1	H.289
2	Introduced by Representative Rachelson of Burlington
3	Referred to Committee on
4	Date:
5	Subject: Agriculture; shell eggs; animal cruelty
6	Statement of purpose of bill as introduced: This bill proposes to require the
7	Secretary of Agriculture, Food and Markets to create a voluntary label for shell
8	eggs sold in Vermont that were produced by domesticated egg-producing
9	chickens in compliance with Vermont's animal cruelty laws.
10	An act relating to the sale of shell eggs
11	It is hereby enacted by the General Assembly of the State of Vermont:
12	Sec. 1. FINDINGS
13	The General Assembly finds that:
14	(1) Confined living spaces may increase stress levels in egg-producing
15	chicken hens.
16	(2) Stress increases the risk of salmonella infection among
17	egg-producing chicken hens.
18	(3) Federal law does not prevent a state from enacting more protective
19	animal welfare laws or from taking actions to reduce the risk of salmonella in
20	unpasteurized shell eggs sold in Vermont.

1	(4) Federal law does not provide for the labeling of unpasteurized shell
2	eggs that are produced under conditions that may reduce the risk of salmonella.
3	(5) The State should establish minimum housing requirements for
4	egg-producing chicken hens in order to promote humane treatment of those
5	hens and to reduce further the risk of salmonella infection.
6	Sec. 2. 13 V.S.A. § 352 is amended to read:
7	§ 352. CRUELTY TO ANIMALS
8	A person commits the crime of cruelty to animals if the person:
9	* * *
10	(3) Ties, tethers, or restrains an animal, either a pet or livestock, in a
11	manner that is inhumane or is detrimental to its welfare. Livestock and poultry
12	husbandry practices are exempted, except as provided in subsection 365(k) of
13	this title.
14	(4) Deprives an animal that a person owns, possesses, or acts as an agent
15	for of adequate food, water, shelter, rest, sanitation, or necessary medical
16	attention or transports an animal in an overcrowded vehicles vehicle.
17	* * *
18	Sec. 3. 13 V.S.A. § 365 is amended to read:
19	§ 365. SHELTER OF ANIMALS
20	* * *
21	(b) Shelter for livestock.

(1) Adequate natural shelter, or a three-sided, roofed building with
exposure out of the prevailing wind and of sufficient size to adequately
accommodate all livestock maintained in an outdoor area shall be provided.
The building opening size and height shall, at a minimum, extend one foot
above the withers of the largest animal housed and shall be maintained at that
level even with manure and litter build-up. Nothing in this section shall
control dairy herd housing facilities, either loose housing, comfort stall, or
stanchion ties, or other housing under control of the Agency of Agriculture,
Food and Markets. This section shall not apply to any accepted housing or
grazing practices for any livestock industry, except as provided in subsection
(k) of this section.
* * *
(i) Violations. Failure to comply with this section shall be a violation of
subdivision 352(3) or (4) of this title.
* * *
(k)(1) If a domesticated egg-producing chicken hen is provided living
space in a building, room, or enclosed area, that living space shall allow for
unlimited access to food and water and provide the chicken the freedom to
roam within the open area during the laying cycle.
(2) If a domesticated egg-producing chicken hen is allowed free range,

the hen shall be housed in a building, room, or area that allows for unlimited

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eggs, provided that:

1	access to food and water and continuous access to the outdoors during the
2	laying cycle. The outdoor area may be covered with a netting-like material,
3	fenced, or both.
4	Sec. 4. 6 V.S.A. chapter 27A is added to read:
5	CHAPTER 27A. SHELL EGG SALES AND LABELING
6	§ 359. PURPOSE
7	The purpose of this chapter shall be to:
8	(1) prevent animal cruelty by promoting the humane treatment of
9	egg-producing chickens;
10	(2) reduce any food safety risks associated with egg-producing chickens
11	living under stressful conditions;
12	(3) provide consumers with information that they can use when
13	purchasing eggs; and
14	(4) uphold the integrity of Vermont agricultural products.
15	§ 360. SHELL EGG LABELING
16	(a) Definition. As used in this chapter, "shell eggs" means eggs that are a
17	product of the domesticated chicken hen and that are in the shell.
18	(b) Voluntary label; cage free. The Secretary of Agriculture, Food and
19	Markets shall produce a "Vermont Cage-Free Compliant" label with a mark or
20	statement, or both, that an egg producer may use on the packaging for the shell

1	(1) the producer's shell eggs are produced under conditions consistent
2	with 13 V.S.A. § 365(k)(1); and
3	(2) the shell eggs are sold or offered for retail sale in Vermont.
4	(c) Voluntary label; free range. The Secretary of Agriculture, Food and
5	Markets shall produce a "Vermont Free-Range Compliant" label with a mark
6	or statement, or both, that an egg producer may use on the packaging for the
7	shell eggs, provided that:
8	(1) the producer's shell eggs are produced under conditions consistent
9	with 13 V.S.A. § 365(k)(2); and
10	(2) the shell eggs are sold or offered for retail sale in Vermont.
11	Sec. 5. RULEMAKING; SECRETARY OF AGRICULTURE, FOOD AND
12	MARKETS
13	The Secretary of Agriculture, Food and Markets shall adopt rules necessary
14	to carry out the provisions of 6 V.S.A. chapter 27A.
15	Sec. 6. EFFECTIVE DATES
16	(a) This section and Sec. 5 shall take effect on passage.
17	(b) Secs. 1, 2, 3, and 4 shall take effect on July 1, 2020.