1	H.81
2	Introduced by Representatives Partridge of Windham, Bartholomew of
3	Hartland, Fegard of Enosburgh, Graham of Williamstown,
4	Norris of Shoreham, O'Brien of Tunbridge, Smith of New
5	Haven, and Strong of Albany
6	Referred to Committee on
7	Date:
8	Subject: Agriculture; dairy operations; definition of milk; adulterated dairy
9	products
10	Statement of purpose of bill as introduced: This bill proposes to clarify the
11	definition of "milk" to mean the pure lacteal secretion of hooved animals. A
12	product sold as milk that does not conform to the definition of "milk" would be
13	an adulterated product subject to penalty by the Secretary of Agriculture, Food
14	and Markets.
15	An act relating to the definition and sale of milk
16	It is hereby enacted by the General Assembly of the State of Vermont:
17	Sec. 1. 6 V.S.A. § 2672 is amended to read:
18	§ 2672. DEFINITIONS
19	As used in this chapter, the following terms have the following meanings:

1	(1) "Secretary" means Secretary of Agriculture, Food and Markets or his
2	or her authorized agent.
3	(2) "Milk producer" or "producer" is a person, partnership,
4	unincorporated association, or corporation who owns or controls one or more
5	cows, dairy goats, dairy sheep, or water buffalo hooved animals and sells or
6	offers for sale a part or all of the milk produced by the animals.
7	(3) "Dairy farm" is any place or premise premises where one or more
8	cows, dairy goats, dairy sheep, or water buffalo hooved animals are kept and
9	where a part or all of the milk from the animals is sold or offered for sale.
10	* * *
11	(7) "Milk," unless preceded or succeeded by an explanatory term,
12	" <u>Milk</u> " means the pure lacteal secretion of dairy cattle hooved animals. Milk
13	from other dairy livestock listed in this subdivision animals other than dairy
14	cows shall be preceded by the common name for the type of livestock hooved
15	animal that produced the milk. Such milk Milk may be standardized by the
16	addition of pure, fresh skim milk, concentrated skim milk, concentrated milk,
17	dry whole milk, nonfat dry milk, or cream as defined by regulation- and as
18	consistent with 21 C.F.R. § 131.110. "Milk" from hooved animals in the
19	family Bovidae shall meet the following standards:
20	(A) "Cows' milk" is the colostrum-free, pure, lacteal product of
21	healthy cattle which that contains not less than 11.50 percent of total milk

1 solids (to which nothing has been adde	ed or taken away). Cows' milk sold in
2 retail packages shall contain not less th	nan 3.25 percent milk fat , and not less
3 than 8.25 percent nonfat milk solids.	
4 (B) "Goats' milk" is the colo	strum-free, pure, lacteal product of
5 healthy goats which that contains not l	ess than 10 percent of total milk solids
6 (to which nothing has been added or ta	ken away). Goats' milk sold in retail
7 packages shall contain not less than 2.	5 percent milk fat and not less than
8 7.5 percent nonfat milk solids.	
9 (C) "Sheep's milk" is the col	ostrum-free, pure, lacteal product of
10 healthy sheep which that contains no n	ot less than 11.50 percent of total milk
11 solids (to which nothing has been adde	ed or taken away).
12 (D) "Water buffalo's milk" i	s the colostrum-free, pure, lacteal
13 product of healthy water buffalo which	that contains no not less than 11.50
14 percent of total milk solids (to which r	othing has been added or taken away).
15 (8) "Retail package of dairy pro	duct" is a package to be sold to a
16 consumer.	
17 (9) "Dairy product" is milk, or a	a product derived therefrom, which that
18 conforms to the appropriate legal stand	lard or definition for the specific product
19 as defined in this part and regulations	made under this part.

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1	(10) "Fluid dairy products" are milk and fluid dairy products derived
2	from milk, including cultured products, as defined by regulations adopted by
3	federal entities and published in the Code of Federal Regulations.
4	* * *
5	(13) "Adulteration" means an adulterated dairy product containing or
6	"adulterated product" means: a dairy product that contains a noxious,
7	unwholesome, or deleterious material, preservative, drugs, or chemical in a
8	quantity injurious to health; or which does not conform to the definition of the
9	product; a product sold as a dairy product that does not conform to the
10	definition of that dairy product under State law; a dairy product that does not
11	conform to the U.S. Food and Drug Administration standard of identity for the
12	dairy product; or which that is not produced, processed, or distributed
13	according to the provisions of this part.
14	* * *
15	(19) "Person" means individuals, corporations, partnerships, trusts,
16	associations, cooperatives, and any and all other business units or entities.
17	* * *
18	(22) Definitions and standards of milk dairy products not defined in this
19	section shall be those established by federal agencies and published in the
20	Code of Federal Regulations.
21	* * *

1	(26) "Hooved animals" means animals that are members of the order
2	Cetartiodactyla.
3	Sec. 2. 6 V.S.A. § 2801 is amended to read:
4	§ 2801. ADULTERATION PROHIBITED
5	(a) It is prohibited to sell, transfer, or offer for sale any adulterated dairy
6	product which that does not conform to Vermont statutes and regulations
7	adopted thereunder. Nothing herein shall be construed to prohibit the salvage
8	of milk solids for human consumption under regulations adopted by the
9	Secretary.
10	(b) As used in this section, "adulteration" or "adulterated product" has the
11	same meaning as in section 2672 of this title.
12	Sec. 3. EFFECTIVE DATE

13 <u>This act shall take effect on July 1, 2019.</u>