corollary that is just as plain and just as much ignored: The governmental and educational institutions from which rural people should by right have received help have not helped. Rather than striving to preserve the rural communities and economies and an adequate rural population, these institutions have consistently aided, abetted, and justified the destruction of every part of rural life. They have eagerly served the superstition that all technological innovation is good. They have said repeatedly that the failure of farm families, rural businesses, and rural communities is merely the result of progress and efficiency and is good for everybody.

We are now pretty obviously facing the possibility of a world that the supranational corporations, and the governments and educational systems that serve them, will control entirely for their own enrichment-and, incidentally and inescapably, for the impoverishment of all the rest of us. This will be a world in which the cultures that preserve nature and rural life will simply be disallowed. It will be, as our experience already suggests, a postagricultural world. But as we now begin to see, you cannot have a postagricultural world that is not also postdemocratic, postreligious, postnatural-in other words, it will be posthuman, contrary to the best that we have meant by "humanity."

In their dealings with the countryside and its people, the promoters of the so-called global economy are following a set of principles that can be stated as follows. They believe that a farm or a forest is or ought to be the same as a factory; that care is only minimally necessary in the use of the land; that affection is not necessary at all; that for all practical purposes a machine is as good as a human; that the industrial standards of production, efficiency, and profitability are the only standards that are necessary; that the topsoil is lifeless and inert; that soil biology is safely replaceable by soil chemistry; that the nature or ecology of any given place is irrelevant to the use of it; that there is no value in human community or neighborhood; and that technological innovation will produce only benign results.

These people see nothing odd or difficult about unlimited economic growth or unlimited consumption in a limited world. They believe that knowledge is property and is power, and that it ought to be. They believe that education is job training. They think that the summit of human achievement is a high-paying job that involves no work. Their public boast is that they are making a society in which everybody will be a "winner"-but their private aim has been to reduce radically the number of people who, by the measure of our historical ideals, might be thought successful: the independent, the self-employed, the owners of small businesses <#> or small usable properties, those who work at home.

The argument for joining the new international trade agreements has been that there is going to be a one-world economy, and we must participate or be left behind-though, obviously, the existence of a one-world economy depends on the

willingness of all the world to join, The theory is that under the rule of international, supposedly free trade, products will naturally flow from the places where they can be best produced to the places where they are most needed. This theory assumes the long-term safety and sustainability of massive international transport, for which there are no guarantees, just as there are no guarantees that products will be produced in the best way or to the advantage of the workers who produce them or that they will reach or can be afforded by the people who need them.

There are other unanswered questions about the global economy, two of which are paramount: How can any nation or region justify the destruction of a local productive capacity for the sake of foreign trade? And how can people who have demonstrated their inability to run national economies without inflation, usury, unemployment, and ecological devastation now claim that they can do a better job in <#> running a global economy? American agriculture has demonstrated by its own ruination that you cannot solve economic problems just by increasing scale and, moreover, that increasing scale is almost certain to cause other problems-ecological, social, and cultural.

We can't go on too much longer, maybe, without considering the likelihood that we humans are not intelligent enough to work on the scale to which we have been tempted by our technological abilities. Some such recognition is undoubtedly implicit in American conservatives' long-standing objection to a big central government. And so it has been odd to see many of these same conservatives pushing for the establishment of a supranational economy that would inevitably function as a government far bigger and more centralized than any dreamed of before. Long experience has made it clear-as we might say to the liberals-that to be free we must limit the size of government and we must have some sort of home rule. But it is just as clear-as we might say to the conservatives-that it is foolish to complain about big government if we do not do everything we can to support strong local communities and strong community economies.

But in helping us to confront, understand, and oppose the principles of the global economy, the old political alignments have become virtually useless. Communists and capitalists are alike in their contempt for country people, country life, and country places. They have exploited the countryside with equal greed and disregard. They are alike even in their plea that it is right to damage the present in order to make "a better future."

The dialogue of Democrats and Republicans or of liberals and conservatives is likewise useless to us. Neither party is interested in farmers or in farming or in the good care of the land or in the quality of food. Nor are they interested in taking the best care of our forests. The leaders of these parties are equally subservient to the supranational corporations. Of this the North American Free Trade Agreement and the new revisions to the General Agreement on Tariffs and Trade are proof.

Moreover, the old opposition of country and city, which was never useful, is now more useless than ever. It is, in fact, damaging to everybody involved, as is the opposition of producers and consumers. These are not differences but divisions that ought not to exist because they are to a considerable extent artificial. The so-called urban economy has been just as hard on urban communities as it has been on rural

All these conventional affiliations are now meaningless, useful only to those in a position to profit from public bewilderment. A new political scheme of opposed parties, however, is beginning to take form. This is essentially a two-party system, and it divides over the fundamental issue of community. One of these parties holds that community has no value; the other holds that it does. One is the party of the global economy; the other I would call simply the party of local community. The global party is large, though not populous, immensely powerful and wealthy, self-aware, purposeful, and tightly organized. The community party is only now coming aware of itself; it is widely scattered, highly diverse, small though potentially numerous, weak though latently powerful, and poor though by no means without resources.

We know pretty well the makeup of the party of the global economy, but who are the members of the party of local community? They are people who take a generous and neighborly view of self-preservation; they do not believe that they can survive and flourish by the rule of dog eat dog; they do not believe that they can succeed by defeating or destroying or selling or using up everything but themselves. They doubt that good solutions can be produced by violence. They want to preserve the precious things of nature and of human culture and pass them on to their children. They want the world's fields and forests to be productive; they do not want them to be destroyed for the sake of production. They know you cannot be a democrat (small d) or a conservationist and at the same time a proponent of the supranational corporate economy. They believe-they know from their experience-that the neighborhood, the local community, is the proper place and frame of reference for responsible work. They see that no commonwealth or community of interest can be defined by greed. They know that things connect-that farming, for example, is connected to nature, and food to farming, and health to

food-and they want to preserve the connections. They know that a healthy local community cannot be replaced by a market or an entertainment industry or an information highway. They know that contrary to all the unmeaning and unmeant political talk about "job creation," work ought not to be merely a bone thrown to otherwise unemployed. They know that work ought to be necessary; it ought to be good, it ought to be satisfying and dignifying to the people who do it, and genuinely useful and pleasing to the people for whom it is done.

The party of local community, then, is a real party with a real platform and an agenda of real and doable work. And it has, we might add, a respectable history in the hundreds of efforts, over several decades, to preserve local nature or local health or to sell local products to local consumers. Now such efforts appear to be coming into their own, attracting interest and energy in a way they have not done before. People are seeing more clearly all the time the connections between conservation and economics. They are seeing that a community's health is largely determined by the way it makes its living.

The natural membership of the community party consists of small farmers, ranchers, and marker gardeners, worried consumers, owners and employees of small shops, stores, community banks, and other small businesses, self-employed people, religious people, and conservationists. The aims of this party really are only two: the preservation of ecological diversity and integrity, and the renewal, on sound cultural and ecological principles, of local economies and local communities.

So now we must ask how a sustainable local community (which is to say a sustainable local economy) might function. I am going to suggest a set of rules that I think such a community would have to follow. And I hasten to say that I do not consider these rules to be predictions; I am not interested in foretelling the future. If these rules have any validity, that is because they apply now.

If the members of a local community want their community to cohere, to flourish, and to last, these are some things they would do: 1. Always ask of any proposed change or innovation: What will this do to our community? How will this affect our common wealth? 2. Always include local nature-the land, the water, the air, the native creatures-within the membership of the community. 3. Always ask how local needs might be supplied from local sources, including the mutual help of neighbors. 4. Always supply local needs first (And only then think of exporting their products, first to nearby cities, and then to others.) 5. Understand the unsoundness of the industrial doctrine of "labor saving" if that implies poor work, unemployment, or any kind of pollution or contamination . 6. Develop properly scaled value-adding industries for local products to ensure that the community does not become merely a colony of the national or global economy. 7. Develop small-scale industries and businesses to support the local farm and/or forest economy. 8. Strive to produce as much of the community's own energy as possible. 9. Strive to increase earnings (in whatever form) within the community and decrease expenditures outside the community. 10. Make sure that money paid into the local economy circulates within the community for as long as possible before it is paid out. 11. Make the community able to invest in itself by maintaining its properties, keeping itself clean (without dirtying some other place), caring for its old people, teaching its children. 12. See that the old and the young take care of one another. The young must learn from the old, nor necessarily and not always in school. There must be no institutionalized "child care" and "homes for the aged." The community knows and remembers itself by the association of old and young. . 13. Account for costs now conventionally hidden or "externalized." Whenever possible, these costs must be debited against monetary income. 14. Look into the possible uses of local currency, community-funded loan programs, systems of barter, and the like. 15. Always be aware of the economic value of neighborly acts. In our time the costs of living are greatly increased by the loss of neighborhood, leaving people to face their calamities alone. 16. A rural community should always be acquainted with, and complexly connected with, community-minded people in nearby towns and cities. 17. A sustainable rural economy will be dependent on urban consumers loyal to local products. Therefore, we are talking about an economy that will always be more cooperative than competitive.

These rules are derived from Western political and religious traditions, from the promptings of ecologists and certain agriculturists, and from common sense. They may seem radical, but only because the modern national and global economies have been formed in almost perfect disregard of community and ecological interests. A community economy is not an economy in which well-placed persons can make a "killing." It is not a killer economy. It is an economy whose aim is generosity and a well-distributed and safeguarded abundance. If it seems unusual to hope and work for such an economy, then we must remember that a willingness to put the community ahead of profit is hardly unprecedented among community business people and local banks.

How might we begin to build a decentralized system of durable local economies? Gradually, I hope. We have had enough of violent or sudden changes imposed by predatory interests outside our communities. In many places, the obvious way to begin the work I am talking about is with the development of a local food economy. Such a start is attractive because it does not have to be big or costly, it requires nobody's permission, and it can ultimately involve everybody. It does not require us to beg for mercy from our exploiters or to look for help where consistently we have failed to find it. By "local food economy" I mean simply an economy in which local consumers buy as much of their food as possible from local producers and in which local producers produce as much as they can for the local market.

Several conditions now favor the growth of local food economies. On the one hand, the costs associated with our present highly centralized food system are going to increase. Growers in the Central Valley of California, for example, can no longer depend on an unlimited supply of cheap water for irrigation. Transportation costs can only go up. Biotechnology, variety patenting, and other agribusiness innovations are intended not to help farmers or consumers but to extend and prolong corporate control of the food economy; they will increase the cost of food, both economically and ecologically.

On the other hand, consumers are increasingly worried about the quality and purity of their food, and so they would like to buy from responsible growers close to home. They would like to know where their food comes from and how it is produced. They are increasingly aware that the larger and more centralized the food economy becomes, the more vulnerable it will be to natural or economic catastrophe, to political or military disruption, and to bad agricultural practice.

For all these reasons, and others, we need urgently to develop local food economies wherever they are possible. Local food economies would improve the quality of food. They would increase consumer influence over production; consumers would become participatory members in their own food economy. They would help to ensure a sustainable, dependable supply of food. By reducing some of the costs associated with long supply lines and large corporate suppliers (such as packaging, transportation, and advertising), they would reduce the cost of food at the same time that they would increase income to growers. They would tend to improve farming practices and increase employment in agriculture. They would tend to reduce the size of farms and increase the number of owners.

Of course, no food economy can be, or ought to be, only local. But the orientation of agriculture to local needs, local possibilities, and local limits is indispensable to the health of both land and people, and undoubtedly to the health of democratic liberties as well.

For many of the same reasons, we need also to develop local forest economies, of which the aim would be the survival and enduring good health of both our forests and their dependent local communities. We need to preserve the native diversity of our forests as we use them. As in agriculture, we need local, small-scale, nonpolluting industries (sawmills, woodworking shops, and so on) to add value to local forest products, as well as local supporting industries for the local forest economy.

As support for sustainable agriculture should come most logically from consumers who consciously wish to keep eating, so support for sustainable forestry, might logically come from loggers, mill workers, and other employees of the forest economy who consciously wish to keep working. But many people have a direct interest in the good use of our forests: farmers and ranchers with woodlots, all who depend on the good health of forested watersheds, the makers of wood products, conservationists, and others.

What we have before us, if we want our communities to survive, is the building of an adversary economy, a system of local or community economies within, and to protect against, the would-be global economy. To do this, we must somehow learn to reverse the flow of the siphon that has for so long been drawing resources, money, talent, and people out of our countryside with very, little if any return, and often with a return only of pollution, impoverishment, and ruin. We must figure out new ways to fund, at affordable rates, the development of healthy local economies. We must find ways to suggest economically—for finally no other suggestion will be effective—that the work, the talents, and the interest of our young people are needed at home.

Our whole society has much to gain from the development of local land-based economies. They would carry us far toward the ecological and cultural ideal of local adaptation. They would encourage the formation of adequate local cultures (and this would be authentic multiculturalism). They would introduce into agriculture and forestry a sort of spontaneous and natural quality control, for neither consumers nor workers would want to see the local economy destroy

itself by abusing or exhausting its sources. And they would complete at last the task of freedom from colonial economics begun by our ancestors more than two hundred years ago.

Wendell Berry is the author of thirty two books of fiction, poetry, and essays, including *Sabbaths; Sex, Economy, Freedom, & Community*; and *What Are People For?* He has farmed a hillside in his native Henry County, Kentucky, for thirty years. A former professor of English at the University of Kentucky, he has received numerous awards for his work, including most recently the T S. Eliot Award, The Aiken Taylor Award for Poetry, the John Hay Award of the Orion Society, and The Christian Century's Award for Excellence in Poetry

Sample Question for November Warrant

Shall an ordinance entitled "Local food and
Community Self-Governance Ordinance of 2024" be
enacted? (local food sovereignty ordinance can be viewed
at the town office + voting polls for review)

FOOD SOVEREIGNTY MUNICIPALITIES - LFCSGO ADOPTED

TOTALS: 113 Towns, 294911 Mainers enjoying the benefits of food sovereignty.

MAP #1a

Cumberland: 4

Gray [Pop. 8014]
Naples [Pop. 3943]
Pownal [Pop. 1710]
Sebago [Pop. 1552]

York: 7

Berwick [Pop. 7538]
Eliot [Pop. 6380]
Lebanon [Pop. 6168]
Newfield [Pop. 1458]
North Berwick [Pop. 4660]
Parsonsfield [Pop. 1958]
Sanford [Pop. 20920]

MAP #1b

Androscoggin: 4

Auburn [Pop. 22941]
Livermore [Pop. 2073]
Minot [Pop. 2589]
Wales [Pop. 1665]

Oxford: 15

Andover [Pop. 552]
Bethel [Pop. 2647]
Brownfield [Pop. 1428]
Buckfield [Pop. 1960]
Canton [Pop. 820]
Greenwood [Pop. 698]
Hartford [Pop. 1134]
Hebron [Pop. 1852]
Hiram [Pop. 1731]
Porter [Pop. 1600]
Rumford [Pop. 5730]
Sumner [Pop. 1069]
Upton [Pop. 33]
West Paris [Pop. 2116]
Woodstock [Pop. 1328]

MAP #1c

Kennebec: 13

Albion [Pop. 1976]
Augusta [Pop. 18626]
Chelsea [Pop. 2703]
Farmingdale [Pop. 2908]
Gardiner [Pop. 5672]
Litchfield [Pop. 3611]
Mount Vernon [Pop. 1583]
Randolph [Pop. 2011]
Readfield [Pop. 2556]
Rome [Pop. 1061]

Sidney [Pop. 4277]
Waterville [Pop. 16374]
West Gardiner [Pop. 3381]

Lincoln: 2

Alna [Pop. 776]
Whitefield [Pop. 2369]

Sagadahoc: 2

Georgetown [Pop. 922]
Richmond [Pop. 3394]

MAP #1d

Knox: 6

Appleton [Pop. 1358]
Camden [Pop. 4837]
Hope [Pop. 1522]
Isle Au Haut [Pop. 27]
Rockland [Pop. 7204]
Rockport [Pop. 3356]

Waldo: 8

Freedom [Pop. 717]
Liberty [Pop. 878]
Montville [Pop. 827]
Northport [Pop. 1863]
Palermo [Pop. 1483]
Searsmont [Pop. 1496]
Stockton Springs [Pop. 1458]
Troy [Pop. 987]

MAP #2a

Hancock: 9

Blue Hill [Pop. 2661]
Brooklin [Pop. 857]
Brooksville [Pop. 881]
Bucksport [Pop. 4926]
Gouldsboro [Pop. 1607]
Orland [Pop. 2152]
Penobscot [Pop. 1214]
Sedgwick [Pop. 1180]
Trenton [Pop. 1774]

MAP #2b

Washington: 7

Alexander [Pop. 504]
Charlotte [Pop. 359]
Jonesport [Pop. 1321]
Lubec [Pop. 1395]
Machias [Pop. 2003]
Princeton [Pop. 789]
Whiting [Pop. 355]

MAP #3a

Franklin: 3

Chesterville [Pop. 1428]
New Vineyard [Pop. 900]
Phillips [Pop. 1024]

MAP #3b

Somerset: 13

Anson [Pop. 2638]
Athens [Pop. 972]
Bingham [Pop. 852]
Cambridge [Pop. 445]
Canaan [Pop. 2354]
Cornville [Pop. 1377]
Fairfield [Pop. 6612]
Madison [Pop. 4726]
Moose River [Pop. 196]
Moscow [Pop. 570]
Norridgewock [Pop. 3267]
Solon [Pop. 914]
Starks [Pop. 600]

MAP #3c

Piscataquis: 4

Bowerbank [Pop. 135]
Milo [Pop. 2525]
Parkman [Pop. 780]
Shirley [Pop. 202]

MAP #4a

Penobscot: 6

Garland [Pop. 1237]
Howland [Pop. 1205]
Lagrange [Pop. 641]
Millinocket [Pop. 4346]
Newburgh [Pop. 1576]
Plymouth [Pop. 1291]

MAP #4b

Aroostook: 10

Chapman [Pop. 485]
Dyer Brook [Pop. 280]
Fort Fairfield [Pop. 3367]
Island Falls [Pop. 843]
Ludlow [Pop. 497]
Oakfield [Pop. 745]
Perham [Pop. 415]
Smyrna [Pop. 558]
Wade [Pop. 371]
Westmanland [Pop. 79]



Talking With Your Neighbors

By Jesse Labbe-Watson, Principal Designer, Midcoast Permaculture

Here are a few ways to talk about food sovereignty with your neighbors.

What it is.

- A rights-based ordinance (RBO), using locally binding law to secure rights for residents. It is not regulatory, does not add to responsibilities and services of government and creates no bureaucracy. It has the force of law and goes beyond a municipal resolution or statement of support.
- It applies to products of the home economy in face-to-face, producer-to-consumer exchanges.
- It is compliant with federal constitutional law, state constitutional law, and state statutes in Maine. It is a surgical application of the Home Rule clause to exempt direct farm-to-consumer sales, roadside farm stands, farmers markets and community potlucks from regulations designed for industrial-scale producers.
- It is traditionalist. It protects our way of life, local culture, food sources, the right to grow and exchange food, and the right to a local food economy.

What it does.

- This eliminates the regulatory burden for the small (or new) farmer. It allows small-scale farmers to begin operating without the need to install costly commercial facilities and equipment. It lowers the barrier to entry into the marketplace and allows new farmers easier access to direct-sales markets.
- It places emphasis on responsibility of producers and patrons. It is a push-back against the bureaucratization of everyday life, and enshrines the legitimacy of handshake deals and direct “me-to-thee” relationships.
- “Me-to-thee” transactions are based on trust. The local food movement is reconstituting a culture of independence, self-reliance, freedom of choice, and responsibility. Producers are responsible for producing high quality safe food. Consumers are responsible for the choices they make.
- As an issue it can unite people across the political spectrum (after all, everyone has to eat!). The rhetoric of sustainability and resilience can appeal to liberals and leftists while the rhetoric of preserving tradition, independence and eliminating barriers to trade can appeal to libertarians and conservatives.
- Localized food systems are resilient against economic and environmental stresses. We don’t know the our future climate, economy, or society and we should build systems and structures that will lead to prosperity in a variety of futures, some of which may involve the weakening of national and global supply lines.
- A strong local food economy can attract people and new business to a town. It will incentivize the growth of food-related business in town. It will reinforce your town’s position as a leader in local food culture.
- We need more farmers and more food producers. Without food, no one works. This ordinance would set the conditions for a much more resilient food system in Maine with a quality of small-scale distributed production and peer-to-peer sales. This ordinance would set the conditions not only for a resilient food system, but also a more resilient localized economy.
- It improves access to locally grown food too, by the way.

What it does not do.

- This does not apply to producers who wish to sell to a retailer or distributor like a restaurant or grocery store.
- It does not exempt the municipality as a whole from state and federal food regulations.
- It is not without risks. We can’t protect people from everything. The preferred yardstick in the discussion of risk analysis is raw vs pasteurized milk. Your risk of being struck by lightning is greater than your risk of getting sick from raw milk. The risk you take every day driving in a car is greater. The fear mongering of food safety risks are overblown, especially given the food pathogen outbreaks already common to our globalized, industrial food commodity system that can poison large numbers of people.

Visit localfoodrules.org for additional information and resources.

Substantial Change and the State

The Evolution of Community Self-Governance

"Those who write the rules are those that profit from the status quo. If we want to change that status quo, we might available to us have been structured precisely to make sure we don't make substantial change."

By Heather Retberg

One rainy November day in 2009, an inspector came down our driveway and threatened to eliminate the better part of our livelihood with a pencil. A combination of rule changes on poultry and an internal agency review on milk policy would take away more than half of our farming income unless we could comply, taking on a debt load that made little sense for the income generated from our dairy and chicken enterprises.

The inspector advised that we should "gather our people," go to Augusta, and weigh in on the rule-making for a new poultry exemption law. On that cold and dismal day, I didn't think I had any people to gather. I had never been to our state capitol. I couldn't imagine speaking out loud in front of a legislative committee.

If we were to continue, however, it became important to find my voice and "gather my people." I wrote to our customers. I called our friend, the director of Food for Maine's Future. He sent my letter through the organization's network. It led to a public outcry. Over 50 people came during Christmas week to testify about slaughter rules for poultry. This had hit a nerve.

Despite the thoughtful testimony that followed, the state's response was that they must make rules "equal to or greater than" the United States Department of Agriculture (USDA) rules or risk losing federal funding for Maine's meat inspection program. The existing regulatory structure, with money attached, made the voice of the people ineffectual.

This experience in our State House pointed us toward the local level of government. In Maine, we still have a bona fide annual town meeting where town residents vote on local matters that affect our health, safety and welfare. Maine statute and our state constitution grant our towns the authority to pass ordinances that deal with matters "local in nature." Local food raised in our town is certainly "local in nature," as Maine statute requires, and certainly affects our health, safety and welfare. Together



Rally in front of Blue Hill Town Hall calling on the State of Maine to drop the lawsuit against farmer Dan Brown.

with a small, but committed group, the Local Food and Community Self-Governance Ordinance was drafted.

Community organizing led to national networking that led to alignment with a global food sovereignty movement. This led to a new understanding that smallholder, peasant, and family farmers all over the world shared a common analysis of and struggle against the industrial, globalized, corporate-controlled food system. Attending a conference on food sovereignty, I nearly jumped out of my seat when Basque Country farmer Paul Nicholson spoke of farmers' response in his country to the corporate food system. We had come to the same conclusions! He spoke of food sovereignty as the farmers' proposal to society, that it was dynamic, that it was always bottom up. It was a proposal that puts people who eat and people who grow food at the heart of decision-making policy about food, instead of corporate agribusiness.

Because of our experiences in our state legislature, a whole system of corporate/government collusion in rule-making was made visible to us. As we shared our experiences and what we were learning about the structures of governance, many more voices joined ours in our common proposal. It started jumping town lines — our "proposal to society" resonated. It took us from our tiny towns of Sedgwick, Penobscot and Blue Hill that first spring of 2011, across



Ben Retberg milking his cow, Paula

photo: Greg Asbed

us Quo: ood

to work outside of those rules because the legal pathways
— Tim DeChristopher

Maine in the following years as more towns adopted the LFCSGO (see pages 18-19).

We began accepting invitations to share our efforts with people all over Maine, and beyond. People from as far away as Pennsylvania, California, Utah, Arizona, Virginia, New Mexico and Texas called to learn more. Eventually, our proposal to society was included in a global forum at the Yale Food Sovereignty Conference in 2013 and at the first Food Freedom Fest in Virginia in 2014. The support for our work grew nationally to organizations like the National Family Farm Coalition, The Greenhorns, Family Farm Defenders, Why Hunger in NYC, and the Farm to Consumer Legal Defense Fund.

Our proposal to society started moving up as well. In 2012's legislative session, there were two bills put forward that mirrored the ordinance in content. By 2014, there were close to half a dozen bills that aimed to create or preserve a legal space for small-scale farmers and their customers to continue to exchange food directly and determine the parameters for those exchanges.

In the LFCSGO, we have asserted that the communities in which we live have the authority to define ourselves and protect our traditional ways of exchanging food and knowledge. We have acted under home rule in our state law, which provides that town ordinances shall be "liberally construed to affect their purposes." Our message keeps spreading out. As our farming practices return, necessarily, to decentralized production, so too must the decision-making about that food. Local Rules for Local Food!

Heather Retberg owns and operates Quill's End Farm together with her husband Phil and their three children, Alexander, Benjamin and Carolyn. Quill's End is a 100 acre, grass-based farm founded on ecological principles of stewardship of land and animals. Heather homeschools the children and is the campaign organizer for the continuing work of Local Food RULES, the organization formed to promote the passage of the Local Food and Community Self-Governance Ordinance.

photo: Kyle Chick



Mass pig burial as South Koreans fight disaster caused by their Industrial agricultural system

photo: kbmaeil.com

LFCSGO Brings Family to Penobscot

By Andy Felger

In August of 2010, our son was born in Korea, and when he was 6 months old, our young family decided it was time to move back to the US. We were on the lookout for someplace beautiful, clean, affordable and safe to raise a family, where we could produce pottery and have a small farm to feed ourselves and our neighbors. We started to look around the Blue Hill Peninsula in Maine

As we were looking for a place in the US, foot-and-mouth disease was sweeping Asia. The South Korean government killed masses of animals, including 1.4 million pigs — many buried alive — in an effort to stop the spread of this deadly disease. Simultaneously, Korea was dealing with H5N1 bird flu. Millions and millions of chickens and ducks were culled in South Korea over the years of 2007-2010 to stop the spread of bird flu. Government workers rolled down streets, spraying disinfectant from massive tanker trucks.

Korea's repeated disease outbreaks seemed like a logical result of an industrial agricultural system based on animal confinement. I knew that Korea's modern industrial agricultural system was a post-war import of America's industrial agriculture complex, which continues to forge down the same path: confine animals; sterilize; spray, modify genes if necessary.

This model of industrial agriculture, with a toxic soup of abiotic soil and synthetic chemicals, was the opposite of what we wanted when we decided to put down roots in Maine's strong organic farming community.

In the spring of 2011 we chose a small, tight house in Penobscot that faced the sun and had a masonry wood heater. On March 11, 2011 the citizens of Penobscot became one of the first to pass the Local Foods and Community Self-Governance Ordinance. This forward-thinking town decided it was time to take back control of food safety and on-farm processing. They asserted the right to produce, process, sell, purchase and consume local foods; to promote self-reliance; preserve local traditions; and asserted their inherent right to self-governance. This was our kind of community.



Andy Felger gives his son Toby a close look at safe, small-scale animal husbandry in Maine

Can Local Food Survive America's Food Oligarchs?

By David E. Gumpert

At first glance, the United States appears to have a safe and well regulated food supply. After all, we think we can go into any supermarket or other food store, confident that the food we buy won't make us immediately ill.

Yet the US Centers for Disease Control says 48 million people get sick from food-borne illness each year, and that the incidence of auto-immune and other chronic conditions like asthma and diabetes, perhaps caused by agribusiness practices, are spreading at epidemic levels.

How do we explain these contradictions?

Imagine these examples:

- Imagine if chicken were our most dangerous food for transmitting food poisoning, and that nearly all the chickens distributed through supermarkets were tainted with pathogens like campylobacter and salmonella. Surely public health authorities would do something to force the corporate chicken producers to clean up their act, wouldn't they?
- Or imagine if the more widely we sprayed a pesticide on genetically-modified crops like soy and corn, the higher the incidence of children born with autism. Surely we would seek to get to the bottom of this ominous correlation, wouldn't we?
- Or imagine if we had an epidemic of a serious auto-immune disease like asthma — with 10% or more of the nation's children afflicted — and we found, through large-scale European research on more than 20,000 children, that pure unpasteurized cow's milk could significantly reduce asthma's incidence. Surely we would launch a research effort to learn more about milk's benefits, wouldn't we?

It turns out that none of these scenarios is imaginary. American chicken has been repeatedly shown to be badly tainted. GMO crops are being sprayed with Monsanto's Roundup, whose primary ingredient, glyphosate, has shown in its sales growth close correlations with the rising rates of autism. On the raw milk scenario, it turns out there has been in-depth research strongly suggesting, that there is a "protective effect of raw milk consumption on asthma."

There have been no official actions of substance to counter these disturbing trends. In fact, it's quite the contrary. Not only does tainted chicken still flood our supermarkets every day, but it's much the same on the GMO-Roundup-glyphosate front. As for follow-up research on raw milk's potential for countering our asthma epidemic, there is nothing in the works because no serious researchers will even propose such research, for

fear they will be blackballed from receiving research funds of any kind.

It's not as if the public health authorities haven't taken action against food producers.

But they have acted in a strange way. They have gone after small food producers who sell chickens *without* pathogens, or milk that is *unpasteurized*.

What's going on? The top 20 food processors, which are also the biggest American corporate food brands, are almost all oligopolies — where a very few companies control an entire industry. The meat business is controlled by four companies. The dairy business is essentially controlled by one corporation — Dean Foods. Similarly, the cereal business is controlled by only three corporations, and the beverage business by two — Coke and Pepsi.

As Americans have sensed that corporate America may be poisoning them, a revolution is under way, with growing numbers of people migrating from factory food to healthy food. The shifts in people's food habits is having an effect. A number of food oligarchs are experiencing financial setbacks.

To accomplish real change, though, we need to break the oligarchs. That will require serious actions on the part of consumers, including not only a willingness by people to sacrifice convenience, but also a willingness by more people to participate in the politics of food.

It may sound crazy in this age of seemingly all-powerful food oligarchs, but we can transition to community-based food. We need to spread the word, educate more and more people, and be willing to make the commitment. It's a huge task, but the end result is certainly a worthy goal.

David E. Gumpert is a writer specializing in the politics and business of food. He is author, most recently, of Life, Liberty and the Pursuit of Food Rights. His blog is www.thecompletepatient.com



It may sound crazy in this age of seemingly all-powerful food oligarchs, but we can transition to community-based food.



photo: tcdailyplanet.net

Outsourcing

The ultimate outsourcing is the outsourcing of decision making. Right now, the average piece of farmland is being governed by people who will never set foot on it or see the ramifications of their decisions. They don't ever have to see it, smell it, or live with it. — Joel Salatin

The Food Safety Modernization Act

By Ryan Parker

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The Food Safety Modernization Act (FSMA), signed into law on January 4, 2011, is nearing completion of the rule making process and will soon be fully enacted. While the nation's food system does need a serious safety overhaul, the FSMA will fall drastically short in achieving this goal. This is not hyperbole from a critic but government projection.

Of the 48 million people the Centers for Disease Control (CDC) says are annually sickened by food, 128,000 are hospitalized and 3,000 die. According to Food and Drug Administration (FDA) estimates, implementation of FSMA will lead to only 1.75 million fewer people becoming infected by food pathogens. The FDA estimates the cost to achieve this 3.6 percent reduction at \$1.6 billion dollars.

More importantly, the agency also acknowledges that implementation of this law will shutter many small farms by preventing them from entering the marketplace, not because they are the problem, but because compliance will be too expensive for them. While shuttering so many small businesses will have profound economic repercussions in countless communities, the greatest cost will be, ironically but predictably, loss of food safety.

The CDC's Food Outbreak Online Database shows that food borne illnesses do not come from the small farmers, but from the processors, packers and very large farms that can afford to implement the changes. On top of this, the World Health Organization reports in "Terrorist Threat to Food" that agribusiness' centralized control and production increases the likelihood of contamination affecting greater numbers of people.

The FDA also claims it will be using a "science based" approach to food safety. But the

FDA Says

"There is no absolute right to consume or feed children any particular food."

"There is no 'deeply rooted' historical tradition of unfettered access to foods of all kinds."

"[The] assertion of a fundamental right to their own bodily and physical health...is unavailing because [consumers] do not have a fundamental right to obtain any food they wish."

agency's science previously determined that feeding ground up cow parts to cows was safe, but that practice led to Mad Cow Disease. And politics at the FDA often bury science, as with its approval of rBGH and GMOs.

Further, the language of the proposed rules on the safe handling of produce is filled with terminology that belies the agency's use of the word "science." FDA proposes that the safety of water be "adequate." Adequate is subjective, not scientific. What is "adequate" to one person may be inadequate to another. The 46.25 million people still annually sickened by food will probably judge whatever the agency decides is "adequate" to be otherwise.

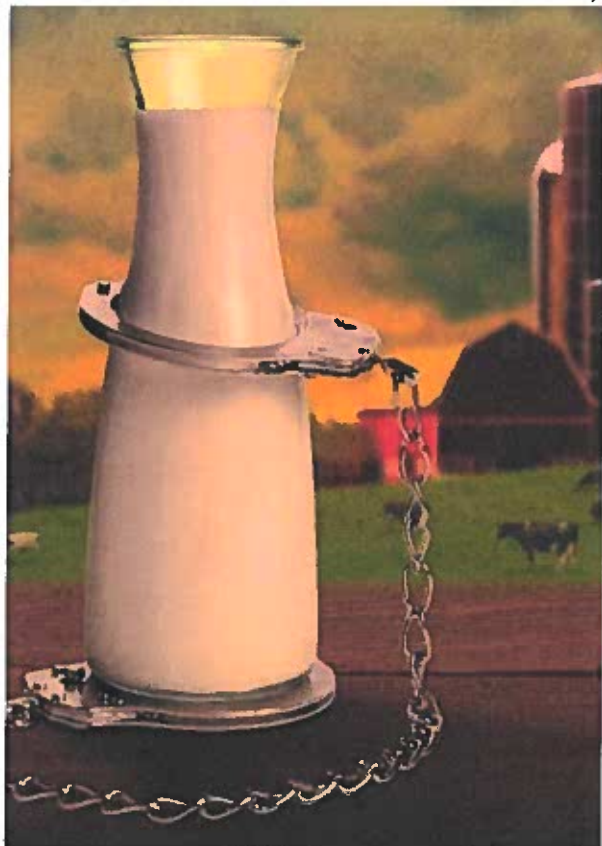
The hopes of the FSMA are pinned to what has been voluntary Good Agricultural Practices (GAP). Now the FDA plans to make these practices mandatory rather than voluntary.

The problem with using the GAPs as the center of the FSMA was made glaringly obvious nearly two years after FSMA was signed into law. In late November 2012, Wegmans Food Markets Inc. recalled organic spinach and spring mix due to an outbreak of E. coli O157-H7. The CDC reported 33 people in five northeastern states were infected, nearly half of them hospitalized and two suffering kidney failure. The greens in question were sourced from State Garden Inc., which is required by Wegmans to meet GAP specifications. But obviously the GAP was not adequate.

Compliance with GAP is overseen by the Department of Agriculture's Specialty Crops Inspection (SCI) Division. According to the agency's website, in 2011 the SCI performed 3,000 audits across 46 states and Canada. It is extremely troubling that, with all these audits, there are still 48 million illnesses. Who decided what constitutes Good Agricultural Practices? The FDA in consultation with the food industry.

The FSMA will ensure that the science, politics and history of the FDA will replace the safe vegetables and fruit from your local farmer as an honored guest at your table.

Ryan Parker is a former staff member of the United States House of Representatives. Currently, he writes in Central Maine where he and his family own and operate Parker Family Farm, a diversified, micro-scale endeavor.



graphic: Farmageddon

“Free” Trade Agreements, Small Farms, and America’s Eaters

By Bonnie Preston

The so-called “Free” Trade Agreements — NAFTA and its children — including the up-coming Trans-Pacific Partnership (TPP) and Transatlantic Trade and Investment Partnership (TTIP) are not about trade. Devon Peña, who blogs at Food First, calls them “Free [to exploit] trade treaties.” In broad terms, they are a plan to establish corporate sovereignty, giving the largest multi-national corporations (MNCs) the power to run the world. They are already more powerful than most governments, and wealthy enough to buy the US government.

One of the most critical aspects of these agreements, and one of the biggest challenges to local and national sovereignty, is the imposition of intellectual property rights by MNCs. Leaked documents have shown that requirements under the TPP can lead to MNCs patenting life itself. It already includes patents on seeds, including Monsanto’s GMO seeds. Under terms of TTIP, Europe could be forced to allow GMO seeds into Europe, if Monsanto sues them. If the TTIP comes into force, laws requiring labeling of GMOs or banning GMO use could be outlawed in the US.

One of the most devastating enforcement mechanisms of these agreements is investor-state-relations, which gives a corporation the right to sue a government for “future lost profit.” Think about that for a moment. Isn’t a basic premise of capitalism the idea that investors are taking risks? Capitalism provides no guarantee of profit

So, if any country involved in the TPP, tries to protect its indigenous life forms and some multi-national corporation decides that this protection impinges on their future profits, India could find itself in a punishing law suit that is decided by a secret tribunal of trade lawyers.

At the same time, these trade regimes are a license for MNCs to exploit people and nature. This happened after NAFTA came into force in January 1994. In only a few years, millions of Mexican peasant farmers were forced off their land as US subsidized products flooded into their country and sold for less than local foods. These farmers found work at sub-poverty wages, in the maquiladoras along the border, or on a corporate-owned farm in Mexico or the United States. This destruction of farmers’ lives is being repeated around the world on a massive scale.

Those of us who eat (do you eat?) are also exploited. Trade agreements have decreased the

safety and health value of food, and this will only get worse as more countries fall under the sway of free trade. This is a two-way street. Some US policies seriously compromise our health and will be forced on other countries, while lack of food safety in other countries will threaten us. Unhealthy industrial food will become even more dominant everywhere.

The massive agribusiness operations that rule farming are devastating the environment, and they are strengthened by current trade principles. Fred Kirschenmann has said that we must farm in harmony with nature, a law of nature that industrial agriculture violates. Results include dead soils, which do nothing but hold up plants instead of nourishing them — and therefore us — and dead zones in the ocean, which kill massive quantities of sea life.

Numerous reports over the last decade have shown that only small-scale, diversified, closed loop farming can feed the world as the population grows. Using all waste products from a farm (closed loop farming) creates healthy soil without any outside inputs. A focus on small, local farms feeding their communities will cut the greenhouse gas emissions of industrial agriculture. It will put people to work in a productive way, and enrich local economies. It is a win/win/win that current trade policies, with the strengthened rights and greater reach coming with new trade agreements, will short-circuit. We cannot let that happen.

Bonnie Preston is the AFD representative on the board of the Maine Fair Trade Campaign.

Biopiracy (is) biological theft; illegal collection of indigenous plants by corporations who patent them for their own use

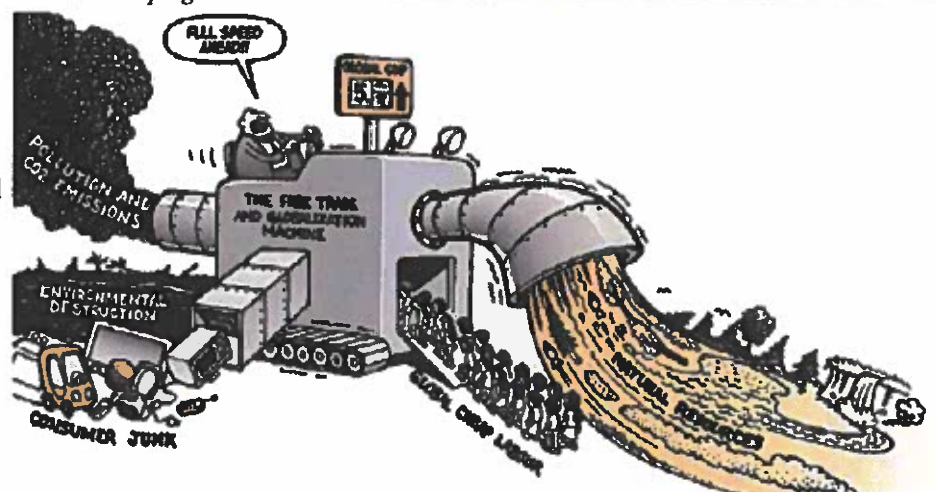
— Vandana Shiva



Trade regimes are a license for multi-national corporations to exploit people and nature.

Strength

Trade increases the wealth and glory of a country; but its real strength and stamina are to be looked for among the cultivators of the land. — William Pitt



Making Traditional Foodways Visible

By Hilda Kurtz

While the language of the Local Food and Community Self-Governance Ordinance (LFCSGO, see pages 18-19) is straightforward, the implications of the ordinance have been more complex. The passage of the LFCSGO in multiple towns has catalyzed political debate, legislative efforts, and litigation, leaving the future of the ordinance and small-scale agriculture in Maine uncertain.

Adding to the ambiguity, the intent of the ordinance seems misunderstood in many quarters. Mainstream media accounts commonly caricature the ordinance as a libertarian rejection of government intervention in order to privilege individual freedoms. While the ordinance finds support from across the political spectrum, my interviews with 30+ people thinking carefully about the LFCSGO, limit a libertarian interpretation and underscore the importance the ordinance places on relationships of trust and respect between members of communities. My interview participants suggest that it is a deeply populist policy instrument that radically challenges business as usual in food and agricultural regulation.

Two key themes around what the ordinance is intended to protect emerged from the interviews. First, it protects people's relationships and their own judgment. A majority expressed willingness to accept the consequences of any mistakes or accidents that might occur, and rejected the idea that they should allow a state apparatus to infantilize them by eliminating or marginalizing their own capacity for judgment about a neighbor's farming practices.

Second, the ordinance protects people's social networks built on trust, care and respect, which are fostered through exchanges of farm food. As

people come to rely on one another's care and judgment in producing food safely, they form strong and enduring social bonds with one another. Within the deeply localized food systems at stake in the ordinance struggle, people explained, any problems with a given farm's food can be quickly traced to their source, and the

farmer entrusted to remedy the problem. If the farmer doesn't do so, then social and economic networks will respond accordingly. What people are describing is the social embeddedness of market relations, in which non-market social relationships shape economic relationships, and vice versa. Such mutually reinforcing relationships in turn foster strong communities.

The social embeddedness of market relations is invisible to neoliberal capitalism, which assumes a deeply atomistic human existence, in which individuals act only in relation to themselves and their own needs. The neoliberal world view was starkly described by British Prime Minister Margaret Thatcher when she asserted that "there is no such thing as society, only individuals." If Thatcher were right, then perhaps extensive and intrusive agrifood regulations would be called for. But try as neoliberal capitalism might, Thatcher's vision of rank individualism does not hold water — except perhaps on Wall Street and K Street. The social fabric of mutual trust, respect and neighborliness in places like rural Maine, and countless others like it, embeds economic exchanges in social relationships, and sustains age-old mechanisms for sustaining rural communities and producing farm food safely.

Such multi-layered social relationships are not only invisible to neoliberal capitalism, they are also unrecognized by state regulatory apparatuses, which rely on schematic simplifications to control territory and populations, and in the case at hand, food and farming. The LFCSGO rejects these simplifications and calls for recognition of the socially embedded local food networks which enrich life in rural Maine. In this way, the ordinance has opened important debates about the character and capacity of populist politics now and in the future.

Hilda Kurtz is an Associate Professor of Geography at the University of Georgia, where she studies and teaches about alternative food networks.

Transformative Right to Food

In Olivier de Schutter's final report as the UN Special Rapporteur on the Right to Food in January 2014, called *The Transformative Potential of the Right to Food*, the conclusion is made that ensuring the right to food rests on developing food sovereignty at multiple geographic scales and levels of governance. The report notes that "empowering communities at the local level, in order for them to identify the obstacles that they face and the solutions that suit them best, is a first step."

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The Local Food Ordinance

The Local Food and Community Self-Governance Ordinance (LFCSGO) passed unanimously at the annual Greenwood town meeting in May; one of 20 towns adopting the ordinance since 2010.

The concept of food sovereignty began in Spain in the 1990s. In Maine, the work began in 2009, to address rules changes by the Department of Agriculture - a crisis for small farmers. Heather and Phil Retberg, Quills End Farm, Penobscot drafted the original ordinance; the first food sovereignty ordinances passed in some Hancock County towns. A 2011 statewide bill to protect local food sovereignty failed in the Maine State Legislature.

Following Greenwood approving the LFCSGO, the Maine State Legislature passed LD 725 an Act to Recognize Local Control Regarding Food Systems; signed into law by the Governor on June 18, 2017. This new law goes hand-in-hand with the LFCSGO. Municipalities must adopt the ordinance in order to take advantage of the law.

Excerpts follow from details (adapted) about the Local Food and Community Self-Governance Ordinance, in relation to the new law (LD 725), by Local Food Rules, Community Water, and by Richard King, who, together with his wife Maria, championed the LFCSGO in their town of Liberty: Food sovereignty means that people who grow food and people who eat food have control over their lands, water, seeds, and livelihoods.

The local food ordinances now enacted and local policies have created a positive reputation for Maine's support of small-scale, ecologically sound, diversified farms that people are moving to Maine because they know they will be in a supportive community. Local food ordinances, in concert with the new law, specifically addresses local food systems and defines such as "...a community food system within a municipality that integrates food grown, produced or processed by individuals in that municipality who sell directly to consumers and other traditional foodways. Any food products intended for wholesale or retail distribution must be grown, produced or processed in compliance with all applicable state and federal laws, rules and regulations.

The ordinance does not exclude any local food product (e.g.: includes meat, poultry, milk, cheese, vegetables, value-added goods, etc.).

A local food ordinance does NOT limit liability for a producer of a food product. It is up to producers to protect themselves with insurance, agreements, understandings, etc.

The LFCSGO is not intended to create a retail market that simply circumvents food safety rules, but instead aims to rejuvenate traditional local foodways where communities provide for themselves in an atmosphere of trust—not unlike having friends over to share a meal.

The new law recognizes the home rule authority granted to municipalities in the Maine Constitution. It provides communities leverage against the overwhelming monetary advantage possessed by international corporations with lobbying power in our state and federal legislatures, putting decision-making power in the hands of people, not corporations, over who is controlling our global food system, and ensuring stewardship and community self-determination, health and dignity of Maine people. Being part of rule-making, policies and laws citizens must be part of crafting them, representing a shift in the power structure away from the corporate- bureaucratic control of food.

State recognition of local authority will enable more resilient, flexible, adaptable policy to flourish without the threat of state preemption (ensuring our communities have a means of protection and production).

We need to protect the value of our land and to be able to determine what is necessary for our local economy to grow in the ways that will best fit our way of life.