

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Agriculture, Food Resiliency, and Forestry to which was  
3 referred House Bill No. 401 entitled “An act relating to exemptions for food  
4 manufacturing establishments” respectfully reports that it has considered the  
5 same and recommends that the bill be amended by striking out all after the  
6 enacting clause and inserting in lieu thereof the following:

7 Sec. 1. LEGISLATIVE INTENT

8 It is the intent of the General Assembly that:

9 (1) Vermont enhance its food resiliency through increased supply and  
10 distribution of locally produced food products;

11 (2) Vermonters have more access to the local food marketplace as both  
12 producers and consumers;

13 (3) local food producers are able to meet the demand for Vermont-made  
14 food products from visitors to the State;

15 (4) small-scale food producers, new business start-ups, and sole  
16 proprietors benefit from raising the limit of the existing licensing exemption  
17 for at-home bakery products to adjust for inflationary cost changes occurring  
18 since the initial statutory enactment; and

19 (5) supply-chain costs and inflationary considerations be addressed to  
20 bring risk management thresholds more in line with the economic conditions at  
21 the time of initial statutory enactment.

1       Sec. 2. 18 V.S.A. § 4353 is amended to read:

2       § 4353. FEES

3           (a) The Commissioner may establish by rule any requirement the  
4       Department needs to determine the applicable categories or exemptions for  
5       licenses. The following license fees shall be paid annually to the Department  
6       at the time of making the application according to the following schedules:

7   \* \* \*

8           (3) Food manufacturing establishment — a fee for any person or persons  
9       that process food for resale to restaurants, stores, or individuals according to  
10       the following schedule:

11                 (A) Food manufacturing establishments; nonbakeries

12                     I ~~— Gross receipts of \$10,001.00 to \$50,000.00; \$175.00~~

13                     H I   — Gross receipts of over ~~\$50,000.00~~ \$30,000.00;

14   \$275.00

15                     II ~~— Nonhome-operated food service establishment~~

16   with gross receipts of \$30,000.00 or less;

17   \$175.00

18                     III   — ~~Gross Home-operated food service establishment~~

19   with gross receipts of \$10,000.00 \$30,000.00 or less

20   are exempt pursuant to section 4358 of this title

- 1 (B) Food manufacturing establishment; bakeries
- 2 I — Home bakery with gross receipts over \$30,000.00;
- 3 \$100.00
- 4 II — Small commercial; \$200.00
- 5 III — Large commercial; \$350.00
- 6 IV — Nonhome-operated bakery with gross receipts of
- 7 \$30,000.00 or less; \$50.00
- 8 V — Home-operated bakery with gross receipts of
- 9 \$30,000.00 or less are exempt pursuant to section
- 10 4358 of this title

11 \* \* \*

12 Sec. 3. 18 V.S.A. § 4358 is amended to read:

13 § 4358. EXEMPTIONS

14 \* \* \*

15 (b) The provisions of licensure requirements and related licensure fees in  
16 this subchapter shall not apply to an individual manufacturing and selling  
17 bakery products from his or her own home kitchen a food manufacturing  
18 establishment operating from a home kitchen whose average gross retail sales  
19 do not exceed \$125.00 per week are less than or equal to \$30,000.00 per year.

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1 Sec. 4. EFFECTIVE DATE

2 This act shall take effect on July 1, 2025.  
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10 (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_  
Representative \_\_\_\_\_

FOR THE COMMITTEE