

ANNUAL REPORT ON IMPORTATION OF FOOD RESIDUALS FOR FARMING

2021 Act No. 41

Submitted to the:

Senate Committee on Natural Resources and Energy  
House Committee on Environment  
Senate Committee on Agriculture  
House Committee on Agriculture, Food Resiliency, and Forestry

By the:

The Vermont Agency of Agriculture, Food & Markets  
Public Health and Agricultural Resource Management Division

January 15, 2025

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Re: Act 41 Section 8, REPORT ON IMPORTATION OF FOOD RESIDUALS FOR FARMING

Date: January 15, 2025

To: Senator Russ Ingalls, Senate Committee on Agriculture  
Senator Anne Watson, Senate Committee on Natural Resources and Energy  
Representative Amy Sheldon, House Committee on Environment  
Representative David Durfee, House Committee Agriculture, Food Resiliency, and Forestry

From: Zach Szczukowski, Agricultural Resource Management Specialist, Public Health and Agricultural Resource Management Division, VAAFM

## Introduction

The Agency of Agriculture, Food and Markets (VAAFM) respectfully submits this report as required under Section 8 of Act 41 enacted on May 20, 2021, addressing the importation of food residuals for farming as defined in 10 V.S.A. § 6001(22)(H).<sup>1</sup> Specifically, this report addresses the following:

- (1) an inventory of the operators of farms that are producing compost under 10 V.S.A. § 6001(22)(H), including the estimated volume of food residuals imported onto farms;
- (2) a status report on the rulemaking required under 6 V.S.A. § 5133 and any subsequent amendment to those rules;
- (3) an accounting of any complaints regarding or enforcement actions brought against a farm producing compost under 10 V.S.A. § 6001(22)(H); and
- (4) any additional information that the Secretary determines is relevant to the administration of compost production under 10 V.S.A. § 6001(22)(H).

### **(1) Inventory of the operators of farms that are producing compost under 10 V.S.A. § 6001(22)(H), including the estimated volume of food residuals imported onto farms**

VAAFM has compiled a list of farms producing compost under 10 V.S.A. § 6001(22)(H) (Table 1). Of the farms listed in Table 1, a majority principally use the compost on-site per 10 V.S.A. § 6001(22)(H)(i). It is possible that additional farms covered under 10 V.S.A. § 6001(22)(H) are not covered in Table 1.

### **(2) Status report on the rulemaking required under 6 V.S.A. § 5133 and any subsequent amendment to those rules**

It is the opinion of VAAFM, at the suggestion of counsel, that the best course of action for rulemaking under 6 V.S.A. § 5133 continues to be adoption of the rules as part of the Required Agricultural Practices Rule (RAPs). Adoption under the RAPs will provide consistent requirements for farms producing compost in

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<sup>1</sup> (H) the importation of 2,000 cubic yards per year or less of food residuals or food processing residuals onto a farm for the production of compost, provided that: (i) the compost is principally used on the farm where it is produced; or (ii) the compost is produced on a small farm that raises or manages poultry.



addition to enabling VAAFM more robust investigative and enforcement capabilities. Ultimately, VAAFM seeks to create a pragmatic and enforceable rule to the benefit of both the regulated community and the public.

**(3) Accounting of any complaints regarding or enforcement actions brought against a farm producing compost under 10 V.S.A. § 6001(22)(H).**

VAAFM received only one complaint against a farm producing compost under 10 V.S.A. § 6001(22)(H) since the last report. The complaint concerned odors drifting to a neighboring property. VAAFM conducted an inspection for compliance with both the Required Agricultural Practices Rule and the Solid Waste Management Rules. With regards to the later, no violations were found and VAAFM is working with the operator to implement practices that may further mitigate odors to prevent future complaints.

**(4) Additional information that the Secretary determines is relevant to the administration of compost production under 10 V.S.A. § 6001(22)(H).**

No further information.



## Tables

**Table 1. Farms Importing Food Residuals for the Production of Compost**

| Farm                             | Town        | Approximate Amount of Food Residuals Imported (Cubic Yards) (2022) | Approximate Amount of Food Residuals Imported (Cubic Yards) (2023) | Approximate Amount of Food Residuals Imported (Cubic Yards) (2024) | Small farm raising or managing poultry | Compost principally used on-site |
|----------------------------------|-------------|--|--|--|--|----------------------------------|
| Hudak Farm                       | Swanton     | 700  | 1500   | 1,000*   | Yes                                    | Yes                              |
| Kingdom View Compost             | Lyndonville | 1,250  | 920  | 1,040  | No                                     | Yes                              |
| Mar-Jo Acres Compost             | Irasburg    | 1,800  | 1,150  | 1,800  | Yes                                    | Yes                              |
| Sunrise Farm                     | Hartford    | 300  | 150  | 90   | Yes                                    | Yes                              |
| Black Dirt Farm                  | Stannard    | 1,000  | 930  | 950*   | Yes                                    | No                               |
| Clouds Path Farm                 | Sheffield   | 960  | -  | -  | Yes                                    | Yes                              |
| Dog River Farm                   | Berlin      | 26   | 26   | 26   | Yes                                    | Yes                              |
| Vermont Compost Company          | Montpelier  | 1,500  | 1,029  | 1,100  | Yes                                    | No                               |
| Firefly Farm                     | Burke       | <20  | <20  | <20  | Yes                                    | Yes                              |
| Ascutney Harvest                 | Windsor     | <10  | 0  | -  |  |                                  |
| SUSU Community Farm              | Newfane     | -  | 1  | -  | Yes                                    | Yes                              |
| VT Youth Conservation Corps Farm | Richmond    | 150  | 0  | 0  | Yes                                    | Yes                              |
| Music Mountain Compost           | Rochester   | -  | 1,000  | 1,000  | No                                     | Yes                              |

\*projected

