



Written by [Raven Clabough](#) on March 24, 2011

## Small Town Rejects Federal Interference, Declares Food Sovereignty

As federal agencies like the Environmental Protection Agency and the Food and Drug Administration continue to enjoy vast regulatory overreach, a tiny town in Maine decided enough is enough. Approximately 100 residents of Sedgwick, Maine unanimously approved a so-called food sovereignty initiative at a March 5 town meeting, which will allow food producers in the town to sell food without federal and state regulatory interference.



*Food Safety News* reports:

“Titled [“The Ordinance to Protect the Health and Integrity of the Local Food System,”](#)

Sedgwick’s four-page document invokes the town’s right to self-governance, and states that local producers and processors may sell food to consumers without licensing.”

The purpose of the Local Food and Community Self-Governance Ordinance reads:

1. Provide citizens with unimpeded access to local food;
2. Enhance the local economy by promoting the production and purchase of local agricultural products;
3. Protect access to farmers’ markets, roadside stands, farm-based sales and direct producer to patron sales;
4. Support the economic viability of local food producers and processors;
5. Preserve community social events where local foods are served or sold;
6. Preserve local knowledge and traditional foodways

The ordinance reads, “We have faith in our citizens’ ability to educate themselves and make informed decisions. We hold that federal and state regulations impede local food production and constitute a usurpation of our citizens’ right to foods of their choice.”

Buyers and sellers are permitted to negotiate private agreements regarding liability for the consumption of the food under the new ordinance.

It also relies heavily on language found in the Declaration of Independence, which according to the ordinance, declared that “governments are instituted to secure peoples’ rights, and that government derives its just powers from the consent of the governed,” as well as language found in the Maine Constitution, which states: “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 indefensible right to institute government and to alter, reform, or totally change the same when their safety and happiness require it.”



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In other words, the small town is trying to reclaim local authority that is slowly but surely being usurped by the federal government.

Likewise, the town of Sedgwick is utilizing New England's strong populist tradition, and relying on the authority attained in a New England town meeting process, which provides the townspeople legislative authority on matters of finance. Health Impact News reports that Sedgwick is the first locale in the country to pass a ["Food Sovereignty" law](#).

Additionally, two bills-LD 366 and LD 330- are currently under consideration, which would further reduce regulation of raw milk sales, and exempt farm and homemade food products from certain licensing requirements.

According to Food Safety News, the motivation for the ordinance "grew out of a controversy over poultry, and a request from small farms slaughtering fewer than 1,000 birds to do so without having to use an indoor processing facility." After a great deal of debate, the small poultry processors' bid was denied, as the state articulated fears that it would lose federal funding for meat inspection otherwise.

Sedgwick farmer Bob St. Peters explained the poultry processors' sentiments:

We felt like, we as farmers and farm patrons, presented a really good case to the state and they said we can't help you because our state funding is at stake. So we discussed other avenues, and some of us were familiar with different local ordinances, some that had passed in Maine regarding GMOs, others that had passed elsewhere regarding corporate personhood. We felt that dealing with this on a town level was the way to go.

Thus far, Maine's Department of Agriculture, Food, and Rural Resources has adopted a "wait-and-see" approach to Sedgwick's ordinance. Walter Whitcomb, the agency's newly appointed commissioner, states that he was aware of the ordinance even before taking office, and had toured Sedgwick and met with proponents of the initiative.

The Agriculture department is already in the process of preparing testimony on the proposed bills once hearings are scheduled.

Addressing concerns regarding the inspection and processing of foods in the town as a result of the bills and ordinance, Whitcomb said, "The Agriculture Department has not been aggressive on this subject, in part because these areas are currently before the state legislature. Our staff has been dealing with these concerns for several years, but they've come to a head this year. We kind of wanted to work through the process before we became more active in enforcement."

St. Peters, who started a home-based cookie business in celebration of the passage of the ordinance, explains the town's philosophy:

The town ordinance codifies the way that people have been doing food business for a very long time. The direct relationship creates transparency and accountability and all the things you need to ensure a safe food system, and it's been the way things have operated. The certifications of home kitchens, the trend toward licensing and bureaucracy has really put a damper on small cottage industries and small farm businesses, and I think this is going to have the opposite effect.

Whitcomb indicates that the state's Attorney General's office is currently investigating whether the town can in fact seize authority to regulate local food production, particularly as it relates to whether or not the food produced in Sedgwick could be sold elsewhere, and is preparing a legal response.

"We haven't found anything in the statute that says that the town can supersede the state on food



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safety,” remarks Whitcomb.

Local residents are pleased by the town’s retrieval of local authority, including Mia Strong, who said, “Tears of joy welled in my eyes as my town voted to adopt this ordinance. I am so proud of my community. They made a stand for local food and our fundamental rights as citizens to choose that food.”

Sedgwick has set a glowing example for other towns in Hancock County — Penobscott, Brooksville, and Blue Hill — that are now considering similar “food sovereignty” measures.



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