

Agritourism Resource Booklet: Tips for agritourism on your Maine farm

This guide provides basic information about risk management and event planning best practices and responds to farmer frequently asked questions (FAQs). It includes important contacts, and suggested resources for further research.

Contents

About Agritourism:	2
Biosecurity FAQs	2
Food Safety FAQs	2
Signage and Zoning FAQs	5
Farm Safety FAQs	6
Legal Consideration FAQs	8
What is 'Maine's Agritourism Liability Law'?	8
Risk Management FAQs	10
Event Planning FAQs	11
Event signage	13
Important contacts	13
State of Maine.....	14
Other Supplemental Resources	16
Biosecurity signage	16
Food Safety	17



About Agritourism:

Agritourism goes by many definitions, and experiences. The opportunity to support farmers year-round and learn more about the availability of quality Maine farm products is an important part of all agritourism experiences. These experiences may include pick your own produce—fruits, vegetables, and flowers. To guided and self-directed tours where the business of farming happens. It may blend various business enterprises, such as restaurants and catering, shopping, and hospitality or lodging.

Biosecurity FAQs

Farm biosecurity is a set of measures to protect a property from the entry and spread of pests and diseases. Protocols such as handwashing and sanitizer stations, posted signs to prevent visitors from touching the animals, and quarantining/removing sick animals from the property so they do not come in contact with visitors are necessary measures that you should implement.

Q. What is my local veterinarian's role in agritourism activities?

If you have farm animals, contacting your state or local veterinarian is a critical part your farm's biosecurity plan. They can provide professional expertise to help you be proactive to support the health of you, your farm, and visitors.

Q. What about pets? What are best practices for keeping other people's pets away from our agritourism events? Best practices for campsites? Single time-events?

If you have livestock, it's best to consult a veterinarian.

Be clear—use signs, communicate in advance—your pet policy.

Pets are popular. People who are not familiar with agriculture production and farms may not know that for a variety of reasons, some pets are not welcome at agritourism events and sites.

Q. I teach an agricultural literacy program, and sometimes that means seeing and touching agriculture firsthand. But, is it safe to have children around the animals? Or in the garden in the dirt?

Use common sense and proactive measures to keep staff, visitors and animals of all ages healthy when they visit the farm for any activity. Practice good hygiene. Instruct participants on how to do that in a safe way—as you would for all biosecurity and farm safety measures.

Food Safety FAQs

Q. What type of licensing and permitting do I need for food and farm products?



Depending on your type of agricultural operation, you may need to obtain a food license for your business. Products that are subject to licensing requirements include small grains, potatoes, dry beans; dairy; feed, seed, and fertilizer; meat and poultry; maple syrup; home food processor items; beverages; bakery items; and cider/juice. The applications, and support about these applications are available from the Department of Agriculture, Conservation & Forestry.

Q. Do I need a food license?

There are different types of licenses:

- ✓ Mobile vendor
- ✓ Home Food Processing
- ✓ Commercial Food Processing

There are different reasons you might need food licenses:

- ✓ If preparing food for customer consumption on premise you will most likely need a Food Eating Establishment license through DHHS.
- ✓ If preparing food in a market/store type setting you will need a Retail Food Establishment license from Quality Assurances & Regulations within the Department of Agriculture, Conservation & Forestry.
- ✓ If preparing food to be distributed outside your facility you will need a processing license—Home Food Processing, or Commercial Food Processing. Some low risk foods can be manufactured under a Home Food Processing license.
- ✓ Other situations may apply depending upon your situation.

Q. What types of licensing should I have to sample products during an event?

Neither Department of Health & Human Services (DHHS) or DACF regulates 'free' food. If the samples are being offered for free, no license is required. A DACF mobile vending license is for packaged foods. DHHS mobile eating establishment license is for operators who will be preparing food for sale at the event.

However, a mobile vending license from DACF, or mobile eating establishment license through DHHS may be required.

Perishable foods should follow recommended protocols for proper handling and temperature controls.



Q. What about catering and farm to table? Whom do I contact?

You should contact the DHHS, Health Inspection Program (HIP). There are a variety of resources (see contacts, [supplemental info](#)). Often this information is discussed on a case by case basis for business operations. Contact HIP for assistance and support.

Q. If I host an event at my farm, is that considered a 'mass gathering'?

There is a definition for this: A mass outdoor gathering shall be deemed to mean any gathering held outdoors with the intent to attract the continued attendance of 2,000 or more persons for 12 or more hours. Be sure to check with your municipality.

Q. Can I self-cater and charge a fee for 'farm-to-table' dining?

To prepare and serve food and charge a fee, requires an eating and lodging application and license from Maine DHHS Health Inspection Program.

Q. If I don't self-cater, what should I do to ensure I'm hiring a reputable caterer? What sort of credentials should they and their staff have and/or display?

A caterer should be reputable and have the licenses and training to prove they comply with the state of Maine Food Code. You can confirm this information by contacting Maine DHHS, Health Inspection Program.

Q. If I offer a third-party glamping site on my farm, does that make it a campground?

- ✓ The third-party glamping site would be considered a campground if there are 5 or more sites. The landowner would need a wilderness campground license.
- ✓ Campground definition: "Campground" means, in addition to the generally accepted definitions, camping areas, recreational vehicle parks, seashore resorts, lakeshore places, picnic and lunch grounds or other premises where tents, recreational vehicles, rental cabins and cottages are permitted on 5 or more sites for compensation either directly or indirectly. "Campground" includes, but is not limited to, sites intended for recreational purposes rather than permanent residency. "Campground" does not include parking lots or areas where camping is not authorized.
- ✓ The Campground event camping is if you would want to allow camping at an event you are hosting, and will charge a fee. This needs approved water and septic before a license could be issued. Private well and septic would need to go through approvals.



Q. I want to open a farm education center for kids. Is there a checklist of items to accomplish so I can plan?

The best approach is to first contact State of Maine DHHS, Health Inspection Program. These are handled on a case by case basis, and staff will review important information with you. Depending on the scale, you may need to acquire a youth camp license. After that, some self-direction by the farmer/business owner will likely be necessary to implement the plan.

Signage and Zoning FAQs

Q. What role does my town play in a successful agritourism activity?

Your municipal code enforcement officer can help you understand and navigate signage, zoning, and public safety.

Farms are an important part of Maine's working landscapes, and they provide a significant contribution to municipalities in many ways. Having a good relationship, and sharing information is important.

Municipalities of different scales work with different businesses. They are the most local points of contact for town-specific zoning, code enforcement requirements, public safety and business support, among other services.

Q. What signage am I allowed to display? Where and when can I display it?

Due to recent changes, the Maine Department of Transportation (MDOT) is updating the guidance about signage. If there are specific questions, MDOT invites you to contact them directly. They can offer instructions about the unique circumstances about farm-, directional-and business signs.

Generally, farm stands may place certain product signs within 1,000 feet of a location, and they must not impede certain right of way limitations. There are also seasonal limitations, and there are some exceptions as well.

Q. Whom do I contact about directional signs—the ones I see at intersections? What are the requirements?

Official Business Directional Signs (OBDS) are reflectorized signs, paid for by the business owner, after approval of a permit from Maine Dept. of Transportation (MDOT) Right-of-Way Control section. They are installed and maintained, on any State of Maine public way, with local approval, by the Maine Dept. of Transportation. Typically, the municipal code enforcement officer signs the permit application in coordination with you—the business



applicant—and the MDOT. The signs must meet specific requirements, which are available from MDOT.

Q. What sort of regulations and permitting do I need from my town?

As part of your overall farm and planning efforts, you should familiarize yourself with agricultural food and safety laws, health permits, and fire and building codes.

There may also be applicable local, county, state, or federal regulations that apply to your specific type of on-farm activities or events.

Contact your local code enforcement office. Many municipalities work with statewide organizations on building and planning topics.

Q. What sort of zoning requirements might apply to multi-function areas on my farm property?

Call or meet with your local town zoning commission to determine what zoning ordinances your farm may have to comply with before investing time, money, and resources into an activity or event.

Q. I thought I had a right to farm to support the business, what is an example of a scenario where I would need to contact someone about this, and who do I contact?

“Right to Farm” is a topic with broad personal and business interpretations, but there are clear and specific interpretations in the State of Maine laws. The statute that is commonly called the “Right to Farm” law is the Maine Agricultural Protection Act (Title 7 MRSA, Chapter 6). The intention is to protect farmers from complaints about noise, odor or other aspects of legitimate and properly-conducted agricultural operations, particularly those within the Maine Department of Agriculture Conservation & Forestry (MDACF) *Manual of Best Management Practices for Maine Agriculture*.

If concerns arise, working with the Maine Bureau of Agriculture, Food and Rural Resources staff is an important step to understanding concerns, and developing an appropriate resolution.

Farm Safety FAQs

Q. What can I do for emergency preparedness?

Make a public safety plan. Due to the critical needs of agriculture, the prominence of working farms in rural communities, and their importance as businesses, farms should have existing relationships with municipal and county staff who work in public safety, and



emergency management. Strong working relationships start with proactive communication with local contacts, starting with the fire department.

A farm needs to be prepared for a variety of unanticipated scenarios—on the farm, in the community, state, region and beyond. Having a public safety plan is a practical business tool every day in agriculture, and it's especially important in emergencies.

Public Safety Plan:

A broad emergency management plan to prepare for a natural disaster, or other emergency is an important business tool. Your public safety plan should prioritize the safety of farm staff, animals, and visitors. Important considerations:

- ✓ Emergency contacts—farm staff and their emergency contacts, town, county, state
- ✓ Location of first aid, handwashing, boot washing stations, and adequate stock
- ✓ Map of emergency routes and exits
- ✓ Location and templates of signage to make potential hazards obvious to all, and clearly identify areas that are only accessible by farm staff

Emergency Management:

- ✓ Meet with local first responders, such as, fire, EMT and police
- ✓ Determine the best route of access to the farm during an emergency
- ✓ Train employees and staff in emergency protocols is important
- ✓ Have first aid/medical supplies and a list of emergency contacts readily accessible

Q. What steps can I take to communicate certain risks to guests or third parties?

Event signage that is clear, and contracts/waivers are useful tools. Talk with a licensed insurance agent, or an attorney to learn more about language, and communication tools.

Prior to an event, signed contracts between visitors, guests, and third parties (i.e., renters, organizations, other businesses) should be specific, and detail responsibilities of the parties.

A signed waiver of liability should include the waiver language contained in Title 7 Maine Revised Statutes Section 252 (3):

“Warning Under Maine law, there is no liability for injury to a participant in an agritourism activity conducted at this agritourism location if such injury results from the inherent risks of the agritourism activity. Inherent risks of agritourism activities include, among others, risks of injury inherent to land, equipment and animals, as well as the



potential for injury if you act in a negligent manner. You are assuming the risk of participating in this agritourism activity.”

Q. If an incident happens, what should I do to report it?

An incident report gives a thorough account of what happened without leaving out important facts or details. Create or use a pre-made report template and create a procedure that all farm help follow. Keep records—and do this consistently. Consider all things that that could possibly lead to a claim and impact your business bottom line. It can be helpful to do an audit of important information with your insurer so that you have that awareness prior to ever needing to file a claim. [Templates are available.](#)

Reporting Procedure:

- ✓ Forms should be readily available for all owners, managers, and employees to use.
- ✓ They should be stored in multiple locations where agritourism activities occur.
- ✓ Staff member(s) who respond to or are involved in the incident/accident are responsible for filling out form(s).
- ✓ Reports should be completed as soon as safely possible after the event but no longer than 24 hours.
- ✓ Turn form into the on-site manager or appropriate staff member.
- ✓ Keep a copy for future reference.

Legal Consideration FAQs

Q. How can I work with business to business partners?

Photography/Videography Licenses: Photographs that are taken at the farm can be a great way to promote your business and reach a variety of new visitors. Work with a photographer to possibility create a contract that details terms. To prevent this from happening, you are encouraged to have photographers pay for a permit to take photos. This allows you to be able to receive a small fee for the use of the property, venues, and activities/events, while also allowing photographers to resell the images and promote Maine agriculture.

What is ‘Maine’s Agritourism Liability Law’?

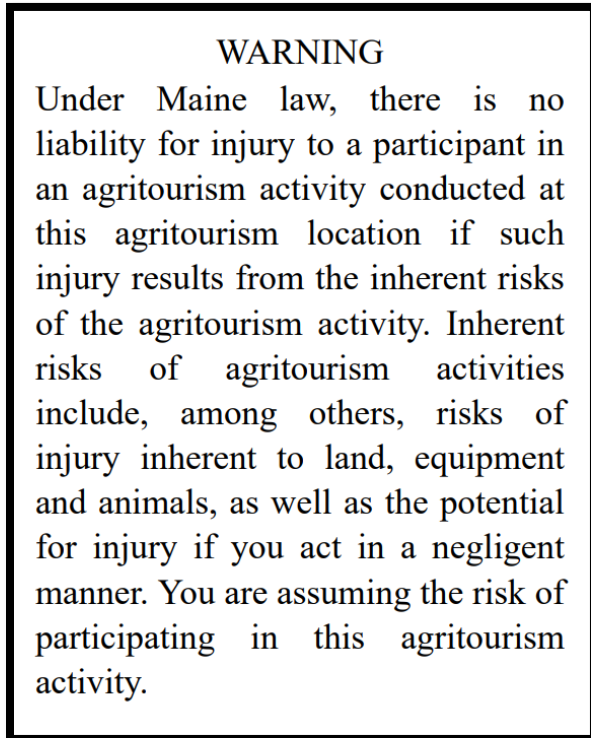
Title 7 of the Maine Revised Statutes section 252 (2)

Title 7 details much of Maine’s agricultural laws; section 252 (2) is about agritourism liability. The section describes some of the liability, the ways to communicate the inherent risks and liabilities. It also details exceptions.



Importantly, this section provides the required language and size of the letters for a sign that explains the law to farm visitors. The message on the sign must be in black letters at least one inch in height, and the sign or signs must be placed in a clearly visible location on or near the places where the agritourism professional conducts agritourism activities. To help protect yourself from liability, you should post warning signs that make it clear that visitors to your business are assuming the risk of participating in agritourism activities.

Example of the sign:



A print-ready digital copy (PDF) of a 24 x 30-inch sign is available online. It includes required language from liability statute. May be used as an option to professionally print sign for agritourism activities.

Risk Management FAQs

Q. Should I have insurance? If so, what kind of insurance should I have?

Farms, businesses and events are unique. There are several ways to determine your level of need and insurance type(s).

- ✓ Find a reputable, licensed agent willing to listen and walk through your risk management plan.
- ✓ The agent should be willing to learn about the unique needs of farm and/or food businesses and the marketing approaches—including events—you establish to sustain your farm.
- ✓ Your insurer may have different suggestions about what makes sense for a business based upon your existing policy, business enterprises, or the coverage types they sell.
- ✓ Ask the insurer about exclusions so the farmer/grower/producer knows what's not covered in the event of a reported loss.
- ✓ Ask your questions before you host an event, and before you would ever need to potentially file a claim.
- ✓ Be proactive, create a risk management plan.

Q. What is a risk management plan, and how can I perform a risk assessment?

A risk management plan organizes your business so that you are prepared in the event that something unexpected happens that could impact your livelihood.

There are many resources to help you create a risk management plan or perform a risk assessment. A risk management plan is an important communication and planning tool to help you (and any members of your team) do your best to host a successful event.

You may do a risk assessment with an insurance as part of obtaining insurance coverage.

A farmer can also create an event-specific plan to help them prepare for an event (or multiple events). It may be more detailed, and be a subcategory of the overall business risk management plan, and it is helpful to revisit this prior to hosting an event.

Q. Can I use volunteers to help with my event?

Check with your insurance provider to understand what may/may not be allowed under your insurance. Additionally, it may be advisable to understand the uniqueness of farm employment law. Professional resources for this are in the supplemental information section.



Q. How can I plan to safely offer experiences such as glamping, or use the gig economy for business enterprises?

This is an evolving topic. For liability questions, and items that might impact your insurance coverage, it's best to check with your insurance agent, and possibly legal counsel. Know that there may be state or municipal permitting requirements—such as campgrounds, events, mass gatherings, etc.

Other gig economy areas may be useful to your farm enterprises. Like all business enterprises, it is important to establish clear expectations with third-party services, and get a clear understanding about the risks that can impact your overall business.

Event Planning FAQs

Q. How much time does it take to plan an event?

This varies from farm to farm, event to event. Many factors can impact the amount of time it takes to plan an event. Here are some considerations to help you budget your time:

- ✓ Is my location event-ready? Cleanliness, signage, risk assessments, event plans—
- ✓ How confident am I that could I host a visitor tomorrow—who is 'from away, with limited on farm experience—and give my best first impression that farms are busy places, responsibly stewarded, and prioritize quality, safe farm products?
- ✓ Have I planned an event before? Is it a recurring event?
- ✓ Is this a larger event, which may require more advance planning and resources?
- ✓ Is this a smaller event, which may require less advance preparation?
- ✓ Leave time for the unexpected—inevitably, things happen. Create a contingency plan and work from there...

All of these activities take time. Use a check list to plan ahead, and make adjustments to meet your goals. (there is a template at the end of this guide)

Q. What supplies will I need for my event?

This is specific to the event and scale of the event. A workshop tutorial about DIY flower bouquets will require different supplies than a farm-to-table wedding where your farm hosts independent caterers.

Examples of resources that may be applicable to a variety of events...

- ✓ Promotional tools
- ✓ Signage—directional, rules, parking, handwashing
- ✓ Maps—logistical for you and help



- ✓ Facilities—temporary, long-term
- ✓ Event to-do list (or event plan)

Q. What is the value of an event?

This is dependent upon your goals. Typically, a combination of marketing

Examples...

- ✓ Increase awareness of your farm products
- ✓ Increase your farm revenue
- ✓ Public relations
- ✓ Networking—in the community, farmers, potential customers, business partners
- ✓ Generate social media buzz

Will vary based upon your goals. Set a goal, and work to achieve it. Re-evaluate it after the event happens. Make necessary adjustments.

Q. What are some budget considerations I should be aware of to plan an event?

This will vary based upon your event, and your existing business infrastructure. Budget considerations include:

- ✓ Promotions
- ✓ Business operations
- ✓ Labor/time—including event preparation
- ✓ Supplies
- ✓ Permits, licenses
- ✓ Entertainment
- ✓ Insurance/event riders
- ✓ Clean up
- ✓ Public Relations
- ✓ Networking



Event signage

Examples of digital copies of event signage. There are many templates and available resources. These are available to download and print.



Important contacts

State of Maine

Insurance:

Bureau of Insurance

Phone: 207-624-8475

Online: https://www.maine.gov/pfr/insurance/contact_us.html

- * [Maine Bureau of Insurance, Consumer Guide to Insuring Your Farm](#) –This covers the basics of property and liability coverage. It is a tool for understanding risk management on your farm.

Agritourism Promotional Events and Real Maine Promotions:

Agricultural Resource Development, Maine Bureau of Agriculture, Food & Rural Resources

Phone: 207-287-3491

Online: https://www.maine.gov/dacf/ard/market_promotion/index.shtml

- * Real Maine [Directional Signs, Print-ready, 8.5 x 11 \(PDF\)](#) – A set of signs to help farmers direct and instruct farm visitors to agritourism activities.
- * Event [Preparation Checklist \(PDF\)](#) –template to guide Maine Open Farm Day planning
- * [Blank Daily Schedule \(PDF\)](#) –template to plan a single day event

Food Safety:

Quality Assurances & Regulations, Maine Bureau of Agriculture, Food & Rural Resources

Phone: 207-287-3841

Online:

http://www.maine.gov/dacf/qar/permits_and_licenses/application_forms.shtml



Applicable Quality Assurances & Regulations Laws, Rules, Licenses:

- * [Food Laws & Rules](#)
- * [Feed, Seed, and Fertilizer](#)
- * [Weights and Measures](#)
- * [Maple Syrup, Apple, Potato, and Egg](#)

DHHS:

District Health Inspectors for Maine Food Code, restaurants, etc.

Phone: 207-287-5671

Online: <https://www.maine.gov/dhhs/mecdc/environmental-health/el/staff.htm>

<https://www.maine.gov/dhhs/mecdc/environmental-health/el/index.htm>

<https://www.maine.gov/dhhs/mecdc/environmental-health/el/forms.htm>

Animal Plant Health:

State Veterinarians, Animal and Plant Health Staff, Maine Bureau of Agriculture, Food & Rural Resources

Phone: 207-287-3491

Online: <https://www.maine.gov/dacf/php/about/contacts.shtml>

- * Order farm signage for biosecurity: <http://www.maine.gov/dhhs/mecdc/infectious-disease/epi/order-form-wn.shtml>

Emergency Preparedness & Public Safety:

State contacts who correspond with county officials, which corresponds with municipal first responders

<https://www.maine.gov/mema/maine-prepares/business-preparedness>

<https://www.maine.gov/mema/ema-community/county-local/county-emergency-management-agencies>

Maine Road Signs:

Maine Dept. of Transportation offers information about road signs and placement

Phone: 207-624-3332



Online: <https://www.maine.gov/mdot/traffic/obds/>

MDACF Planning & Zoning Planning:

https://www.maine.gov/dacf/municipalplanning/technical/regional_council.shtml

https://www.maine.gov/dacf/municipalplanning/technical/farmland_ordinances.shtml

Maine Agritourism Liability Statute:

<https://legislature.maine.gov/statutes/7/title7ch8-E.pdf>

Other Supplemental Resources

Rutgers/SARE Agritourism Training:

Video modules and supplemental planning material. Full materials online: [Extension Training for Agritourism Development](#)

- * Agritourism Animal Safety Assessment Checklist [Download](#)
- * Agritourism Emergency Response & Liability Assessment Checklist [Download](#)
- * Agritourism Employee Assessment Checklist [Download](#)
- * Agritourism Operation Food Safety Checklist [Download](#)
- * Agritourism General Farm Safety Assessment Checklist [Download](#)
- * Agritourism Marketing Assessment Checklist [Download](#)
- * Agritourism Parking & Traffic Assessment Checklist [Download](#)
- * Farm Accident/Incident Report Form [SAMPLE] [Download](#)
- * Training Module: Managing Liability on Agritourism Farms [View](#)
- * Is an Agritourism Venture Right for Your Farm? [Download](#)
- * Marketing 101 For Your Agritourism Business [Download](#)
- * Agritourism Liability Training Module 5 - [Download](#)
- * USDA/Risk Management Agency - SWOT Analysis: A tool for making better business decisions [Download](#)
- * <https://safeagritourism.org/resources/#general-resources> –signs, training modules, and planning resources
- * [UMaine Cooperative Extension](#) - Variety of agritourism resources for farms.
- * [National Agricultural Law Center Agritourism Overview](#)

Biosecurity signage

<http://nasphv.org/documentsCompendiumAnimals.html>

http://msue.anr.msu.edu/resources/be_healthy_at_the_fair_sign



Food Safety

Recipe to Market <https://extension.umaine.edu/publications/3101e/>

USDA: <https://www.agmrc.org/commodities-products/agritourism>

