

1 H.681

2 Introduced by Representatives Buxton of Tunbridge, Christie of Hartford,

3 Stuart of Brattleboro and Zagar of Barnard

4 Referred to Committee on

5 Date:

6 Subject: Agriculture; dairy

7 Statement of purpose: This bill proposes to exempt Vermont micro-dairies
8 from the requirements of the pasteurized milk ordinance and to direct the
9 secretary of agriculture, food and markets to adopt reasonable regulations
10 governing small- and medium-sized dairies.

11 An act relating to promoting small-scale dairies

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 6 V.S.A. § 2672(26) is added to read:

14 (26) "Micro-dairy" means a milk producer that is engaged in the
15 business of regularly producing milk for sale from six or fewer cows, goats,
16 sheep, or water buffalo, or any combination thereof.

17 Sec. 2. 6 V.S.A. § 2701 is amended to read:

18 § 2701. REGULATIONS

19 (a)(1) The secretary, in accordance with 3 V.S.A. chapter 25 of Title 3,
20 shall promulgate, and may amend and rescind, dairy sanitation regulations

1 relating to dairy products to enforce this chapter, including ~~but not limited to~~:
2 labeling, weighing, measuring, and testing facilities, buildings, equipment,
3 methods, procedures, health of animals, health and capability of personnel, and
4 quality standards.

5 (2) In addition, the uniform regulation for sanitation requirements, as
6 adopted by the National Conference on Interstate Milk Shippers, and published
7 by the U.S. Department of Health and Human Services, Public Health Service,
8 Food and Drug Administration, Grade A Pasteurized Milk Ordinance (PMO),
9 together with amendments, supplements, and revisions thereto, are adopted as
10 part of this chapter, except as modified or rejected by regulation.

11 (3) When adherence to the PMO is deemed unreasonable by the agency
12 for non-Grade "A" products, the most current version of the Recommended
13 Requirements of the United States Department of Agriculture, Agricultural
14 Marketing Service, Milk for Manufacturing Purposes and its Production and
15 Processing may be used.

16 (b) The secretary shall promulgate and from time to time amend or
17 terminate regulations concerning ~~but not limited to~~ the taking and storing of
18 samples, sampling equipment, approved tests, testing equipment, methods and
19 procedures for performing tests, and related trade practices which are used as a
20 basis for payment or acceptance for dairy products. The secretary shall make,

1 amend, or terminate regulations concerning examination for and the granting
2 and terminating of dairy technician's licenses.

3 (c) Notwithstanding any other provision of law to the contrary, the
4 regulations and requirements adopted pursuant to subdivisions (a)(2) and (3) of
5 this section shall not apply to the production, operations, or sales of milk or
6 dairy products produced by a micro-dairy that are produced, sold, and
7 consumed exclusively within the state of Vermont.

8 Sec. 3. REGULATIONS FOR SMALL- AND MEDIUM-SIZED MILK
9 PRODUCERS

10 (a) On or before September 1, 2012, the secretary shall initiate a
11 rulemaking procedure to adopt regulations applicable to small milk producers
12 that regularly milk between seven and 25, and to medium-sized milk producers
13 that regularly milk between 25 and 50 cows, goats, sheep, or water buffalo, or
14 any combination thereof.

15 (b) The purpose of the regulations adopted pursuant to subsection (a) of
16 this section shall be to lessen the financial, technical, and administrative
17 burden of complying with the sanitation regulations adopted under 9 V.S.A.
18 § 2701 and to expand the market opportunities for small- and medium-sized
19 milk producers for direct sales to consumers, as well as sales to commercial
20 and institutional customers.

- 1 Sec. 4. EFFECTIVE DATE
- 2 This act shall take effect on passage.