

Thank you for this opportunity to address H.401.

By way of introduction,. I am a partner in Hoppy Valley Farm in Pownal. There are four of us, one in his 60s, two in our 70s, and one in his 80s. We believe ours is the longest-standing hop farm in Vermont, having begun in 2012.

We have travelled all over Vermont and nearby Massachusetts in search of “lost hops” left from 18th and 19th century hop farms. And we also located America’s first hop, discovered by settlers in 1762. These are now our proprietary hops that we blend and sell to small local brewers.

Though far from a hobby, this is not a profitable business; we recognized this early on, so created our food business to help support the farm. So instead of farm to table, Hoppy Valley is table to farm.

I was unaware of the license-exempt food law until several years ago when I received an email from our regional health officer, who was checking up on vendors at farmers markets in the area.

We have been operating under that exemption since that time.

I do need to say that my presence here today and my advocacy for H401 is not about my financial situation in Vermont. It is about my quality of life in Vermont and about the financial impact and quality of life of many of our fellow Vermonters.

The income cap on license-exempt home food producers (\$10,000) and on home bakers (\$6,500) has been in effect since, I believe, 2017. Assuming that is the case, the impact of inflation adds up to increased costs averaging more than 30%.

With income capped, it means that at the very least, food producers' income is now capped at \$7,000 and bakers at \$4,450. And given current circumstances, costs of goods sold are about to increase dramatically.

Seriously, put yourself in the life of a home baker with the current price of eggs.

Intensifying the situation is the ever-present elasticity of price and demand. If and when we raise our prices, there will likely be a drop in demand. It's hard to quantify in small scale, but because we are so close to our customers, we hear all the time something to the effect: "I'm not paying that much for a _____."

Plus, when we have to raise prices, our income is capped, so we can't cover that increase. We are left to sell fewer products.

Food entrepreneurship is a cherished centuries-old tradition in Vermont. It has always helped a family to put a little something extra under the tree; buy your kid a good set of sneakers or a warm winter coat; a prom dress; help with elder care; assist in flood relief.

An increase to \$30,000 will allow home food makers more income in difficult times, to buy a better mixer, a bigger dehydrator, replace an old stove, and could assist in making the expensive transition to a licensed commercial kitchen if they wish. That opportunity does not exist as currently legislated.

There are arguments that increasing the amount of money home producers can earn increases the risk of food-borne illness from home kitchens. The Institute for Justice in 2023, took a look at this specific issue. There are seven states they categorize as Food Freedom states; states with the broadest homemade food laws - California, Iowa, Montana, North Dakota, Oklahoma, Utah and Wyoming.

They contacted those states' health departments and requested data on the number of complaints and confirmed cases of foodborne illness that could be traced to a food product sold under states' homemade food laws.

Each of these states' homemade food laws allow the sale of not just shelf-stable foods (like breads, cakes, and jams), but also perishable foods like meals (tamales, pizza, chicken sandwiches, and various cultural street foods). The results showed that not a single state has found a foodborne illness to be caused by food sold under their homemade food law.

I contacted the Vermont Department of Health, asking that same question. Since I received no response, it's safe to assume there have been no

reports of food-borne illness from products made in a home kitchen.

It's also no surprise that ours are the same kitchens that we use to make meals for our families, friends and loved ones; for PTG meetings and church bake sales; for our first responders after a fire. It is cynical to think that we take any less care in the preparation of food for our customers.

So where does Vermont stand in allowing its citizens to sell homemade food? According to a study of every state's home kitchen laws by the Institute for Justice...I'm betting you already know.

Dead last. 50th out of 50. Not even close.

This brings us back to institutionalization of our food supply. As inflation and regulation continue to eat away at our ability to sell and buy local food, we become more reliant on the ever fewer and ever larger food producers. Every single day there are notices from the FDA about food recalls nationwide, threatening the health of millions of Americans. Millions of pounds of food are imported for sale in Vermont, some from our economic and political adversaries.

No great surprise, when you take a look at ships stacked with hundreds of trailers filled with food, that only between 1 and 2 percent of these foods and their production facilities are inspected by American authorities. My guess is that soon that percentage will drop significantly.

But Vermont food entrepreneurs have their income capped and are required to print warning labels in 10-point type about potential hazards of the foods we prepare, based on no substantiated or articulated risk.

I just left Key West to be here today. While visiting their artisans market, I checked to see what the home kitchen limit is in Florida. Anybody want to guess?

\$250,000!

H.401 does not propose anything close to that. It merely seeks to elevate the quality of life of many of our fellow Vermonters.