



# Vermont Raw Milk Sales Guidelines

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# History

- For several decades the sale of 25 quarts per day of raw milk could be sold from the farm and in 2008 this was raised to 50 quarts per day.
- In 2009 a two tiered system was put into place with Tier I selling up to 50 quarts per day and Tier II allowed up to 160 quarts per day with the ability to deliver. Additional requirements and accountability were also added.
- In 2011 the allowable sales were changed from strictly fluid milk to fluid milk for personal consumption.
- In 2014 delivery to Farmers Markets for Tier II producers was added along with changing the totals allowed to a weekly total with a requirement for milk being sold within 4 days of when it is harvested from the animal.
- In 2015 TB and Brucellosis animal health testing requirements were changed from annual, to requiring all animals be done once and then animals entering the milking herd, including those born on the farm. The upper limit for sales as a Tier II producer was raised to 350 gallons per week. The sign required to be at the point of sale at the farm is also now required when delivering at Farmers Markets.
- In 2019 required label and sign language changed. Tier II producers are allowed to deliver pre-sold and non-pre-sold milk to farmers markets with additional requirements and record keeping being added.

# Raw Milk Tiers

May sell unpasteurized (raw) fluid milk, for personal consumption only, under the following two tier system:

- Tier 1
  - May sell, barter or give away milk on the farm where it is produced
  - May sell 87.5 gallons (350 quarts) or less per week
  - May allow customers to fill their own bottles (containers)
- Tier 2
  - May sell, barter or give away milk on the farm where it is produced
  - May sell up to 350 gallons (1400 quarts) per week
  - May deliver milk to farmers markets and customers homes. Must follow the added requirements in the statute for Tier 2
- Farmers that sell 87.5 gallons per week or less may deliver if they meet Tier 2 requirements

# Common Requirements - Animal Health

## TB and Brucellosis

- All animals tested prior to the sale of any milk.
- All animals entering the herd, including those born on the farm unless those entering the herd meet one of the following:
  - i. The dairy animal has a negative USDA approved brucellosis test within 30 days prior to the importation in the state.
  - ii. The dairy animal has a negative USDA approved TB test within 60 days prior to the importation into Vermont.
  - iii. The dairy animal leaves and then subsequently reenters the producer's herd from a state or Canadian province that is classified as "certified free" of brucellosis and "accredited free" of TB or an equivalent classification.

# Record Keeping and Reporting Requirements for Both Groups

- A producer shall keep a composite sample of each day's milk frozen for two weeks. This sample will be made available to the Agency of Agriculture if requested.
- A producer shall maintain a list of transactions for at least one year with customer name, date of purchase, and amount purchased.

# Customer Inspection and Signage For Both Groups

- Customers shall be offered a tour of the farm and any area associated with the milking operation.
- A sign is to be posted that has one inch text and clearly readable in a place easily seen by customers. The sign is to state:

“Unpasteurized (Raw) Milk. Keep Refrigerated”

And

“Consuming raw unpasteurized milk may cause illness, particularly in children, seniors, persons with weakened immune systems, and pregnant women.”

# Tier 2 Requirements

- All of Tier 1 plus the following:
- Must register with the Agency
- Annually inspected by the Vermont Agency of Agriculture dairy inspectors


# Tier 2 Testing Requirements

- A producer must have the milk tested twice each month by an FDA accredited lab by submitting samples in the container(s) required by the lab and be below the following limits:
  - Total bacteria count - 15,000 cfu/ml - Total coliform count - 10 cfu/ml
  - Somatic cell count: 225,000/ml for cattle; 500,000/ml for goats
- The Dairy Section monitors for 2 out of 4s and 3 out of 5s
- Results must be kept for a year and prominently posted where customers can see.
- Every year, on or before March 1, the producer must report total gallons sold in the previous 12 months.
- May sell up to 350 gallons (1400 quarts) per week



# Tier 2 Requirements: Delivery

- May deliver to a Farmer's Market if the following are met:
  - The producer notifies the Agency that they will be delivering at the Farmer's Market in writing (by mail or email) stating the Market name, location, and day(s) of the week the market occurs.
  - Registration given by the Agency and warning sign that is required at the point of sale at the farm (Slide 6) must be displayed in a prominent place clearly visible to consumers.
  - May deliver to customers who have paid for the milk prior to the market opening or via direct sales at the market. Vendors shall verbally inform each customer of the need to keep milk refrigerated. When selling directly at a farmers market, a customer list must be maintained for who has purchased milk including their name, address, and phone number.
  - Milk is kept cold (40°F or below) and protected from direct sunlight at the market.

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- Currently, no retail raw milk sales are permitted in Vermont