

1 Sec. X. 9 V.S.A. § 2465a is amended to read:

2 § 2465a. DEFINITION OF LOCAL, LOCAL TO VERMONT AND
3 LOCALLY GROWN OR MADE IN VERMONT

4 (a) As used in this section:

5 (1) “Eggs” mean eggs that are the product of laying birds, including:

6 chickens, turkeys, ducks, geese, or quail, and that are in the shell.

7 (2) “Majority of ingredients” means more than fifty percent of all
8 product ingredients by volume excluding water.

9 (3) “Processed food” means any food other than a raw agricultural
10 product and including a raw agricultural product that has been subject to
11 processing, such as canning, cooking, dehydrating, milling, or the addition of
12 other ingredients. Processed food includes dairy, meat, maple products, honey
13 products, beverages, fruit, or vegetables that have been subject to processing,
14 baked, or modified into a value-added or uniquespecialty food product. Water
15 is excluded when evaluating ingredients in processed foods.

16 (4) “Raw agricultural product” means any food in its raw or natural
17 state without added ingredients, including pasteurized and/or homogenized
18 milk, maple sap or syrup, honey, meat, eggs, apple cider, and fruits or
19 vegetables that may be washed, colored, or otherwise treated in their unpeeled
20 natural form prior to marketing.

1 (5) “Substantial period of its life” means an animal that was harvested in
2 Vermont and lived in Vermont for at least one third of its life or one year.

3 (6) “Unique food product” means food processed in Vermont from
4 ingredients that are not regularly produced in Vermont or not available in
5 sufficient quantities to meet production requirements.

6 (b) For the purposes of this chapter and rules adopted pursuant to
7 subsection 2453(c) of this chapter, “local,” “local to Vermont,” “locally grown
8 or made in Vermont,” and any substantially similar term shall mean that the
9 goods being advertised originated within Vermont or 30 miles of the place
10 where they are sold, measured directly, point to point, except that the term
11 “local” may be used in conjunction with a specific geographic location, such as
12 “local to New England,” or a specific mile radius, such as “local within 100
13 miles,” as long as the specific geographic location or mile radius appears as
14 prominently as the term “local,” and the representation of origin is accurate
15 have the following meaning based on the type of food or food product:

16 (1) For products that are raw agricultural products “local to Vermont”
17 means the product:

18 (A) was exclusively grown or tapped in Vermont; or

19 (B) is not milk and was derived from an animal that was raised for a
20 substantial period of its lifetime in Vermont; or

1 (C) is milk where a majority of the milk was produced from Vermont
2 animals, or

3 (D) is honey produced by Vermont colonies located exclusively in
4 Vermont when all nectar was collected.

5 (2) Except as provided in subdivision (3), for products that are
6 processed foods “local to Vermont” means:

7 (A)(i) the majority of the ingredients are local to Vermont raw
8 agricultural products in the product were grown in Vermont; or

9 (ii) the majority of the product is derived from an animal that was
10 raised in Vermont for a substantial period of its life; and

11 (B) The product meets one or both of the following criteria:

12 (i) the product was processed in Vermont; or

13 (ii) the headquarters of the company that manufactures the product
14 is located in Vermont.

15 (3) For bakery products, beverages, or unique specialty food products,
16 the product meets two or more of the following criteria:

17 (A) the majority of the ingredients are local to Vermont raw
18 agricultural products in the product were grown in Vermont;

19 (B) substantial transformation of the ingredients in the product
20 occurred here in Vermont; or

1 (C) the headquarters of the company that manufactures the product is
2 located in Vermont.

3 (c) For the purposes of this chapter and rules adopted pursuant to
4 subsection 2453(c) of this chapter, when referring to products other than food,
5 “local” and any substantially similar term shall mean that the goods being
6 advertised originated within Vermont.

7 (de) For the purposes of this chapter and rules adopted pursuant to
8 subsection 2453(c) of this chapter, “local,” “locally grown or made,” and
9 substantially similar terms may be used in conjunction with a specific
10 geographic location provided that the specific geographic location appears as
11 prominently as the term “local” and the representation of origin is accurate. If
12 a local representation refers to a specific city or town, the product must have
13 been grown or made in that city or town. If a local representation refers to a
14 region with precisely defined political boundaries, the product must have been
15 grown or made within those boundaries. If a local representation refers to a
16 region that is not precisely defined by political boundaries, then the region
17 must be prominently described when the representation is made, or the product
18 must have been grown or made within 30 miles of the point of sale, measured
19 directly point to point.

20 (e) A person or company who sells or markets food or goods impacted by a
21 change in this section shall have six months from the effective date to utilize

- 1 existing product labels and/or packaging materials and to come into
- 2 compliance with this section's new requirements.