

1 H.942

2 An act relating to miscellaneous agricultural subjects

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 \* \* \* Water Quality Training \* \* \*

5 Sec. 1. 6 V.S.A. § 4981 is amended to read:

6 § 4981. AGRICULTURAL WATER QUALITY TRAINING

7 (a) ~~On or before July 1, 2016, as part of the revisions of the Required~~  
8 ~~Agricultural Practices, the~~ The Secretary of Agriculture, Food and Markets  
9 ~~shall~~ may adopt by rule requirements for training classes or programs for  
10 owners or operators of small farms, medium farms, or large farms certified or  
11 permitted under this chapter regarding:

12 (1) the prevention of discharges, as that term is defined in 10 V.S.A.  
13 § 1251(3); and

14 (2) the mitigation and management of stormwater runoff, as that term is  
15 defined in 10 V.S.A. § 1264, from farms.

16 (b) Any training ~~required~~ under this section ~~shall~~ may address:

17 (1) the existing statutory and regulatory requirements for operation of a  
18 large, medium, or small farm in the State;

19 (2) the management practices and technical and financial resources  
20 available to assist in compliance with statutory or regulatory agricultural  
21 requirements;

1           (3) the land application of manure or nutrients, methods or techniques to  
2       minimize the runoff of land-applied manure or nutrients to waters of the State,  
3       and identification of weather or soil conditions that increase the risk of runoff  
4       of land-applied manure or nutrients to waters of the State; ~~and~~

5           (4) standards required for nutrient management, including nutrient  
6       management planning; or

7           (5) best management practices and other techniques for improving farm  
8       practices or water quality.

9           (c) The Secretary ~~shall~~ may include ~~the training required by this section~~  
10       requirements as a condition of a large farm permit, medium farm permit, or  
11       small farm certification required under this chapter, or may require any farm  
12       operator or owner to participate in assigned training when the Secretary  
13       determines additional water quality education is appropriate. ~~The Secretary~~  
14       ~~may phase in training requirements under this section based on farm size,~~  
15       ~~permit or certification category, or available staffing. On or before July 1,~~  
16       ~~2017, the Secretary shall establish a schedule by which all owners or operators~~  
17       ~~of small farms, medium farms, or large farms shall complete the training~~  
18       ~~required by this section.~~

19           (d) The Secretary may approve or authorize ~~the training required by this~~  
20       ~~section to be conducted by~~ other entities, including the University of Vermont

1 Extension Service and the natural resources conservation districts, to perform  
2 any training described in this section.

3 (e) The Secretary shall not charge the owner or operator of a large,  
4 medium, or small farm for ~~the any training required by this section~~ the  
5 Secretary requires. The Secretary shall provide or pay for ~~the any~~ training  
6 required under this section from funds available to the Agency of Agriculture,  
7 Food and Markets for water quality initiatives.

8 (f) As of July 1, 2026, the mandatory water quality training requirements in  
9 the Required Agricultural Practices Rule are repealed, and the Secretary may  
10 prospectively determine appropriate training requirements as described by this  
11 section.

12 \* \* \* Managing Non-Sewage Waste \* \* \*

13 Sec. 2. 6 V.S.A. § 4817 is amended to read:

14 § 4817. MANAGEMENT OF NON-SEWAGE WASTE

15 (a) As used in this section:

16 (1) “Non-sewage waste” means any waste other than sewage that may  
17 contain organisms pathogenic to human beings but does not mean stormwater  
18 runoff.

19 (2) “Sewage” means waste containing human fecal coliform and other  
20 potential pathogenic organisms from sanitary waste and used water from any

1 building, including carriage water and shower and wash water. “Sewage” does  
2 not mean stormwater runoff as that term is defined in 10 V.S.A. § 1264.

3 (3) “Waste materials” means non-sewage solid or liquid digestates from  
4 certified solid waste facilities or materials approved by the Secretary of the  
5 Agency of Natural Resources for acceptable use under the Solid Waste Rules.

6 ~~(b)(1) The Secretary may require~~ This section shall apply to a person  
7 transporting or arranging for the transport of the following:

8 (A) non-sewage waste to a farm for deposit in a manure pit or for use  
9 as an input in a methane digester; or

10 (B) waste materials to a farm for storage, land application, deposit in  
11 a manure pit, or use in a methane digester.

12 ~~(2) to~~ A person subject to this section shall obtain approval from the  
13 Secretary prior to transporting ~~the non-sewage waste~~ or waste materials ~~to the~~  
14 any farm. The Secretary may require a person to ~~report to the Secretary at a~~  
15 ~~designated time one or more of the following~~ provide the following  
16 information to evaluate a request to transport the described materials to a farm:

17 ~~(1)(A)~~ (A) the composition of the material transported proposed for  
18 transport to the a farm, including the source of the material; and

19 (B) laboratory test results for every nutrient or contaminant that the  
20 Secretary requires the applicant to identify in the material; and

1           ~~(2)(C)~~ the volume of the material ~~transported~~ proposed for transport to a  
2 farm.

3           (c) A person the Secretary approves to transport non-sewage waste or  
4 waste materials to a farm shall report the following information as frequently  
5 as the Secretary requires:

6               (1) the composition of the material transported to a farm, including the  
7 source of the material;

8               (2) laboratory test results for every nutrient or contaminant that the  
9 Secretary requires the person to identify in the material; and

10              (3) the volume of the material transported to a farm.

11           (d) After receipt of a an application or report required under subsection (b)  
12 or (c) of this section, the Secretary may prohibit the import of non-sewage  
13 waste or waste materials onto a farm upon a determination that ~~the import of~~  
14 importing the material would violate the farm's nutrient management plan ~~for~~  
15 ~~the farm~~ or otherwise present a threat to the environment, human health, plants,  
16 soils, or water quality.

17           (e) Nothing in this section shall affect the authority of the Secretary of  
18 Natural Resources to regulate wastes under 10 V.S.A. chapter 159 (waste  
19 management) or 10 V.S.A. chapter 47 (water pollution control).

\* \* \* Retail Pricing Standards \* \* \*

Sec. 3. 6 V.S.A. chapter 37 is amended to read

CHAPTER 37. ~~UNIT~~ RETAIL PRICING

§ 680. PURPOSE

The purpose of this chapter is to promote and facilitate the following objectives:

(1) protect consumers, promote accuracy, and encourage constructive and useful competition in the sale of consumer commodities when an individual is physically present to complete transactions;

(2) encourage the development and use of consumer commodity pricing that facilitates informed consumer choices when purchasing consumer commodities;

(3) prohibit misleading or deceptive consumer commodity pricing practices; and

(4) promote a level playing field for retail businesses by providing clear rules for businesses to follow while ensuring informed consumer choices.

§ 681. DEFINITIONS

As used in this chapter:

(1) “Secretary” means the Secretary of Agriculture, Food and Markets.

(2) “Consumer commodity” means any ~~food, drug, device, or cosmetic~~ and ~~other article, product,~~ or commodity of any ~~other~~ kind or class, except for

1 drugs sold only by prescription or food sold by a restaurant or made-to-order,  
2 including:

3 (A) ~~that are customarily produced for sale to retail sales agencies or~~  
4 ~~instrumentalities~~ items retail establishments customarily sell to individuals for  
5 consumption by individuals, for or use by individuals for purposes of for  
6 personal care, or in the performance of to perform services ordinarily that are  
7 often rendered in or around the household; and

8 (B) that usually are consumed or expended ~~in the course of such~~  
9 during consumption or use.

10 (3) “Unit price” means the total selling price of a consumer commodity  
11 ~~means the retail price of a consumer commodity expressed in terms of the~~  
12 ~~retail price of such commodity per such~~ by the price per standard unit of  
13 weight, measure, or count as the Secretary designates, computed to the nearest  
14 ~~whole cent or fraction thereof as the Secretary designates, area, or length as~~  
15 adopted by the National Council on Weights and Measures and published by  
16 the National Institute of Standards and Technology in Handbook 130, *Uniform*  
17 *Laws and Regulations in the Areas of Legal Metrology and Fuel Quality.*

18 (4) “Electronic shelf label” is an electronic display that retailers can use  
19 to present a product’s name, price, unit price, and other information on a small  
20 wired or wireless panel, usually on the edge of a store shelf.

1           (5) “Individual” means any person, partnership, company, corporation,  
2           association, or society.

3           (6) “Limited time” or “limited-time” means a period of not more than 60  
4           days.

5           (7) “Made-to-order” means food prepared at the time of order or sold  
6           from retail cases displaying product in bulk or in servings prepared on the  
7           premises. Made-to-order foods may be sold by weight, measure, or count,  
8           including piece, portion, or serving. Made-to-order food does not include  
9           ready-to-eat foods that are prepackaged for an individual to select.

10           (8) “Real-time dynamic pricing” means a pricing strategy that allows  
11           prices to change immediately based on evolving market trends and demand.

12           (9) “Retail establishment” means a store that sells consumer  
13           commodities to individuals when they are physically present to inspect, select,  
14           and purchase product, except when a store is primarily engaged in selling food  
15           for consumption on the premises, or is primarily engaged in a specialty trade  
16           that the Secretary determines would be unreasonable to regulate as a retail  
17           establishment.

18           (10) “Retail space” means an area that a retail establishment operates or  
19           controls where individuals may inspect and select consumer commodities for  
20           purchase.



1           (11) “Total selling price” means the price assigned to a consumer  
2           commodity and at which said consumer commodity is to be, and is, sold to an  
3           individual.

4           § 682. CONSUMER INFORMATION REQUIRED

5           (a) Every ~~person who~~ retail establishment that sells, offers for sale, or  
6           exposes any consumer commodity for sale at retail ~~any aluminum foil, bread,~~  
7           ~~carbonated soft drinks, cereals, cooking oils, dog or cat food, facial tissues,~~  
8           ~~fish, fowl, fruits, grains, meats, napkins, plastic food wrapping, vegetables,~~  
9           ~~waxed paper, or other consumer commodity designated by the Secretary~~ shall  
10          disclose to ~~the consumer the unit price of the consumer commodity as provided~~  
11          ~~in this chapter~~ individuals the accurate total selling price of that commodity.

12          (b) Every ~~person who~~ retail establishment that sells, offers for sale, or  
13          exposes for sale at retail any consumer commodity shall disclose to ~~the~~  
14          ~~consumer~~ individuals the total price of the consumer accurate unit price of that  
15          commodity ~~as provided in this chapter.~~

16          § 683. MEANS OF DISCLOSURE

17          ~~Persons subject to the requirements of section 682 of this title shall disclose~~  
18          ~~the unit price and total price to consumers in one or more of the following~~  
19          ~~appropriate ways:~~

20                 ~~(1) if the consumer commodity is so located that it is not conspicuously~~  
21          ~~visible to the consumer, or if the consumer commodity is so located that the~~

1 ~~price information if displayed in accordance with subdivision (2) of this~~  
2 ~~section would not be conspicuously visible to the consumer, by a sign or list~~  
3 ~~bearing the price information, conspicuously placed near the point of~~  
4 ~~procurement;~~

5 (2) ~~by attachment of a stamp, tag, or label directly adjacent to the~~  
6 ~~consumer commodity, on the shelf on which the commodity is displayed, or by~~  
7 ~~stamping or affixing the price information on the commodity itself; or~~

8 (3) ~~in accord with rules adopted by the Secretary.~~

9 (a) Every retail establishment shall disclose the total selling price and unit  
10 price in compliance with the standards adopted and amended by the National  
11 Council on Weights and Measures and published by the National Institute of  
12 Standards and Technology in Handbook 130, *Uniform Laws and Regulations*  
13 *in the Areas of Legal Metrology and Fuel Quality.*

14 (b) The words “Unit Price” shall appear adjacent to the displayed unit  
15 price.

16 (c) The total selling price and unit price information shall include a  
17 description of the commodity, and size, and be physically located on the  
18 commodity, or as close as practical to it while clearly identifying the applicable  
19 commodity.

1        (d) The total selling price and unit price information shall be presented  
2        boldly, clearly, and conspicuously and shall be as large as practical and not  
3        smaller than 7/32 inch in height.

4        (e) The total selling price and unit price information shall exclude any  
5        deposit as part of the price but shall indicate that a deposit is required when a  
6        deposit is required.

7        (f) The total selling price shall be simultaneously displayed to individuals  
8        at each check-out location as consumer commodities are processed at the point  
9        of sale to allow consumers an opportunity to assess prices and inquire about all  
10       prices that may be inaccurate.

11       (g) The use of electronic shelf labels to increase prices or otherwise use  
12       real-time dynamic pricing to increase prices when a retail establishment is  
13       open to the public is prohibited. Retail establishments may only increase  
14       prices on electronic shelf labels during business hours to correct genuine and  
15       documented pricing errors and shall inform individuals present in the store of  
16       the price correction.

17       § 683a. REQUIRED COMPLIANCE AND ENFORCEMENT

18       Retail establishments are responsible for furnishing accurate price  
19       information to individuals and are subject to enforcement for any violations of  
20       this chapter, including violation of requirements adopted by this chapter found

1 in Handbook 130, *Uniform Laws and Regulations in the Areas of Legal*  
2 *Metrology and Fuel Quality.*

3 \* \* \*

4 § 685. SECRETARY'S POWERS

5 The Secretary ~~shall~~ may:

6 (1) ~~Designate by regulation those consumer commodities in addition to~~  
7 ~~the consumer commodities specifically enumerated in subsection 682(a) of this~~  
8 ~~title as to which display of the unit price shall be required, upon a~~  
9 ~~determination that such display will be in the best interests of consumers.~~

10 (2) ~~Designate by regulation the unit of weight, measure, or count in~~  
11 ~~terms of which the unit price of each consumer commodity shall be expressed,~~  
12 ~~provided that no designated unit shall be such as to require persons subject to~~  
13 ~~the provisions of subsection 682(a) of this title to measure any consumer~~  
14 ~~commodity solely for the purpose of complying with subsection 682(a) of this~~  
15 ~~title.~~

16 (3) ~~Designate by regulation whether the unit price of each consumer~~  
17 ~~commodity subject to the provisions of subsection 682(a) of this title shall be~~  
18 ~~expressed to the nearest whole cent or to an appropriate fraction thereof.~~

19 (4) ~~Exempt by regulation classes~~ exempt any class of retail  
20 establishments from any or all requirements of this chapter ~~upon a~~  
21 ~~determination that, because sales~~ if the Secretary determines that the sale of

1 consumer commodities ~~regulated by this chapter are purely~~ is incidental to the  
2 ~~business of such classes~~ class of retail establishments establishments' business,  
3 or that compliance with this chapter is ~~impracticable~~ unreasonable and  
4 unnecessary ~~for adequate protection of consumers.~~ to adequately protect  
5 individuals; and

6 (5) ~~Prescribe by regulation means for the disclosure of price information~~  
7 ~~upon determination that they are more effective than those prescribed in~~  
8 ~~section 683 of this title.~~

9 (6)(2) ~~Adopt any other~~ adopt rules necessary to effectuate the provisions  
10 of this chapter; ~~in accordance with the best interests of consumers.~~

11 (7) ~~Adopt rules addressing the method of price disclosure in the sale of~~  
12 ~~home food service plans, including not only the price of the commodities sold~~  
13 ~~but the service costs or membership fees associated with such a purchase.~~  
14 ~~These rules shall take precedence over any uniform regulation adopted by the~~  
15 ~~National Conference on Weights and Measures and published by the National~~  
16 ~~Institute of Standards and Technology.~~

17 § 686. ~~EXCEPTIONS~~ EXEMPTIONS

18 (a) The unit price requirements of this chapter shall not apply to ~~sales of~~  
19 ~~consumer commodities~~ commodity sales as follows:

20 (1) At a retail store with less than 7,000 square feet of floor space  
21 dedicated to the sale of consumer commodities. This ~~exception~~ exemption

1 shall not apply to ~~the sales agencies or instrumentalities~~ retail establishments of  
2 a company having two or more sales ~~agencies or instrumentalities~~ locations as  
3 parts of that company.

4 (2) ~~For use or consumption on the premises where sold~~ When different  
5 brands or products are commingled in one receptacle for a limited-time one-  
6 priced sale.

7 (3) When commodities are individually marked with a clearance or sale  
8 tag and are located in a clearance or limited-time sale section of the store.  
9 Clearance or limited-time sale sections may be on a shelf or multiple shelves,  
10 or in another defined area of the store.

11 (4) When the unit price is identical to the total selling price.

12 (5) When the item falls into one of the following categories:

13 (A) seasonal decorations; or

14 (B) beverages subject to the federal Alcoholic Administration Act  
15 packing and labeling requirements.

16 (b) The total selling price requirements of this chapter shall not apply when  
17 all items in a retail establishment have the same total selling price.

18 § 687. PENALTY

19 ~~A person who violates this chapter shall be fined not more than \$500.00~~  
20 retail establishment that violates this chapter is subject to the penalties and  
21 provisions in sections 15, 16, and 17 of this title.

3 This act shall take effect on July 1, 2026.