

Draft Revision to Vermont Seed Review Committee Law

Option #1

§ 642. DUTIES AND AUTHORITY OF THE SECRETARY

(a) The Secretary shall enforce and carry out the provisions of this subchapter, including:

(4) Prior to sale, distribution, or use of a new genetically engineered seed **that allows for a novel use of a pesticide** in the State, the Secretary shall consult with a seed review committee convened under subsection (c) of this section,– The Secretary may prohibit, restrict, condition, or limit the sale, distribution, or use of the seed in the State when determined necessary to prevent an adverse effect on agriculture in the State.

(b) The Secretary shall establish rules to carry out the provisions of this subchapter, including those governing the methods of sampling, inspecting, analyzing, testing, and examining seeds and reasonable standards for seed.

(c)(2) A seed review committee convened under this subsection shall be comprised of the Secretary of Agriculture, Food and Markets or designee and the following members appointed by the Secretary:

(A) a certified commercial agricultural pesticide applicator;

(B) an agronomist or relevant crop specialist from the University of Vermont or Vermont Technical College;

(C) a licensed seed dealer; and

(D) a member of a farming sector affected by the new genetically engineered seed.

Option #2

§ 642. DUTIES AND AUTHORITY OF THE SECRETARY

(a) The Secretary shall enforce and carry out the provisions of this subchapter, including:

(4) Prior to sale, distribution, or use of a new genetically engineered seed **THAT REQUIRES THE USE OF A PESTICIDE THE U.S. ENVIRONMENTAL PROTECTION AGENCY HAS CLASSIFIED AS A RESTRICTED USE PESTICIDE THAT IS NOT PRESENTLY REGISTERED** in the State, ~~and after consultation~~ **CONSULT, IF NECESSARY**, with a seed review committee convened under subsection (c) of this section, ~~(review the traits of the new genetically engineered seed.~~ The Secretary may prohibit, restrict, condition, or limit the sale, distribution, or use of the seed in the State when determined necessary to prevent an adverse effect on agriculture in the State.

(b) The Secretary shall establish rules to carry out the provisions of this subchapter, including those governing the methods of sampling, inspecting, analyzing, testing, and examining seeds and reasonable standards for seed.

(c)(1) The Secretary shall **MAY** convene a seed review committee to review the seed traits of a new genetically engineered seed **THAT REQUIRES THE USE OF A PESTICIDE THE U.S. ENVIRONMENTAL PROTECTION AGENCY HAS CLASSIFIED AS A RESTRICTED USE PESTICIDE THAT IS NOT PRESENTLY REGISTERED IN VERMONT** proposed for sale, distribution, or use in the State.

(2) A seed review committee convened under this subsection shall be comprised of the Secretary of Agriculture, Food and Markets or designee and the following members appointed by the Secretary:

(A) a certified commercial agricultural pesticide applicator;

(B) an agronomist or relevant crop specialist from the University of Vermont or Vermont Technical College;

(C) a licensed seed dealer; and

(D) a member of a farming sector affected by the new genetically engineered seed.

~~((3) A majority of the seed review committee must approve of the sale, distribution, or use of a new genetically engineered seed prior to sale, distribution, or use in the State. In order to ensure the appropriate use or traits of a new genetically engineered seed in the State, a seed review committee may propose to the Secretary limits or conditions on the sale, distribution, or use of a seed or recommend a limited period of time for sale of the seed.)~~