

Introduction

Caroline Gordon
Legislative Director

Rural Vermont 2023

Federal On-Farm Slaughter Amendment - OFS Petition with 600+ signatories from 38+ states

1. From our 2023 course of action

With partner organizations, including the National Family Farm Coalition, Farm and Ranch Freedom Alliance, and the Farm to Consumer Legal Defense Fund, and 600+ petition signatories from over 38 states, we aim to amend the Federal Meat Inspection Act to clarify outdated language from the personal-use exemption to more closely align with standing USDA Food Safety and Inspection Service (FSIS) guidance and state laws, like Vermont's, which explicitly allow livestock owners to slaughter their animals on the farm where they were raised or to hire an itinerant slaughterer. The Vermont Agency of Agriculture, Food, and Markets expressed support of amending the federal law to provide more clarity on this issue. We hope that your committee is able to express that support as well!

2. High level talking points and follow-up requests

Currently, people who rely a part of their business on the personal use exemption, including farmers selling livestock for on-farm slaughter, homesteaders who sell some of their livestock, itinerant slaughterers, and custom processors, are vulnerable when they base their decision on FSIS to uphold its standing 2018 guidance - given that guidance could be easily changed.

In Vermont, the On-Farm Slaughter Law in 6 V.S.A. 3311a allows for the utilization of itinerant slaughterers. But the Vermont Agency of Agriculture interprets that our state law exceeds what's technically permissible under federal law, meaning that FSIS could decide anytime that allowing the on-farm slaughter practice in Vermont would violate the regulations of the Federal Meat Inspection Act. They are afraid that FSIS could take steps to revoke Vermont's equal-to status and agreement with the USDA for the State inspection program administered by VAAF. Because of this danger, VAAF issued new requirements on January 6, 2022 that make it more difficult for livestock managers and meat processing professionals to meaningfully use on-farm slaughter. The new

requirements include that owners of livestock all need to be present during the slaughter and that they need to organize the itinerant slaughterer's appearance and the transport of the carcass shares themselves.

On the other hand, in academic research on food systems "On-Farm Slaughter" is known as "ethical meat", and there's been a recent publication on that which references the Vermont General Assembly's decision to double the allowances for on-farm slaughter during the pandemic. The article compares On-Farm Slaughter Laws of Quebec with Vermont's.

Ethical Meat Article: [Sarah Berger Richardson, Responding to Regulatory BARRIER to "Ethical Meat": Are On-Farm Slaughter Exemptions the Solution?, Cambridge University Press](#)

Recent Valley News Article: [Franzes Mize, Valley News Article from December 18, 2022, With meat processors strained, advocates push for on-farm slaughter and sale](#)

We are taking our [Petition to Clarify the Personal Use Exemption in the FMIA of 600+ signatories from over 38+ states](#) to D.C. on February 7th, with 40% of signatures coming from farmers and homesteaders and many testimonials on what this advocacy means for livestock managers. **Please support itinerant slaughterer Mary Lake and Rural Vermont on our journey to meet with our federal delegation and other federal officials by writing a joint letter with the Senate Committee on Agriculture in support of our Petition to clarify the personal-use-exemption in the FMIA and to uphold your intentions to see Vermont's On-Farm Slaughter Law in 6 V.S.A. 3311a be a success.**

Payments for Ecosystem Services, Conservation Practices and Soil Health Small Farmer Group

1. From our 2023 course of action

Since 2019, the legislatively mandated Payment for Ecosystem Services and Soil Health Working Group (first enacted with Act 83, 2019) explored ecosystem services, ways to measure them, what incentives already exist and what farmers need to be more viable when adopting conservation practices. The three-year working group process to assess whether new financial incentives are needed to promote a number of ecosystem services ends with a **consensus to enhance the federal Conservation Stewardship Program (CSP)** with additional rewards for farms in Vermont. The Small Farmer Group coordinated by Cat Buxton, that Rural Vermont is part of, has advocated since 2020 for the so-called CSP+ proposal.

2. High level talking points and follow-up requests

The current status quo of existing direct and indirect incentives is, en large, based on practice based approaches. The PES WG invested much time and energy to explore

what means to measure and administer outcome based programs could facilitate a more transactional compensation for measurable ecosystems that farms generate.

In a parallel effort, also since 2019, Northeast Extension Directors funded a regional report on Ecosystem Services in Working Lands Practice and Policy in the U.S. Northeast, authored by Northeast Ecosystems Services Fellows Alicia F. Coleman, PhD, and Mario R. Machado, PhD. The report documents results from an assessment of over 1,300 ecosystem service provisioning programs and policies across the U.S. Northeast (Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia, as well as in the District of Columbia.)

That research applies a framework of landscape multi functionality that is used to describe why a focus on measuring a single outcome or ecosystem service would be short sighted. It identified 91 state programs in Vermont that already directly or indirectly incentivize ecosystem services.

Stakeholders on the PES and Soil Health Working Group admitted in 2021, when the working group reconvened for an extended timeline, that they are overwhelmed themselves with the alphabet soup of existing agriculture support programs and services available. The sub-task group focusing on program development followed the recommendation of a Rural Vermont sign-on letter based on legal research from the Center for Agriculture and Food Systems to start over by grounding the work in the legislative charge to look into shortfalls of existing programs before considering the development of new programs.

In that year, the Small Farmer Group, that Rural Vermont is part of, submitted the CSP+ proposal that the White River Conservation District developed in collaboration with Choiniere Family Farm. In fall 2022, the PES and Soil Health Working group took a poll where the majority of their members favored an approach to amend and enhance existing programs vs developing a new outcome based program. On November 1st, the group reached consensus for the development of a Vermont pilot project with a focus on enhancing the federal Conservation Stewardship Program. Goal is to spend or obligate the \$1 million appropriated in the FY 2022 budget before July 1, 2023.

In the final stages of the process, the group also briefly discussed the idea to drastically improve interface interoperability of agricultural programming by investing into streamlining access to existing programs through a single online platform. To Rural Vermont, the shortfalls of existing programs and funding gaps, high administrative costs, and the need for more technical assistance are all good reasons to further invest into a long-term vision for reforming access and effectiveness of the programmatic agricultural landscape to support farms viability and Vermont's climate resilience.

It is increasingly well known that agriculture can be a climate solution and needs more support to leverage that potential. Private investors are building coalitions to develop private markets that would funnel funding into farms. Some initiatives focus on measuring carbon that farms sequester to offset emissions from industry players elsewhere. As one of the largest farmer membership based organizations, Rural Vermont knows that it's not the intention of many farmers in Vermont to have their meaningful work for soil health be utilized to green wash pollution elsewhere - we stand with our national and international partner organizations at NFFC and LaVia Campesina and see carbon offsets as False Solutions! We see initiatives alike as a threat to Vermont, aside from not meaningfully engaging farmers in the decision making, green washing would question the integrity and authenticity of the Vermont food movement's cultural spirit to re-localize our food system in an ethical way.

For the Vermont legislature to continue to address issues related to agriculture, with a goal of making farming a viable path, also for future generations, it will be key to ensure policy decisions are made in a democratic process and to honor land managers interests in an equitable way when developing agricultural reforms as well as to mitigate potential conflict interests around the creation of more bureaucratic burdens that don't pay off on the ground.

We aim to inform the legislature with our farmer-led recommendations and think we have shared goals:

1. to address pre-existing shortfalls of existing programs; and
2. for farmer-led public discourses to gauge new programmatic solutions in alignment with Vermont's Environmental Justice Policy
3. To acknowledge that farm viability is often especially out of reach for farms due to the lack of social welfare systems like healthcare and childcare. Rural Vermont supports initiatives that aim to improve such services and sees opportunity in a universal income in fostering more ability to strive better as a farmer, farmworker, food service provider, technical service provider, meat processor and in other food systems careers.

Are you interested in a different perspective on what PES means? Reach out to Ali Mitchell, Executive Director of the Association of Northeast Extension Directors who oversaw the research referenced earlier on ES in the Working Lands (amitchell@northeastextension.org | (401) 682-7297 | www.northeastextension.org)

Hear more from the Conservation Districts & consider asking them about the PES and Soil Health WG process, CSP+, and the findings from the report on the 2021 farmer listening sessions (that Rural Vermont organized in a supporting role).

Act 41 on-farm composting rulemaking update/ Poultry Farmers For Compost Foraging

1. From our 2023 course of action

The Poultry Farmers for Compost Foraging is a stakeholder group and coalition that Rural Vermont organizes that is directly impacted by a consolidation of food waste management streams through zero sort systems for food residuals like Casella's depackaging facility in Williston, Vermont. Our goal is to secure markets for on-farm and community scale composting of food residuals; Farms that diversify into accepting food residuals provide a community service by composting them, by creating valuable fertilizer and engaging in innovative agricultural practices like "compost foraging."

Currently, the majority of farms accepting food residuals also manage poultry and practice the innovative agricultural practice of "compost foraging" where poultry are raised on the compost piles to substitute feed and feed costs while also increasing the value of the compost product through the poultry manure incubation of the compost.

2. High level talking points and follow-up requests

The market development towards more farms accepting food residuals *is stalled* until the Vermont Agency of Agriculture, Food, and Markets finalizes their rulemaking on the subject. The January 1st, 2023 deadline for filing rules for on-farm composting of food residuals was part of Act 41 (2021), but with a new annual report the agency did not share when rules can be expected. Until rules are adopted, efforts to promote the innovative agricultural practice like compost foraging, where farms raise poultry on composting food residuals, is stalled.

See VAAFM ANNUAL REPORT ON IMPORTATION OF FOOD RESIDUALS FOR FARMING from January 9th, 2023: URL here:

<https://legislature.vermont.gov/assets/Legislative-Reports/2022-Report-on-Importation-of-Food-Residuals-for-Farming.pdf>

Rural Vermont raised the issue during the agency's introduction to the Senate Committee on Agriculture in the morning of January 11th, 2023.

The Poultry Farmers for Compost Foraging submitted draft rules on April 27th, 2022, URL link:

https://docs.google.com/document/d/11xE13NgaXP4-nR_qxjy1AU8MhFZ_vuQZ6vMPKF0AFP8/edit#heading=h.fsgyx0b9pa4v

3. Talking points for follow-up mtg

This is a subject we would like to follow-up with you on and explore the agency's roadmap of implementing the programs of Act 41 (2021) further. *Act 41 was the underlying statute for the agricultural residuals management section that's now in 6 V.S.A. Chapter 218.*

PFAS/Microplastic Contamination in Food Residuals Management Protect Our Soils Coalition

1. From our 2023 course of action

With the Protect Our Soils Coalition, we work to secure markets for on-farm and community scale composting of food residuals from the **backend**, by advocating for regulating depackaging technology, strengthening the source separation requirement and the hierarchy for organics management in the Universal Recycling Law.

2. High level talking points and follow-up requests

The Protect Our Soils Coalition successfully advocated last year for the passage of [Act 170 \(2021\)](#) that installed a Stakeholder Group on the role of depackagers in managing food waste. The final report is now online here:

<https://dec.vermont.gov/sites/dec/files/wmp/SolidWaste/Documents/Universal-Recycling/Depackager%20Stakeholder%20Group%20-%20Report%20of%20Recommendations.pdf>

Our Protect Our Soils Coalition has legislative recommendations for a bill that would regulate what's currently illegal from our perspective - depackaging technology that uproots the source separation requirement of the URL, imposing great risks for human health through soil contamination with PFAS and nano and/or microplastics.

This is a complex issue and there's also research ongoing until 2024 on Microplastics and PFAS in Food Packaging and Food Waste that was part of the Act 170 mandate and that is a collaboration of VAAF and ANR. We recommend deepening this conversation at another time, ideally by also hearing directly from our Protect Our Soil Coalition's representative in the stakeholder group process, Tom Gilbert from Black Dirt Farm.

3. Talking points for follow-up mtg

- Is the committee interested in a follow-up conversation and to invite Tom Gilbert (and other POS coalition members)?
- Is the committee interested in policy recommendations from the Protect Our Soils Coalition?

POS Recommendations

To address the Department of Environmental Conservation's wrongful implementation of the Universal Recycling Law, we are asking that the legislature pass new legislation this session that:

- (1) Clarifies that source separation of food from packaging remain the overarching standard for food waste management in Vermont because it is the most practical and effective way to ensure that the state's compost and anaerobic digestion systems, and the soil amendments they are used to create, are not contaminated with microplastics and toxic compounds.
- (2) Provides a clearly defined and limited role for the use of depackaging equipment. Currently, Depackaging is illegal according to the language of the Universal Recycling Law. Depackaging should be permitted as a limited exception to the

source separation requirements to manage discrete types of packaged organics that cannot be source separated.

- (3) Prohibits the use of soil amendments created from depackaging from being used or sold as fertilizer.
- (4) Clarify that the Food Recovery Hierarchy applies to all generators. This means all generators are required to direct organic resources to their highest and best use, as stated by the hierarchy, where services are available. DEC should be asked to clarify through rulemaking that the requirement to fulfill any one level of the hierarchy is based on requiring the generator to have an entity or service provider that is willing and able to transport and manage the material according to the hierarchy. Additionally, the legislation should prohibit any management practice that invariably precludes the availability of food waste from being managed by methods higher up the hierarchy.
- (5) Establishes that commingling packaged and non-packaged organics violates the source separation requirement of the law and precludes materials from being utilized by management methods higher up on the hierarchy.

Land, Capital, and Housing

1. From our 2023 course of action

Long term secure access to land, capital, and appropriate housing are some of the most pressing issues faced in the agricultural community, locally and globally. There are a number of efforts ongoing to collaboratively listen to stakeholders and address these issues: the Milk with Dignity Program and Migrant Justice, Just Construction, the Farmworker Housing Repair Program, Every Town, the Land Access and Opportunity Board, the Farm to Plate Network, the Land Grab Working Group at the National Family Farm Coalition, and many more coalitions, organizations, and efforts. We will continue to participate and monitor different programs and conversations, consider particular leverage points we may be best suited to work on, and bring the experiences and concerns of our members to the conversation.

2. High level talking points and follow-up requests

As so many of us are seeking to find policy solutions on these pressing issues, we are interested in recommendations that are regulatory in nature with the goal to really get to the root of the problem - that a unregulated market development would circumvent the public interest and goals to keep the working lands open and free from development, but in the hands of land managers that want to practice and ensure good land stewardship. Conservation Easements and Current-Use come to mind in this context - but they are all voluntary programs and many question if voluntary is still appropriate given the climate emergency. Recently a Rural Vermont board member shared that in Norway, all agricultural fields have to remain in agricultural use and that a property can only be sold if that can be assured in the transaction. In Germany, the building code prohibits urban sprawl and only allows farmers (and a couple other uses that serve a public interest) to develop infrastructure and housing outside of town centers.

3. Talking points for follow-up mtg

Let's learn more about the importance and great fertility of Vermont soil types. In the eye of the Climate Emergency, Vermont is identified as one of the safest places to live in the United States thirty years from now. VT will have to become again an important breadbasket to be more resilient as a region that wants to facilitate that coming mass migration. Let's recognize how fragile the working landscape already is and that unregulated market development won't be able to master the question how a new generation of beginning farmers, that is largely entirely detached from intergenerational wealth and knowledge on the business and know how of running a farm, should be credible to afford land, housing, repairs, infrastructure, equipment and operating costs of such an endeavor IN COMPETITION with the capabilities and interests for development?