

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Agriculture and Forest Products to which was referred
3 House Bill No. 778 entitled “An act relating to State enforcement of the federal
4 Food Safety and Modernization Act” respectfully reports that it has considered
5 the same and recommends that the bill be amended by striking out all after the
6 enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 6 V.S.A. chapter 66 is added to read:

8 CHAPTER 66. PRODUCE INSPECTION

9 § 850. DEFINITIONS

10 As used in this chapter:

11 (1) “Agency” means the Agency of Agriculture, Food and Markets.

12 (2) “Farm” means lands that are owned or leased by a person engaged in
13 any of the activities stated in 10 V.S.A. § 6001(22).

14 (3) “Produce” shall have the same meaning as used in
15 21 C.F.R. § 112.3.

16 (4) “Produce farm” means any farm engaged in the growing, harvesting,
17 packing, or holding of produce.

18 (5) “Secretary” means the Secretary of Agriculture, Food and Markets.

19 § 851. AUTHORITY; ENFORCEMENT

20 (a) The Secretary may enforce in the State the requirements of the rules
21 adopted under the federal Food Safety Modernization Act, Public Law No.

1 111-353, for standards for growing, harvesting, packing, and holding of
2 produce for human consumption, 21 C.F.R. part 112.

3 (b) The Agency may collaborate with the Vermont Department of Health
4 regarding application of the federal Food Safety Modernization Act and the
5 rules adopted thereunder for which the Agency and the Department may share
6 regulatory authority.

7 § 852. FARM INSPECTIONS

8 (a) The Secretary may inspect a produce farm at any time for the purposes
9 of ensuring compliance with the federal standards for growing, harvesting,
10 packing, and holding of produce for human consumption, 21 C.F.R. part 112,
11 or rules adopted under this chapter.

12 (b) After inspection, the Secretary may issue an inspection certificate that
13 shall include the date and place of inspection along with any other pertinent
14 facts that the Secretary may require.

15 § 853. RECORDS

16 The owner or operator of a produce farm shall maintain records required by
17 the federal Food Safety Modernization Act, rules adopted thereunder, and rules
18 adopted under this chapter and shall make those records available to the
19 Agency upon request.

1 § 854. RULES

2 The Secretary may adopt rules pursuant to 3 V.S.A. chapter 25 as may be
3 necessary to implement this chapter.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2016.

6 and that after passage the title of the bill be amended to read: “An act relating
7 to State enforcement of the federal Food Safety Modernization Act”

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12 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE