

**From:** Joseph Kelly Levasseur, Esquire <[jrwaa2@aol.com](mailto:jrwaa2@aol.com)>

**Sent:** Thursday, August 21, 2025 11:36 AM

**To:** Normand, Matthew <[MNORMAND@manchesternh.gov](mailto:MNORMAND@manchesternh.gov)>

**Subject:** Leave our Pickles Alone, Agenda Topic September 2 meeting - Ordinance Updated

Dated 8-21-2025

Dear Clerk Normand: I hope this request finds you well:

In lieu of a recent Cease and Desist letter pertaining to a home based canned-pickling hobby, received by Daniel Mowery, a ward six Manchester resident, from the Manchester Health Department dated August 15, 2025, I am respectfully requesting that Manchester update its current ordinances concerning Homestead food operations be aligned with the state's existing exemptions per NH RSA 143-A:5 (exempting operations with less than \$20,000.00 annual gross sales from state licensing currently preempted by the city of Manchester.

The outrage the Cease and Desist letter caused not only in Manchester and throughout the state of New Hampshire but incredibly, other states in this country as well. The Live Free or Die state has been receiving vinegary responses in disbelief of Manchesters overbearing authority over homemakers desire to make non- processed foods without the expense of having to do so in a "commercial kitchen ". The letter appears to be directed at a person who posted pictures of his jarred pickles on Facebook, who happens to have been critical of city government, especially the health department for past threats made by the health department for Mr Mowery's previous hosting of a block party where he dared served food without a license. As bad as the Cease and Desist letter was, after the stop-canning-pickles letter went out, the Health Department doubled down on its no pickling without a license stance by sending out another incendiary letter dated 8-19-2025 stating the city has the sole power to to disallow the Homestead exemptions based on state law. In other words it can and has created more restrictive rules than the state. That needs to change immediately,

I have received calls from individuals all over Manchester worried about food they make for non-profit bake sales or friends and people who just want clean non-processed foods.

I am respectfully asking the city of Manchester update its ordinances prohibiting Homestead exemptions for food operations within our city to those currently allowed by the state. The demand that home based chefs need licenses and an upgrading of mom and pop kitchens into expensive commercial grade kitchens along with, "compliance with standards that residential kitchens typically cannot meet." Is ridiculous.

The first ordinance change must include the exemptions currently listed for non-hazardous foods (like pickles) and then, a lowering of restrictions for supposedly "hazardous" foods like lemonade, apple pies, cookies, bread and brownies etc.

Manchester residents should not have to live in constant fear the city health department is watching their social media posts. The chilling effect caused by the letter Mr Mowery received from the heath department will now stop home bakers and canners, and even soup makers, to forego putting up pictures of canned pickle jars or homemade French bread sticks - for fear they

will get a Cease and Desist letter. And if they do not comply then fines and inspections of their homes simply for failing to stop their stress relieving hobbies or desire to help out non profits and charities raise money. All this just for the love of cooking and making non- processed foods.

This is the Live Free or Die state! Therefore I beseech this City and its powerful health department to...leave our pickles alone!

Respectfully

Chairman of the BMA

Joseph Kelly Levasseur alderman at large

603-622-7575