

Senator Davis, Representative Martin, members of the Joint Legislative Committee on State and Local Government, and members of the public, thank you for the opportunity to speak in this forum. My name is Eric Rector, I am a very small cheese and yogurt maker in Monroe, and I am a board member of the Maine Cheese Guild. On behalf of the Guild I would like to testify **Against** LD725: *An Act To Recognize Local Control Regarding Food and Water Systems*. This bill would create a myriad number of different regulatory environments for food processors. In our opinion this bill seeks to needlessly complicate the present regulatory environment and ignores the work this State already does to foster new dairy and food businesses of every size.



I will begin with the Guild's Quality Statement – published in 2009 – which is a fundamental tenant of our group:

*The Maine Cheese Guild believes that cheese of the highest quality can only be made with a thorough and regularly refreshed knowledge of food safety.*

*The Maine Cheese Guild promotes and sponsors regular opportunities to learn about best practices for cheese making. The Guild also believes that the best way for professional cheese makers to guarantee the quality of their product is by being appropriately licensed by the Maine Department of Agriculture, as only licensed cheese makers are legally allowed to sell cheese to the public, and only licensed cheese makers receive feedback from the dairy regulatory unit through regular testing for contamination and facility inspections. This feedback is critical, together with on-going education, in maintaining the high quality of award-winning Maine cheese.*

One of the most important factors in stimulating the "explosive growth"(1) of dairy processing businesses in Maine is the partnership offered in our efforts by the Maine Department of Agriculture. Rather than restricting the options of small family farms, Maine's current dairy regulatory environment has resulted in the fastest in the Nation growth in small dairy producers and processors.

This bill does not recognize a great dairy success story and turns it on its head, arguing that local regulation can bring the same resources and experience to the work of helping dairy processors produce high-quality, award winning, and safe products. The Maine Department of Agriculture has over fifty years of experience successfully regulating the dairy products produced by family farms of all sizes, some as small as one family cow, or a few goats. This bill ignores state laws that have worked very well for many decades and are the envy of many small farmers in other states. In addition this bill would create a food safety environment that would be unintelligible to the consumer in the marketplace, and would be an uneven playing field for different food producers based in different towns and cities.

Those who would argue that state licensing and regulation are impossible standards for a struggling farmer or dairy processor to meet are ignoring the vast number of small farms and dairy processors who have become licensed in the past ten years. Those who would argue that it's too expensive to meet current regulatory standards have probably never called a dairy inspector to ask for help to create an affordable, sensible, and sanitary milking parlor and processing room. In our long experience Maine's dairy inspectors and milk lab have always worked to help us to succeed in becoming licensed, and to succeed in becoming successful sustainable businesses. These inspectors have always been willing to work with any farmer or processor to help accomplish that licensed producer's goals at the cost of the minimum \$25 annual licensing fee.

It bears repeating: Maine's dairy inspectors and Maine's Milk Lab have over fifty years of experience successfully regulating the licensed sale of dairy products by family farms. The supporters of this bill may argue that a "local food system" is self-regulating because of its small scale, but will every consumer then become a dairy processing expert, capable of evaluating their neighbors operation before purchasing their product? And will every "local food system" hire dairy inspectors to help their dairy producers make a high-quality product, as well as build and staff a dairy lab that is provides essential feedback to dairy producers at the current cost to the producer, which is as low as \$25 a year today?

In our opinion this bill is an ambiguous attempt to circumvent regulations that are working for producers and consumers alike. If passed the regulatory changes would muddle a working and functional system for existing producers and consumers alike. The Maine Cheese Guild urges this committee to vote OUGHT NOT TO PASS on LD725.

(1) from a ME Dept. of Ag, Conservation, and Forestry 3/4/15 press release (on reverse):



## Maine Department of Agriculture, Conservation and Forestry

Walter E. Whitcomb, Commissioner

### For Immediate Release

March 4, 2015      Contact: John Bott, (207) 287-3156

#### Maine agricultural officials report record interest in obtaining licenses to sell dairy products

AUGUSTA – The Maine Department of Agriculture, Conservation and Forestry’s Division of Quality Assurance and Regulations reports record interest on the part of Maine farms to obtain licenses to sell retail dairy products. Recent requests for inspections and inquiries clearly points to a substantial increase in the number of licenses to sell dairy products from the current number of 134.

The recent interest comes on the heels of explosive growth in the number of operations producing artisanal cheese and raw milk products. Department officials report that seventeen (17) farms have expressed enough interest in obtaining a license to contact dairy inspectors and have an inspection done. An additional twenty (20) have made inquiries, but have not yet scheduled an inspection. The retail dairy licenses involve cow, goat, sheep and water buffalo milk.

Commissioner Walt Whitcomb highlighted Department support of the growth in the number of artisanal cheese and raw milk facilities. “The DACF supports the growth of Maine’s dairy industry with technical assistance, marketing, and regulatory support,” said Whitcomb. “While the Department does play a vital public health role, our technical assistance also is supporting the rural economic growth that is signified by the increasing number of artisanal cheese and raw milk facilities in Maine.”

**Benefits of Maine’s modest annual license fee** – For a \$25.00 annual license fee the DACF provides:

- Initial consult with dairy inspector with facility and set up advice
- Large packet of information mailed with copies of all information needed
- Monthly analysis and reports of all products made
- Multiple facility inspections every year
- Equipment inspections for those who heat-treat or pasteurize
- Water testing
- Free lab testing to identify sanitation problems or quality issues (in addition to monthly product testing)
- Access to Maine Cooperative Extension Specialists and State veterinarians for additional assistance
- Unlimited phone assistance from dairy inspectors and laboratory

#### Rapid growth:

- In 2006, there were 15 licensed facilities that offered raw milk for sale. Today there are 54 licensed raw milk businesses in Maine.
- In Maine, a consumer may purchase “not pasteurized milk” and cheeses from a farm, a farmers market or a retail establishment – a freedom that only Maine and 11 other states provide.
- The number of cheese businesses has more than tripled in the past eight years to an April 2017 total of 87 businesses offering various cheeses for sale with 23 more applications pending. According to a University of Vermont study, Maine is the fastest growing artisan cheese producing state in the country, trailing only New York in terms of the number of licensed artisan cheese makers.

- Maine dairy goat farms increased from 17 in 2008, to 46 in 2014.
- This is in addition to fluid milk sales from 300 dairy farms to producers totaled \$140 million.

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