

MEMORANDUM

TO: Senate Committee on Agriculture

FROM: Vermont Department of Health

DATE: February 23, 2026

SUBJECT: S. 323, Section 8 – Farm Kitchen Operations

Thank you for reaching out to the Vermont Department of Health regarding proposed language in S. 323, Section 8 adding “farm kitchen operations” as a new license category and a fee to 18 V.S.A. § 4301.

Farm kitchens that manufacture, prepare, pack, can, bottle, keep, store, handle, serve, or distribute food for sale are already required to obtain a food manufacturing license from the Department. The addition of a specific license category for Farm Kitchens in the Vermont Food and Lodging statutes will not change how these establishments are regulated, though the fee language will reduce the licensing fee for some operators. Nor will this additional category change how other state departments and agencies regulate farms and farm facilities.

The Department has licensing requirements and regulations for food service and manufactured food operators, based on national standards, in the *Manufactured Food Rule* and the *Health Regulations for Food Service Establishments*. Regulations require establishment premises and physical equipment to meet the regulatory requirements for public health and safety. As an example, standard requirements for food businesses to operate safely and protect public health include:

- a handwashing sink dedicated to washing hands in each preparation area
- warewashing facilities (3-bay sink) to wash, rinse, and sanitize utensils, dishes and equipment
- a mop sink for disposing cleaning water separate from food contact surfaces
- equipment based on the business plan for prep counter space, refrigeration, freezing, cooking, cooling food, hot holding food, and storage
- toilet and handwashing facilities for employees and patrons, where applicable.





Having adequate facilities to prepare or manufacture food safely is important for protecting public health.

Approved wastewater systems are important for both the protection of public health and the protection of the environment. Wastewater systems, however, are regulated by the Department of Environmental Conservation (DEC). Under the proposed change in S. 323, though VDH could set standards through rulemaking for farm kitchen *facilities*, any rules adopted under S. 323 will not change or impact the current requirements for wastewater and drain regulations from these kitchens.

Note that farm activities of growing, harvesting, washing, trimming, packing, and storing fresh produce do not require a license from the Health Department.

Current license fees do not cover the cost of administering the program and increases the reliance on state general fund support.

