

Permits, Licensing & Production Resources

October 9, 2018



How Do I Prove I'm a Farm?

- Separate checking account
- Business cards/letterhead/website
- Farm association memberships
- Attend farm educational meetings
- Complete Agriculture Census
- Complete National Agricultural Statistics Service Surveys of commodities
- Schedule F - IRS



Funding / Financing

- Own savings
- Investor
- Commercial Bank
- Farm Service Agency
 - Ownership loan
 - Operating loan
 - Youth loan
- Small Business Administration
 - Revolving loan program



Reference Available

http://www.getrealmaine.com/_ccl/ib/attachments/pages/Loans_and_grants_booklet.pdf

Funding Sources

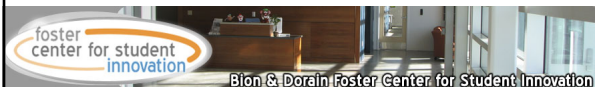
	Direct Lending	Guaranteed Loans	Equipment Loans	Program Loans	Construction Loans	Other Loans
AGRICULTURAL BANKS - SELECT FARM LOANS (FARM) Maine Department of Agriculture Food & Rural Services 28 State House Station Augusta, ME 04333 207-287-7820 http://www.maine.gov/agriculture/rural/agbusiness/loan/AMLF/loan-application.html	Augusta	1	1			
COMMERCIAL BANKS (SBA) GUARANTEED LOAN PROGRAM United States Department of Agriculture, Rural Development 1400 Independence Ave. SW Washington, DC 20250-9700 202-854-4103 www.usda.gov/garnt/loans/loans_gar.htm	Bangor Presque Isle Lewiston Scarborough	1	1	1	1	1
DIRECT FARM OWNERSHIP AND OPERATING LOANS United States Department of Agriculture, Farm Service Agency 1400 Independence Ave., S.W. Washington, DC 20250-9700 202-350-4423 http://www.fsa.usda.gov/FSA/loans/loans.htm	Bangor Scarborough Shelburne Fort Kent Shelburne Presque Isle Scarborough Lewiston Augusta Farmington	1	1	1	1	1

Finding Funds For Farming
Maine Farmers Guide to Loans and Grants



Business Assistance Resources

- Small Business Development Center
 - www.mainesbdc.org/
- Maine Business Works
 - <http://www.businessfinance.com/maine-business-works.htm#axzz4eWPfdjJA>
- University of Maine Innovation Center
 - <https://umaine.edu/innovation/>



Business Assistance Resources

- Maine Dept. of Ag Conservation and Forestry – 287-3871
- Natural Resource Conservation Service – local offices
- USDA Farm Service Agency – local offices
- [Maine Department of Economic and Community Development](http://www.maine.gov/economicdevelopment) (207) 624-9800
- [Coastal Enterprises Inc](http://www.coastalenterprisesinc.com) (CEI) 207-504-5900
- [Maine Farmland Trust](http://www.maine-farmland-trust.org) (207) 338 – 6575
- [SCORE](http://www.scoreinc.com) (207) 536-1143

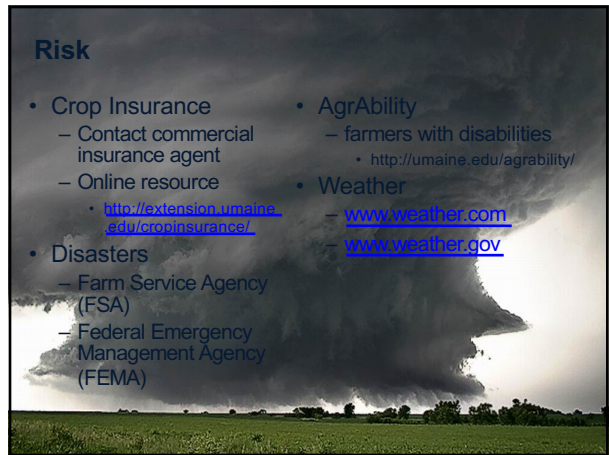
Farm Insurance

- Homeowners does NOT cover farm operations
- Only three insurance companies in Maine cover farms
 - Farm Family
 - Country Side
 - Maine Mutual
- Employer's insurance
 - Workers comp
- Product insurance
- Crop Insurance
 - Contact commercial insurance agent
 - Online resource
 - <http://extension.umaine.edu/cropinsurance/>



Risk

- Crop Insurance
 - Contact commercial insurance agent
 - Online resource
 - <http://extension.umaine.edu/cropinsurance/>
- Disasters
 - Farm Service Agency (FSA)
 - Federal Emergency Management Agency (FEMA)
- AgrAbility
 - farmers with disabilities
 - <http://umaine.edu/agrability/>
- Weather
 - www.weather.com
 - www.weather.gov



Farm Land Protection

- [The Land for Maine's Future Program](#)
- [Maine Farmland Trust](#)
- [Maine FarmLink](#)
- [Farmland Property Tax Program](#)
- [Tree Growth Property Tax Program](#)



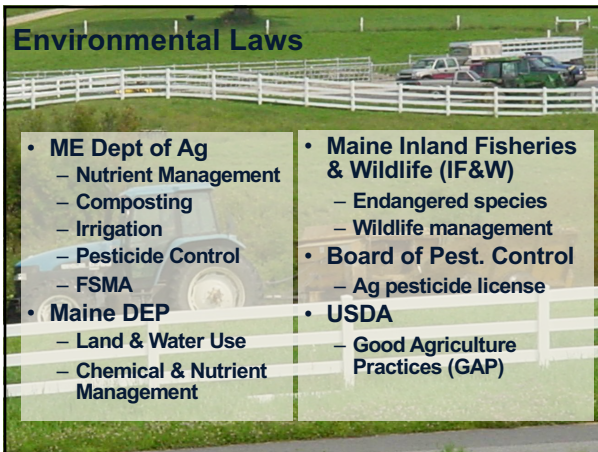
Estate Planning

- Plan for the future
 - Who will run the farm when you retire or pass away?
 - Provides for the orderly transfer of farm assets to the next generation



Environmental Laws

- ME Dept of Ag
 - Nutrient Management
 - Composting
 - Irrigation
 - Pesticide Control
 - FSMA
- Maine DEP
 - Land & Water Use
 - Chemical & Nutrient Management
- Maine Inland Fisheries & Wildlife (IF&W)
 - Endangered species
 - Wildlife management
- Board of Pest. Control
 - Ag pesticide license
- USDA
 - Good Agriculture Practices (GAP)



Agriculture Best Management Practices

- Erosion & sediment control
- Manure
- Pests
- Nutrients
- Irrigation
- Livestock
- Odor
- Insects
- Noise
- Farm



Right to Farm Law

- Protects farmers from nuisance complaints provided they are following BMPs.
- Agriculture compliance officer will investigate complaint and work with farmer to mitigate relations with neighbors and suggest changes in farm practices



Zoning

- Check with your local town or city
- Maine Municipal Association



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Signs

- Official directional signs
 - Maine Dept. of Transportation
 - \$30 annual fee
 - <https://www1.maine.gov/vmdot/traffic/>
- Categorical Farm Business Signs
 - Only from May 1st to Dec. 31st
 - 33 feet from center of road
 - 8 square feet
 - Within 1,000 feet of farm stand property




Maine Department of Labor

- Restrictions for Minors (under 16 years of age)
 - Except on family farm
 - Tractor safety training allows youth to operate tractors (14 – 16 years)
 - Work hours restricted during school hours
- Minimum wage \$9.00 / hour
 - Exception
- Circular A tax guide for Ag employers



Finding Labor

- Career Center
- Maine Staffing Services
- MOFGA Apprentice
- Migrant & Immigrant Service of Maine
- Written job description
- Train how to do farm tasks
- May need to do pesticide safety training



Farm Vehicles

- Registration
 - Farm
- Inspection
 - Regular
 - Farm – within 20 miles
- Weight limits
- Slow moving vehicles
- Off road use of fuel
 - Exempt from tax
- Sales tax exemption for some farm purchases

<https://www.maine.gov/revenue/forms/homepage.html>



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Licensing in Maine

- <https://extension.new.maine.edu/penobscot/sywtfm/more-resources-for-session-3/>

Resources for Extension on Maine Laws and Regulations Affecting Direct Sales of Farm Products (Excel)

- Chapter 345: Home Food Manufacturing (Word)
- State of Maine Food Licensing
- Maine Food Statutes
- Recipe to Market: How to Start a Specialty Food Business in Maine, UMaine Extension
- Selling Eggs in Maine, UMaine Extension
- On-Farm Poultry Processing for Small Flocks in Maine, UMaine Extension
- EBT For Farmers
- SNAP Guide for Farmers Markets
- Maine Electronic Benefits — Maine Federation of Farmers' Markets
- WIC for Maine Farmers
- Implementing WIC & SNAP at Maine Farmers' Markets (PDF), Maine Dept. of Environmental Protection
- Maine Department of Transportation
- Maine Department of Environmental Protection
- Maine Inland, Fisheries and Wildlife
- Maine Department of Public Safety
- Federal Alcohol and Tobacco Tax and Trade Bureau

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Quality Assurance & Regulations

Applications & Forms

Documents below are provided in PDF or Microsoft Word formats. To view PDF documents, you will need you will need Microsoft Word or the free [Word Viewer](#).

Licensing in Maine

- [Maine Department of Agriculture, Conservation and Forestry, Division of Quality Assurance and Regulation – application forms](#)

Food, Feed, Fuel

- Food and Fuel License Application (DOC 236KB)

Dairy

- Dairy License Application (DOC 208KB)

Food, Seed & Fertilizer

- Motor, Scales & Fertilizer Registration Application (PDF 37KB)

Weights and Measures

- Wood Scaler / Apprentice Wood Scaler License Application (DOC 110KB)
- Dealer / Repair person / Weighmaster License Application (DOC 155KB)
- Meter In-Service Report (PDF 86KB)
- Placed In-Service Report for Scales (PDF 85KB)
- Placed In-Service Report for Motor Fuel Dispensers (PDF 82KB)

Fruits & Vegetables

- Small Grains, Potatoes, or Dry Beans License Application (PDF 153KB)
- State of Maine Quality Trademark License Application (PDF 69KB)
- Controlled Atmosphere Registration Application (PDF 28KB)

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Maine Food Sovereignty Law

- *An Act to Recognize Local Control Regarding Food Systems*, LD725, took effect on November 1, 2017.
- LD725 applies only to sales conducted at farms and homes where the food was produced and only in towns that have formally declared food sovereignty.
- Excludes meat and poultry processing.
- Does not apply to Farmer's Markets or any off-site location.

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What is Regulated?

Food Safety

- Consumer Food Inspection
- Red Meat and Poultry Inspection
- Fruit and Vegetable Inspection
- Poultry and Egg Grading
- Dairy and Cheese

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What is Regulated?

Food Safety

- Home Food Processing
- Weights and Measures
- Farmers Markets and Roadside Stands
- Licensing
- Apiary
- Wine and Spirits
- Interstate commerce?

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Animal Regulations

- Protection from contagious disease
 - Bio-security Plan for Farm
 - Farm Veterinarian
- Protection from owner abuse
 - Maine Animal Welfare
- Licensing in Maine
 - Livestock dealers
 - Auctions
 - Slaughter houses
 - Pulling events



Slaughtering Livestock & Selling Meat

- Can sell live animal without inspection
 - Can then be slaughtered at custom-exempt slaughter facilities if for home use only



- Meat sold in Maine must be from USDA or Maine inspected plant
- Poultry
 - Not many options for inspected poultry slaughter
- State list – https://www.maine.gov/dacf/qa/inspection_programs/red_meat_poultry_inspection.shtml

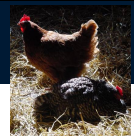
To Sell Cuts of Meat

Maine Dept. of Ag, Conservation and Forestry
(207) 287-3841 Must hold license for:

- Retail Food Establishment (sales from farm, farm stand or store)
- Mobile Vendor (sell at Farmers' Markets, door-to-door)
- Wholesale Distributor of Meat & Poultry Products (sell to retail stores for resale)

To Sell Cuts of Meat

- Maine Dept of Ag, Conservation and Forestry
- (207) 287-3841
- License
- Label
- Inspection
- Labels
 - Stay with slaughter facility
 - Can carry special claims i.e. organic
 - Handling instructions
- Placard
 - Nutrition information



Eggs

- No license or inspection if less than 3,000 birds
- Regulations
 - Name, address and zip code
 - Eggs in carton must match labeled grade, size & color
- Encouraged
 - Product liability insurance
- If reusing cartons
 - Obliterate USDA shield and other info that doesn't match eggs in carton
- Must state that refrigeration is required
 - Must be stored and transported at 45 degrees or less

Milk & Milk Products

- Cheese from pasteurized milk unless aged
- Need a Grade A license/Dairy Inspections
 - Division of Animal and Plant Health, Maine Dept of Agriculture, Conservation and Forestry

Contacts: (207) 287-3841

Raw Milk and Milk Products

- Must follow specific guidelines
- Regulated by licensing, inspection, labeling and sampling



Livestock Production Info

- Livestock 101 – <http://farminmaine.wordpress.com>
- UMaine Extension
- Maine Organic Farmers and Gardeners Association
- New England Small Farm Institute
- eXtension
- Sheep Goat Marketing Information
- National Pork Producers Assoc.
- National Cattlemen's Association
- Oklahoma State – Breeds of Livestock
- Internet searches use
 - Site:edu
 - Site:gov
 - Site:org

Crop Production Information



- <https://extension.new.umaine.edu/penobscot/sywtfim/course-resources/>
- UMaine Extension
- Natural Resource Conservation Service
- Maine Organic Farmers and Gardeners Association
- [ATTRA](#)
- [eXtension](#)
- Commodity Associations
- Internet searches use
 - Site:edu
 - Site:gov
 - Site:org

Pest Identification and Control



- UMaine Extension Insect Pests and Plant Disease
 - <http://umaine.edu/ipm/>
- Food Growers or Private Pesticide Applicator License
 - [Maine Board of Pesticide Control](#)
- Organic Certification
 - [MOFGA](#)

Where do I find other farms?

- [Maine Dept. of Ag farm listings](#)
www.getrealmaine.com
- [Agriculture Trade and Commodity Associations](#)
- [Maine Maple Producers Association](#)
 - Promoting pure maple syrup and its value-added products. The association provides education and opportunities to exchange ideas of mutual interest to maple syrup producers. E-mail via website.
- [Maine Vegetable & Small Fruit Growers Association](#)
 - Focuses on the improvement of vegetable and small fruit growing and marketing in Maine. The organization also provides an industry voice and representation to governmental and institutional entities.



Sales

Wholesale, Retail, Direct to Consumer?

- Pick Your Own
- Senior Farm Share
 - Farmer sign-up in January
 - Customer sign-up March - April
- Farmers Markets
- CSAs



What About GAP?

- GAP = Good Agricultural Practices
- Audit Program - certifies farmers who meet specific food safety guidelines "paper trail"
- May be voluntary for your product or required
- <https://extension.umaine.edu/potatoes/gap-self-audits-and-documentation/>



What About FSMA?

- FSMA = Food Safety Modernization Act
- Food Safety Program – inspections for farmers must meet specific food safety guidelines “paper trail”
- Written food safety plan may be required
- <https://www.maine.gov/dacf/gar/fsma/index.shtml>



Direct Marketing

- Maine – No license needed for unprocessed fresh produce or live animals!
- May need mobile vendor, food processing, home food license
- Towns – may require
 - Vendor's license
 - Have Zoning restrictions
- Contact town clerk or town manager



Electronic Benefits Transfer (EBT) (Food Stamps) Women, Infants & Children (WIC)

- Application - Food & Nutrition Service USDA
- Documents to Bangor office
- EBT equipment & service provider
 - Terminal : on-site / off-site
 - Manual vouchers
- WIC – Dept. of Human Services & Dept. of Agriculture



Selling Crops

- Fresh fruits & vegetables
 - By piece -
 - If by weight – sealed scale (oz., lbs.)
 - If by volume – standard size (pint, quart, bushel, etc.)
- Cider - pasteurized
- Selling plants
 - Nursery license
- Seeds -
- Feed
- Fertilizer

Plant Regulations-Division of Plant Health

- Protect from invasive plants and blights
- Maintain plant resource
- Restrict spread of regulated plants and diseases
 - Transportation in & out of state
 - license nurseries
 - License beekeepers/beehives



Live Plants

- Shrubs
- Trees
- Seedlings
- Houseplants
- NOT Xmas trees or cut flowers

License & Inspection
Maine Dept. of Ag, Cons & Forestry Horticulture Program
<https://www.maine.gov/dacf/php/horticulture/index.shtml>





Forestry Production

- Selling maple syrup or sap
 - Maple syrup processing license
- Firewood – Dept. of Ag, Weights and Measures – Celeste Poulin 287-3841
 - By cord – needs to be that size
 - By truckload
 - By pile
- Gathered products/Non-timber forest products – some are regulated

Taxes

<http://www.maine.gov/revenue/forms/sales/salesforms.htm>

- State Sales Tax
 - Food eaten off premises not taxed
- Agricultural Exemption from paying sales tax
 - Farm equipment
 - Some supplies



Pricing

Cannot misrepresent pricing to mislead or deceive a person

- Recommend prices posted with selling unit
 - \$0.50/lb.
 - \$1.00/ qt
 - \$0.75 each



Finding Price Information

- Fruits & Vegetables - <https://marketnews.usda.gov/mnp/dataDownload>
- Livestock & Field Crop
 - <http://bit.ly/2on36y4>
 - Country Folks Newspaper
- Organic
 - www.mofga.org
 - Publications
 - Organic Price reports

Weights & Measures

- Scales
 - Sealed by state inspector
 - Subject to inspection
- Maine Department of Ag, Conservation, & Forestry
 - Division of Quality Assurance and Regulation

Value Added Foods

ME Dept of Ag, Conservation, & Forestry
Division of Quality Assurance & Regulation
Specialty Food business (also FDA & USDA)
Home Food Manufacturing (Chapter 345)
Sanitary Facilities from Potable Water

- Mobile vendors license
- Recipe analysis
- Processor License
- HACCP training
- [Recipe to Market](#)
- UMaine Extension
- Northeast Center for Food Entrepreneurship
- www.nysaes.cornell.edu

Home Food Manufacturing

Jams, jellies, pickles, breads, muffins, maple syrup products, etc.

- Kitchen design & construction
- Equipment & utensils
- Sanitary facilities & control
- Food protection
- Labeling
- License
 - Maine Department of Agriculture
 - Division of Quality Assurance and Regulation
- Nutrient content analysis
 - [UMaine Process and Product Review Testing](#)

Value Added - Food Processing

- Product
 - Recipe (process & ingredients)
 - Samples (for testing)
- Labeling
 - Information panel
 - Ingredients
 - Nutrition info optional for some products
 - Allergen labeling
 - Types of nutrient / health claims
 - Sell or use by date



Value Added Food Processing

- Food Processor
 - License for facilities
 - Low hazard foods
 - High hazard foods
 - Meat & poultry
 - Milk & milk products*
 - Eggs
 - Maple syrup
 - Honey



*Raw milk must follow specific guidelines. Regulated by licensing, inspecting, labeling & sampling.

Packaging & Labeling

Fresh produce not affected



- Processed foods must have labels
 - Identity of commodity
 - Name and place of business, manufacturer, packer or distributor, batch code
 - Net quantity of contents
 - Weight
 - Measure
 - Count

Natural, Health, or Native?

- These terms are legally meaningless
- Use at your own discretion



Food Allergens

8 foods account for 90 percent of allergic reactions:

- Milk
- Eggs
- Peanuts
- Tree nuts (almonds, cashews, walnuts)
- Wheat
- Fish/shellfish (bass, cod, flounder, crab, lobster, shrimp)
- Soy
- Sesame
- Sulphites
- Mustard, canola

Allergen Labeling

- **What foods are labeled?** Domestic or imported packaged food is required to have a label that lists whether the product contains one of the eight allergens.
- **What allergy information is included on the label?** type of allergen; as well as any ingredient that contains a protein from the eight major food allergens
- **What foods aren't labeled?** Fresh produce, fresh meat

Alcohol

- Wine and spirits
 - Federal license & label requirements
 - Highly regulated
 - Note: if you only produce for yourself you are not allowed to give it as a gift or consume away from your home
- http://www.maine.gov/dafs/bablo/liquor_license/index.htm

Honey



- Apiary License
- Maine Department of Agriculture – Division of Plant Industry
- Swarm collectors

Custom Services



- Plowing
- Planting
- Harvesting
- Storage
- Pasture

<http://smallalternatives.aers.psu.edu/>

Where do I find farm related supplies, equipment, services?

- White & Yellow pages
- Farm Stores
 - Uncle Henry's
 - Paper & online
- Farm Auctions
- Classified ads
 - Craig's List
 - Local papers
 - eBay
 - Regional papers
 - Internet searches
 - Farm press
- Ask other farmers



Influencing Farm Policy

- How can I influence state farm policy?
 - Maine Farm Bureau
 - MOFGA
 - AGCOM
 - State Representatives and Senators
- How can I influence federal farm policy?
 - American Farm Bureau
 - US Representatives and Senators