

1 H.440

2 Introduced by Representatives Rachelson of Burlington, Burke of Brattleboro,
3 O'Sullivan of Burlington, Weed of Enosburgh, and Young of
4 Glover

5 Referred to Committee on

6 Date:

7 Subject: Agriculture; livestock; poultry; raised humane

8 Statement of purpose of bill as introduced: This bill proposes to require the
9 Secretary of Agriculture, Food and Markets, at the request of a producer of
10 livestock or poultry, to inspect the farm or facility where the livestock or
11 poultry was raised or slaughtered in order to certify that the livestock or
12 poultry was humanely raised, handled, and slaughtered. Qualified third-party
13 organizations would be authorized to certify the livestock or poultry as
14 humanely raised, handled, and slaughtered.

15 An act relating to certifying livestock and poultry as humanely raised,
16 handled, and slaughtered

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

2 Sec. 1. 6 V.S.A. § 3302 is amended to read:

3 § 3302. DEFINITIONS

4 As used in this chapter, except as otherwise specified, the following terms
5 shall have the meanings stated below:

6 * * *

7 (2) “Animal food manufacturer” means any person engaged in the
8 business of preparing animal, including poultry, food derived wholly or in part
9 from livestock or poultry carcasses or parts or products of carcasses.

10 * * *

11 (5) “Commercial processor” means any person who maintains an
12 establishment under this chapter for the purpose of processing livestock, meat,
13 meat food product, poultry, or poultry product other than for the exclusive use
14 in the household of the owner of the commodity, by him or her and members
15 of his or her household and his or her nonpaying guests and employees.

16 * * *

17 (7) “Secretary” means the Secretary of Agriculture, Food and Markets
18 or designee.

19 * * *

1 with objective standards for the humane treatment of livestock and poultry,

2 including:

3 (A) standards regarding rearing, transport, slaughter, space
4 allowance, enrichment, pain control, physical alterations, and ability to engage
5 in natural behaviors;

6 (B) a prohibition on routine caging, crating, and tethering of animals;

7 (C) publicly accessible manuals on its animal welfare standards,
8 operations, and programs; and

9 (D) routine onsite audits that require 100 percent compliance to
10 standards by independent auditors.

11 (47) “Farm” means a parcel or parcels of land owned, leased, or
12 managed by a person and devoted primarily to farming, as that term is defined
13 in 10 V.S.A. § 6001.

14 (48) “Humanely raised, handled, and slaughtered” means livestock or
15 poultry was raised on a farm and subsequently handled and slaughtered on a
16 farm or in a facility according to objective standards for humane treatment of
17 livestock and poultry.

18 (49) “Producer” means a person who raises livestock or poultry for
19 slaughter.

1 Sec. 2. 6 V.S.A. § 3320 is added to read:

2 § 3320. CERTIFICATION OF LIVESTOCK OR POULTRY AS

3 HUMANELY RAISED, HANDLED, AND SLAUGHTERED

4 (a) Establishment; rules.

5 (1) The Secretary shall establish a program within the Food Safety and
6 Consumer Protection Division to provide livestock and poultry producers with
7 technical and financial assistance in certifying livestock or poultry as
8 humanely raised, handled, and slaughtered.

9 (2) The Secretary may adopt by rule objective standards for certifying
10 livestock or poultry as humanely raised, handled, and slaughtered.

11 (b) Certification.

12 (1) The Secretary, upon the request of a livestock or poultry producer,
13 shall:

14 (A) inspect a farm or facility in order to certify that livestock or
15 poultry from the producer's farm satisfy the Secretary's rules for humane
16 raising, handling, and slaughter of livestock and poultry; or

17 (B) arrange for a qualified third-party organization to inspect a farm
18 or facility in order to certify that livestock or poultry from the producer's farm
19 were humanely raised, handled, and slaughtered.

20 (2) Within 30 days of receipt of a request for third-party certification,
21 the Secretary shall schedule the inspection or shall schedule with the producer

1 a date for inspection by a third-party organization. An inspection can be
2 completed in phases or over a specified time period to allow for each phase of
3 inspecting how the livestock or poultry was raised, handled, and slaughtered.

4 (3) A certification shall be valid for the term of certification of the
5 qualified third-party organization conducting the inspection or one year,
6 whichever is greater.

7 (c) Approved third-party certification.

8 (1) The following third-party organizations are approved to conduct
9 certifications under subsection (b) of this section:

10 (A) Animal Welfare Approved;

11 (B) the Humane Farm Animal Care Certified Humane Program;

12 (C) the Global Animal Partnership; or

13 (D) any other animal welfare inspection and certification program
14 approved by the Secretary of Agriculture, Food and Markets.

15 (2) A third-party organization approved under subdivision (1) of this
16 subsection shall conduct the inspection and certification according to the
17 organization's standards, which, for purposes of this chapter, shall be deemed
18 equivalent to any standards that may be adopted by rule by the Secretary for
19 certifying livestock or poultry as humanely raised, handled, and slaughtered.

20 (d) Costs. The Secretary shall pay for the costs of certification by a third-
21 party organization under subsection (b) of this section from the budget of the

1 Agency of Agriculture, Food and Markets' Food Safety and Consumer
2 Protection Division.

3 (e) Label. In addition to a label authorized by a third-party organization
4 certifying livestock or poultry as humanely raised, handled, and slaughtered, a
5 livestock or poultry producer, an animal food manufacturer, or a commercial
6 processor may also label meat, livestock products, or poultry products made in
7 whole or in part from the certified livestock or poultry as "Vermont certified
8 humanely raised or handled."

9 Sec. 3. 6 V.S.A. § 359 is added to read:

10 § 359. LABEL; CERTIFIED HUMANELY RAISED, HANDLED, AND
11 SLAUGHTERED

12 Upon certification of poultry as humanely raised, handled, and slaughtered
13 under section 3320 of this title, a person may label a container of eggs
14 produced from the certified poultry with a label authorized under subsection
15 3320(e) of this title.

16 Sec. 4. 6 V.S.A. § 2817 is added to read:

17 § 2817. LABEL; CERTIFIED HUMANELY RAISED, HANDLED, AND
18 SLAUGHTERED

19 Upon certification of livestock as humanely raised, handled, and
20 slaughtered under section 3320 of this title, a person may label retail packages

1 of dairy products and fluid dairy products produced from the certified livestock
2 with a label authorized under subsection 3320(e) of this title.

3 Sec. 5. 6 V.S.A. § 2857 is amended to read:

4 § 2857. LABEL; CERTIFIED HUMANELY RAISED, HANDLED, AND
5 SLAUGHTERED

6 Upon certification of livestock as humanely raised, handled, and
7 slaughtered under section 3320 of this title, a person may label frozen desserts
8 produced from milk from the certified livestock with a label authorized under
9 subsection 3320(e) of this title.

10 Sec. 6. RULES; CERTIFICATION HUMANELY RAISED, HANDLED,
11 AND SLAUGHTERED; SUBMISSION TO GENERAL ASSEMBLY

12 (a) Any rules adopted by the Secretary of Agriculture, Food and Markets
13 under 6 V.S.A § 3320(a)(2) regarding objective standards for certifying
14 livestock or poultry as humanely raised, handled, and slaughtered shall
15 supplement and shall be in addition to requirements of or rules adopted under
16 6 V.S.A. chapter 201 for the humane slaughter of livestock.

17 (b) If the Secretary of Agriculture, Food and Markets elects under 6 V.S.A.
18 § 3320(a)(2) to adopt by rule objective standards for certifying livestock or
19 poultry as humanely raised, handled, and slaughtered, the Secretary shall, prior
20 to filing under 3 V.S.A. § 841, submit a copy of the proposed rules to the

1 House Committee on Agriculture and Forestry and the Senate Committee on
2 Agriculture for review for consistency with legislative intent.

3 Sec. 7. EDUCATION AND OUTREACH; REPORT

4 (a) The Secretary of Agriculture, Food and Markets shall conduct outreach
5 and education for livestock and poultry producers regarding the potential of the
6 producer under 6 V.S.A. § 3320 to request certification of livestock or poultry
7 as humanely raised, handled, and slaughtered. The education and outreach
8 shall specify how a producer may request certification and the applicable
9 standard for certification. The education and outreach may include educational
10 materials, workshops, or classes regarding certification under 6 V.S.A. § 3320.

11 (b) On or before January 15, 2018, and annually thereafter, the Secretary of
12 Agriculture, Food and Markets shall submit to the House Committee on
13 Agriculture and Forestry and the Senate Committee on Agriculture a report
14 summarizing the number of livestock or poultry producers requesting and
15 achieving certification of livestock or poultry as humanely raised, handled, and
16 slaughtered under 6 V.S.A. § 3302. The report may include recommendations
17 by the Secretary for improvement or amendment to certification under
18 6 V.S.A. § 3303.

19 Sec. 8. EFFECTIVE DATE

20 This act shall take effect on July 1, 2017.