



STATE OF VERMONT
GENERAL ASSEMBLY

April 16, 2020

Governor Philip Scott

Secretary Anson Tebbetts
Agency of Agriculture, Food and Markets

Commissioner Mark Levine
Department of Health

Commissioner Michael Schirling
Department of Public Safety

Dear Governor Scott, Secretary Tebbetts, Commissioner Levine, and Commissioner Schirling:

I write on behalf of the House Committee on Agriculture and Forestry (Committee) to request revision of the Agency of Agriculture, Food and Markets' (AAFM's) guidance that prohibits the operation of farmers' markets during the Governor's Stay Home/Stay Safe executive order. The Committee understands and appreciates the difficulty you face in responding to the COVID-19 virus in a manner that maximizes protection of Vermonters. However, we believe that the AAFM guidance prohibiting the operation of farmers' markets is overly broad and could be revised to allow operation of farmers markets in a manner that protects public health and safety.

The Governor issued the Stay Home/Stay Safe order to reduce the spread of COVID-19 and avoid needless illness and deaths while ensuring the continuity of functions critical to public health, public safety, and economic security. Thus, the order mandates that Vermonters stay at home and leave home only for essential reasons. Among the essential reasons a person may leave home are to shop for groceries, pick up goods curbside, and obtain meals or beverages. The Agency of Commerce and Community Development's guidance for the order provides that businesses that provide essential services, including food distribution, may continue to operate.

The Committee believes that farmers' markets provide essential services. Farmers' markets supply Vermonters with fresh, local food that is often more nutritious than what may be obtained in a grocery store. Markets also sell prepared meals, beverages, and other goods. In addition, farmers' markets serve as a necessary source of food for persons participating in food assistance programs such as 3SquaresVT. To the Committee, farmers' markets are more than essential; they are necessary services that should be exempt from the Stay Home/Stay Safe order.

The AAFM guidance provides that "[f]armers can and should sell food through farm stands (with appropriate social distancing), online food sales, phone orders, curbside pick-up, and delivery." We believe that farmers' markets can implement similar, appropriate protective measures as farm stands. The Committee asks that you develop clear guidelines or practices that

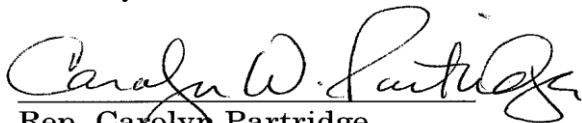
farmers' markets can implement to protect public health. We believe that with such guidelines, open-air farmers' markets can operate as safely as indoor food providers, if not more so.

These are extraordinary times. People are anxious. Unemployment is high, and the economy is suffering. The Committee recognizes and respects that you are making difficult, novel decisions every day, and we understand that the State must take unprecedented action to protect public health and safety. We applaud your work. However, the the Committee requests that you revise the policy prohibiting the operation of farmers' markets and allow farmers' markets to operate subject to appropriate social distancing guideline established by the State.

This action would provide an essential service, protect public health, and avoid additional negative economic impacts on farmers. In addition, the operation of farmers' markets with social distancing conditions in place could signal a return to a relative normalcy and comfort that all Vermonters currently would appreciate. Please revise the AAFM policy as quickly as possible so that farmers' markets and the farmers that participate in them can work to implement the social distancing guidelines so that markets can reopen quickly.

The Committee thanks you for the work you are doing to protect Vermonters and the State as a whole. We appreciate the efforts you are making and we thank you in advance for the time you will take to review and respond to our request. Feel free to contact me if you need additional information or have questions.

Sincerely,



Rep. Carolyn Partridge
House, Chair Committee on
Agriculture and Forestry

CC: Abbey Willard, Agency of Agriculture, Food and Markets