

Raw Milk Sales – Compliance and Enforcement Policy

V.S.A. 6 §15 authorizes the Vermont Agency of Agriculture, Food and Markets to issue administrative penalties for enforcement of the statutes in V.S.A. 6 and rules promulgated under those statutes. Each situation is unique and the penalties may vary, however this document will be used to assist in the determination.

Once evidence of raw milk sales is brought to the attention of the Dairy Section, an inspection will take place to see if sales are in accordance with Chapter 152. Subsequent inspections will be held as needed with annual inspections as the goal.

An inspection will take place with violations noted on an inspection sheet and left in the milk house or with the producer. The results will be reviewed with the producer if the producer is available. Unless the violations are an immediate public health concern the farm will be given 14 to 30 days to correct any deficiencies. If there is a significant concern to public health an immediate stop sale will be ordered until the deficiencies are corrected. Upon re-inspection, if the deficiencies are not corrected to the point that the farm is now in substantial compliance with Chapter 152, a notice of violation will be issued and a hearing warned with a proposed penalty that includes cessation of sales until the farm is in compliance and an administrative penalty based on the following schedule. The minimum penalty will be \$250.00 per area of violation and the maximum penalty that will be assessed is \$25,000.00.

If a farmer is found selling raw milk into commerce or selling raw milk products without a Vermont Milk Handler License the farm will first receive a written warning from the inspector or the dairy office. The sale of raw milk into commerce or the sale of raw milk products must stop immediately or the violation will be multiplied by the number of days after the farmer was notified to stop until they do. Commerce would include, but not be limited to, selling in, or to, stores, farmer markets or restaurants. If a farm continues to sell into commerce or sell raw milk products after receiving a written warning, a notice of violation will be issued and a hearing warned with a penalty of not less than \$500.00 per product and not more than \$25,000.00 will be proposed.

Violation area	If not addressed upon re-inspection	Additional compliance action in same area of violation*
Animal health violations	\$250.00	\$500.00
Quality testing not performed (Tier II farms only)	\$250.00	\$500.00
Record keeping, signage, labeling, tours and delivery plan (Customer lists or maintaining other required records)	\$250.00	\$500.00
Sanitation violations	\$250.00	\$500.00
Sale of raw milk into commerce	\$500.00	\$1000.00
	Per product	Per product
Farm is processing the raw milk and selling milk products	\$500.00	\$1000.00
Farm is selling raw milk products into commerce	\$750.00	\$1,000.00

* For violations of the same type within two years of the compliance action

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