

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 solids (to which nothing has been added or taken away). Cows' milk sold in
2 retail packages shall contain not less than 3.25 percent milk fat, and not less
3 than 8.25 percent nonfat milk solids.

4 (B) "Goats' milk" is the colostrum-free, pure, lacteal product of
5 healthy goats ~~which~~ that contains not less than 10 percent of total milk solids
6 (to which nothing has been added or taken 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 colostrum-free, pure, lacteal product of
10 healthy sheep ~~which~~ that contains ~~no~~ not less than 11.50 percent of total milk
11 solids (to which nothing has been added or taken away).

12 (D) "Water buffalo's milk" is 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 nothing has been added or taken away).

15 (8) "Retail package of dairy product" is a package to be sold to a
16 consumer.

17 (9) "Dairy product" is milk, or a product derived therefrom, ~~which~~ that
18 conforms to the appropriate legal standard or definition for the specific product
19 as defined in this part and regulations made under this part.

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 This act shall take effect on July 1, 2019.