

Adopted Filing – Coversheet

Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this filing will be considered complete upon filing and acceptance of these forms with the Office of the Secretary of State, and the Legislative Committee on Administrative Rules.

All forms shall be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of these forms will be used to generate a notice of rulemaking in the portal of “Proposed Rule Postings” online, and the newspapers of record if the rule is marked for publication. Publication of notices will be charged back to the promulgating agency.

**PLEASE REMOVE ANY COVERSHEET OR FORM NOT
REQUIRED WITH THE CURRENT FILING BEFORE DELIVERY!**

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

Manufactured Food Rule

/s/ Todd W. Daloz

(signature)

, on 2/5/24

(date)

Printed Name and Title:

Todd W. Daloz

Deputy Secretary

Agency of Human Services

RECEIVED BY: _____

- Coversheet
- Adopting Page
- Clean text of the rule (Amended text without annotation)
- Letter regarding changes to the final proposed

1. TITLE OF RULE FILING:

Manufactured Food Rule

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

23P035

3. ADOPTING AGENCY:

Vermont Department of Health

4. RECORDS EXEMPTION INCLUDED WITHIN RULE:

(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE, EXEMPTING IT FROM INSPECTION AND COPYING?) No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

5. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

18 V.S.A. § 4303; 18 V.S.A. § 4353; and 3 V.S.A. § 801 (b) (11) .

6. THE FILING HAS CHANGED SINCE THE FILING OF THE FINAL PROPOSED RULE.

7. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE, INCLUDING CHANGES IN ECONOMIC IMPACT.

8. THE LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES DID NOT OBJECT TO THE FINAL PROPOSAL.

9. PROCEDURAL HISTORY OF ADOPTION:

ICAR Filing: 2/28/2023

Proposal Filed with Office of the Secretary of State: 9/22/2023

Notices Posted Online: 9/27/2023

Notices Published in the Newspapers of Record: 10/5/23

A Hearing WAS Held.

Hearings Held (*PLEASE USE ADDITIONAL SHEETS TO PROVIDE THE DATE, TIME, AND LOCATION OF ALL HEARINGS, IF THIS FORM IS INSUFFICIENT TO LIST ALL HEARINGS HELD*):

Date: 11/9/2023

Time: 10:30 AM

Street Address: 108 Cherry St. Burlington, VT Rm 3B

Zip Code: 05401

URL for Virtual: https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDFkZjFhOTAtOWI1Mi00YTEzLWE2MDQtZmJmMTU0NmQ4NWQx%40thread.v2/0?context=%7b%22Tid%22%3a%220b4933b-baad-433c-9c02-70edcc7559c6%22%2c%22Oid%22%3a%22e6440c4f-7582-4db1-800b-a2038a1e1e68%22%7d

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

Date:

Time: AM

Street Address:

Zip Code:

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Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

Deadline for Public Comment: 11/16/2023

Final Proposal —

Filed with Secretary of State: 12/20/2023

Filed with LCAR: 12/20/2023

Dates of LCAR Review: 01/18/2024, , , ,

Adopted Rule —

Filed with Secretary of State: 02/5/2024

Filed with LCAR: 02/5/2024

10. EFFECTIVE DATE: 08/01/2024

(A RULE MAY TAKE EFFECT 15 DAYS AFTER ADOPTION IS COMPLETE OR AT A LATER TIME PROVIDED IN THE TEXT OF THE RULE SEE 3 V.S.A. §845(d) FOR DETAILS).

Adopting Page

Instructions:

This form must accompany each filing made during the rulemaking process:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible, the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

1. TITLE OF RULE FILING:

Manufactured Food Rule

2. ADOPTING AGENCY:

Vermont Department of Health

3. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment if the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **AN AMENDMENT OF AN EXISTING RULE** .

4. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND EFFECTIVE DATE OF THE LAST ADOPTION FOR THE EXISTING RULE*):

The Good Manufacturing Practices for Food Rule; March 14, 2015 Secretary of State Rule Log #15-006; July 2015 [correction to numbering in Section 4.0]

To: Sarah Copeland Hanzas, Secretary of State
From: Natalie Weill, Public Health Policy Advisor for Vermont Department of Health
Re: 23P035 – Manufactured Food Rule
Date: January 29, 2024

Following the filing of the Manufactured Food Proposed Final Rule, the Department of Health made the following changes to the Final Adopted rule filing:

1. Section 3.0: ~~Requirements do~~ This rule does not pertain to food service establishments as defined by 18 V.S.A. § 4301(a)(8), ~~or~~ establishments that process food solely under the regulatory oversight of the Vermont Agency of Agriculture, Food, & Markets, or the Vermont Cannabis Control Board.
2. Section 4.1.10: “License exemption” and “license exempt” means a food manufacturing establishment that is exempt from the licensing fee. ~~An establishment is exempt from licensure only after the Department has acknowledged, in writing, the receipt of the Self-Certification of Licensing Exemption form.~~
3. Section 5.1.3.2: When a food manufacturing establishment changes proprietors, the new proprietor of that establishment must apply for and receive a new license before operating the business.
4. Section 5.2.1.2: A payment for the applicable fees ~~determined in~~ pursuant to 18 V.S.A. § 4353.
5. Sections 5.2.2: Additional documentation shall be submitted, when applicable and upon requested by the Department, including the following ~~but not limited to~~:
6. Section 7.4: All licensees and permit holders shall comply with all federal regulations that are applicable to the type of food processing that they conduct. Such regulations include ~~but are not necessarily limited to~~ the following:
7. Sections 7.1: ~~These regulations hereby adopt and incorporate~~ This rule incorporates by reference the FDA Food Safety Modernization Act (FSMA) Final Rule on Preventive Controls for Human Food 21 C.F.R. § 117 (2015) ~~by reference~~, not including any further editions or amendments thereof and only to the extent that the provisions therein are not

inconsistent with ~~these regulations~~ this rule.

8. Section 7.2: ~~These regulations hereby adopt and incorporate~~ This rule incorporates by reference the FDA FSMA Final Rule on Sanitary Transportation of Human and Animal Food 21 C.F.R. § 1 (2016) ~~by reference~~, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with ~~these regulations~~ this rule.
9. Section 7.3: ~~These regulations hereby adopt and incorporate~~ This rule incorporates by reference the FDA FSMA Final Rule for Mitigation Strategies to Protect Food Against Intentional Adulteration rule 21 C.F.R. § 121 (2016) ~~by reference~~, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with ~~these regulations~~ this rule.

No further changes have been made to the rule.

Manufactured Food Rule

1.0 Authority

This rule is adopted pursuant to 18 V.S.A. §§ 4303 and 4353.

2.0 Purpose

This rule provides the requirements for the safe and sanitary manufacturing, packing, holding, and distributing of human food offered for sale in Vermont.

3.0 Scope

This rule applies to food manufacturing establishments, as defined in 18 V.S.A. § 4301(a)(7). This rule does not pertain to food service establishments as defined by 18 V.S.A. § 4301(a)(8), establishments that process food solely under the regulatory oversight of the Vermont Agency of Agriculture, Food, & Markets, or the Vermont Cannabis Control Board.

4.0 Definitions

4.1 Words and phrases used in this rule and not defined herein shall have the meaning given to them in 18 V.S.A. Chapter 85 and Title 21 Chapter I of the C.F.R. In the event of inconsistency between meanings given in 18 V.S.A. Chapter 85 and the Code of Federal Regulations Title 21 Chapter I, the Code of Federal Regulations Title 21 Chapter I shall apply except where meanings given in 18 V.S.A. Chapter 85 serve to narrow, limit, or restrict the applicability of a word or phrase. In such cases, the narrower meaning shall apply.

4.1.1 “Acid foods or acidified food” means foods that have an equilibrium pH of 4.6 or below.

4.1.2 “Bakery product” means products made wholly or partially with flour such as loaf breads, rolls, biscuits, cakes (including celebration cakes such as for weddings or birthdays), pastries, cookies, or fruit pies.

4.1.3 “CFR” means Code of Federal Regulations. Citations in this Code to the CFR refer sequentially to the Title, Part, and Section numbers, such as 40

CFR 180.194 refers to Title 40, Part 180, Section 194.

- 4.1.4 “Department” means the Vermont Department of Health.
- 4.1.5 “FDA” means the U.S. Food and Drug Administration.
- 4.1.6 “Food” means any article of food, drink, confectionery, or condiment for human consumption, whether simple, mixed, or compound, and all substances and ingredients used in preparation thereof.
- 4.1.7 “Food manufacturing establishment” or “food processor” means all buildings, rooms, basements, cellars, lofts, or other premises or part thereof used, occupied, or maintained for the purpose of manufacturing, preparing, packing, canning, bottling, keeping, storing, handling, serving, or distributing food for sale. A food manufacturing establishment shall include food processors, bakeries, distributors, and warehouses. A food manufacturing establishment shall not include a place where only maple syrup or maple products, as defined in 6 V.S.A. § 481, are prepared for human consumption.
- 4.1.8 “Isolated” means enclosed such that cross-contamination via air-to-surface or surface-to-surface is not possible.
- 4.1.9 “License” means the document issued by the Department of Health that authorizes a person to operate a food manufacturing establishment.
- 4.1.10 “License exemption” and “license exempt” means a food manufacturing establishment that is exempt from the licensing fee.
- 4.1.11 “Low-acid food” means any foods, other than alcoholic beverages, with a finished equilibrium pH greater than 4.6 and a water activity (aw) greater than 0.85. Tomatoes and tomato products having a finished equilibrium pH less than 4.7 are not classed as low-acid foods.
- 4.1.12 “Plan review” means the submission of blueprints, drawings, or plans for proposed new construction, renovation, or remodeling of a food processing facility.
- 4.1.13 “Process Authority Review” means a product review conducted by a person(s) or organization(s) having expert knowledge of thermal processing requirements for foods in hermetically sealed containers, having access to facilities for making such determinations, and designated

by the establishment to perform certain functions.

- 4.1.14 “Processed food” means any food other than a raw agricultural commodity and includes any raw agricultural commodity that has been subject to processing, such as canning, cooking, freezing, dehydration, grinding, churning, separating, extracting, packaging, or milling, but does not mean the sorting, trimming, cleaning, or water-rinsing of food.
- 4.1.15 “Significant renovation” means a physical change to a facility or portion of a facility, including the following:
 - 4.1.15.1 Replacing or upgrading any major system, such as the electrical, plumbing, heating, ventilation, or air-conditioning systems;
 - 4.1.15.2 Demolition of the interior or exterior of a building or portion of the building; or
 - 4.1.15.3 Replacement, demolition, or installation of interior walls and partitions, whether fixed or movable.
- 4.1.16 “THC” means tetrahydrocannabinol.
- 4.1.17 “Variance” means a written document issued by the Department of Health that authorizes a modification or waiver of one or more requirements of this Rule if, in the opinion of the Department of Health, a health hazard or nuisance will not result from the modification or waiver.
- 4.1.18 “Water activity (aw)” means a measure of the free moisture in a food and is the quotient of the water vapor pressure of the substance divided by the vapor pressure of pure water at the same temperature.

5.0 License Requirements

5.1 General Provisions

- 5.1.1 A person shall not maintain or operate a food processing or food manufacturing establishment unless they receive a license for that establishment issued by the Department pursuant to 18 V.S.A. §4351.
- 5.1.2 Each individual establishment shall require a separate license, regardless of ownership. A food manufacturing establishment license expires

annually, unless revoked earlier by the Department.

5.1.3 A license shall not be transferred.

5.1.3.1 When a licensed establishment is sold, the corporation changes, or the establishment relocates, the former licensee shall return the license for that establishment to the Department.

5.1.3.2 When a food manufacturing establishment changes proprietors, the new proprietor of that establishment must apply for and receive a new license before operating the business.

5.2 License Application

5.2.1 A person seeking licensure for an establishment shall submit the following to the Department for review at least 30 days before the expected start of operation:

5.2.1.1 A completed Application for License to Operate a Food and Lodging Establishment, found on the Department's website; and

5.2.1.2 A payment for the applicable fees pursuant to 18 V.S.A. §4353.

5.2.2 Additional documentation shall be submitted when applicable and upon request by the Department, including the following:

5.2.2.1 Wastewater system documentation and permits from the Vermont Agency of Natural Resources;

5.2.2.2 Water system documentation for water systems requiring a permit from the Vermont Agency of Natural Resources;

5.2.2.3 Local permit or zoning approval for proposed operation; and

5.2.2.4 Documentation of Process Authority Review for low-acid canned foods, acidified foods, and products where the Department has requested documentation that there are no biological concerns with the food production process.

5.2.3 Prior to any new construction or significant renovation of an existing licensed facility, a licensee shall submit to the Department a plan review

documenting proposed changes and the licensee shall return the license for that establishment to the Department and re-apply for a new license.

5.3 Variances

5.3.1 A variance may be granted by the Department to modify or waive one or more requirements of this rule if the Department determines that a health hazard, safety hazard, or nuisance will not result from the variance.

5.3.2 The person requesting a variance shall submit the following to the Department:

5.3.2.1 A written statement of the proposed variance from the regulatory requirement;

5.3.2.2 Documentation of how the proposed variance addresses public health hazards at least at the same level of protection as that of the original requirement; and

5.3.2.3 Any other relevant information requested by the Department.

5.3.3 For each variance granted, the licensee shall:

5.3.3.1 Follow the plans and procedures approved by the Department;

5.3.3.2 Maintain a permanent record of the variance at the establishment; and

5.3.3.3 Maintain and provide to the Department, upon request, records that demonstrate that the variance is being followed.

5.4 THC Prohibited

5.4.1 A food processor license issued by the Department of Health does not permit manufacturing, adding, using, storing, or handling THC or products containing THC.

5.4.2 A food processor licensed by the Department of Health may only manufacture, use, store, and handle food in a location that is physically isolated from any area that contains THC or products containing THC, and in such a manner as to prevent THC cross-contamination.

6.0 Requirements for Operating Under a Department of Health License Exemption

- 6.1 Prior to operation, a food manufacturing establishment claiming a license exemption shall submit the Department's Self-Certification of Licensing Exemption form to the Department. The manufacturer is exempt from licensure once the Department confirms, in writing, the receipt of the Self-Certification of Licensing Exemption form.
- 6.1.1 The following food manufacturing establishments are exempt from the licensing requirement described in 18 V.S.A. § § 4353 and 4358:
- 6.1.1.1 A non-bakery food manufacturing establishment that has gross annual sales of \$10,000 or less; and
- 6.1.1.2 An individual manufacturing and selling bakery products, as defined in this rule, from one's own home kitchen whose average gross retail sales do not exceed \$125.00 per week.
- 6.2 A food manufacturing establishment that is exempt from the Vermont Department of Health's licensing requirement is required to comply with all other applicable provisions of the law and this rule, including the labeling requirements listed in Section 6.2.1.
- 6.2.1 Labeling Requirements for License Exempt Food Manufacturing Establishments
- 6.2.1.1 A licensed exempt food manufacturing establishment shall label products for sale with the following information:
- 6.2.1.1.1 The name and address of the operation;
- 6.2.1.1.2 The name of the food product;
- 6.2.1.1.3 The ingredients of the food product, in descending order of predominance by weight;
- 6.2.1.1.4 The net weights or net volumes of the food product;
- 6.2.1.1.5 Allergen information as specified by federal labeling requirements;

- 6.2.1.1.6 Nutritional labeling as specified by federal labeling requirements is required if any nutrient content claim, health claim, or other nutritional information is provided; and
- 6.2.1.1.7 The following statement printed in at least 10-point type in a color that provides a clear contrast to the background label: “Made in a home kitchen not inspected by the Vermont Department of Health.”

7.0 Incorporation by Reference

- 7.1 This rule incorporates by reference the FDA Food Safety Modernization Act (FSMA) Final Rule on Preventive Controls for Human Food 21 C.F.R. § 117 (2015), not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with this rule.
- 7.2 This rule incorporates by reference the FDA FSMA Final Rule on Sanitary Transportation of Human and Animal Food 21 C.F.R. § 1 (2016), not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with this rule.
- 7.3 This rule incorporates by reference the FDA FSMA Final Rule for Mitigation Strategies to Protect Food Against Intentional Adulteration rule 21 C.F.R. § 121 (2016), not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with this rule.
- 7.4 All licensees and permit holders shall comply with all federal regulations that are applicable to the type of food processing that they conduct. Such regulations include the following:
 - 7.4.1 Food Processing
 - 7.4.1.1 21 C.F.R. Part 109: Unavoidable Contaminants in Food for Human Consumption and Food-Packaging Materials;
 - 7.4.1.2 21 C.F.R. Part 113: Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers;
 - 7.4.1.3 21 C.F.R. 108.35: Emergency Permit Control - Thermal Processing of Low-Acid Foods Packaged in Hermetically

Sealed Containers;

- 7.4.1.4 21 C.F.R. Part 114: Acidified Foods;
- 7.4.1.5 21 C.F.R. 108.25: Emergency Permit Control - Acidified Foods;
- 7.4.1.6 21 C.F.R. Part 117: Current Good Manufacturing Practice and Hazard Analysis and Risk-Based Preventive Controls for Human Food;
- 7.4.1.7 21 C.F.R. Part 120: Hazard Analysis and Critical Control Point (HACCP) Systems;
- 7.4.1.8 21 C.F.R. Part 123: Fish and Fishery Products;

7.4.2 Food Labeling

- 7.4.2.1 21 C.F.R. Part 1: General Enforcement Regulations (§1.20-1.24): Subpart O (§1.900-1.934);
- 7.4.2.2 21 C.F.R. Part 100: General (ONLY § 100.155);
- 7.4.2.3 21 C.F.R. Part 101: Food Labeling (except § 101.69 and § 101.108);
- 7.4.2.4 21 C.F.R. Part 102 (except § 102.19): Common or Usual Name for Non-standardized Foods;
- 7.4.2.5 21 C.F.R. Part 104: Nutritional Quality Guidelines for Foods;

7.4.3 Standards of Identity

- 7.4.3.1 21 C.F.R. Part 130: Food Standards: General (except 130.5-6, 130.17);
- 7.4.3.2 21 C.F.R. Part 136: Bakery Products;
- 7.4.3.3 21 C.F.R. Part 137: Cereal Flours and Related Products;

- 7.4.3.4 21 C.F.R. Part 139: Macaroni and Noodle Products;
- 7.4.3.5 21 C.F.R. Part 145: Canned Fruits;
- 7.4.3.6 21 C.F.R. Part 146: Canned Fruit Juices;
- 7.4.3.7 21 C.F.R. Part 150: Fruit Butters, Jellies, Preserves and Related Products;
- 7.4.3.8 21 C.F.R. Part 152: Fruit Pies;
- 7.4.3.9 21 C.F.R. Part 155: Canned Vegetables;
- 7.4.3.10 21 C.F.R. Part 156: Vegetable Juice;
- 7.4.3.11 21 C.F.R. Part 158: Frozen Vegetables;
- 7.4.3.12 21 C.F.R. Part 160: Eggs and Egg Products;
- 7.4.3.13 21 C.F.R. Part 161: Fish and Shellfish;
- 7.4.3.14 21 C.F.R. Part 163: Cacao Products;
- 7.4.3.15 21 C.F.R. Part 164: Tree Nut and Peanut Products;
- 7.4.3.16 21 C.F.R. Part 165: Beverages;
- 7.4.3.17 21 C.F.R. Part 166: Margarine;
- 7.4.3.18 21 C.F.R. Part 168: Sweeteners and Table Syrups (except 168.140);
- 7.4.3.19 21 C.F.R. Part 169: Food Dressings and Flavorings;

7.4.4 Food Additives

- 7.4.4.1 21 C.F.R. Part 170: Food Additives (except § 170.6, 170.15, 170.17);
- 7.4.4.2 21 C.F.R. Part 172: Food Additives Permitted for Direct Addition to Food for Human Consumption;

- 7.4.4.3 21 C.F.R. Part 173: Secondary Direct Food Additives Permitted in Food for Human Consumption;
- 7.4.4.4 21 C.F.R. Part 174: Indirect Food Additives: General;
- 7.4.4.5 21 C.F.R. Part 175: Indirect Food Additives: Adhesives and Components of Coatings;
- 7.4.4.6 21 C.F.R. Part 176: Indirect Food Additives: Paper and Paperboard Components;
- 7.4.4.7 21 C.F.R. Part 177: Indirect Food Additives: Polymers;
- 7.4.4.8 21 C.F.R. Part 178: Indirect Food Additives: Adjuvants, Production Aids and Sanitizers;
- 7.4.4.9
- 7.4.4.10 21 C.F.R. Part 180: Food Additives Permitted in Food or in Contact with Food on an Interim Basis Pending Additional Study;
- 7.4.4.11 21 C.F.R. Part 181: Prior-Sanctioned Food Ingredients;
- 7.4.4.12 21 C.F.R. Part 182: Substances Generally Recognized as Safe;
- 7.4.4.13 21 C.F.R. Part 184: Direct Food Substances Affirmed as Generally Recognized as Safe;
- 7.4.4.14 21 C.F.R. Part 186: Indirect Food Substances Affirmed as Generally Recognized as Safe;
- 7.4.4.15 21 C.F.R. Part 189: Substances Prohibited from Use in Human Food.
- 7.4.5 Color Additives
 - 7.4.5.1 21 C.F.R. Part 70: Color Additives (only § 70.20-70.25);
 - 7.4.5.2 21 C.F.R. Part 73: Listing of Colors Exempt from Certification (only § 73.1-73.615);

- 7.4.5.3 21 C.F.R. Part 74: Listing of Color Additives Subject to Certification (only § 74.101-706);
 - 7.4.5.4 21 C.F.R. Part 81: General Restrictions for Provisional Color Additives for Use in Foods, Drugs and Cosmetics;
 - 7.4.5.5 21 C.F.R. Part 82: Listing of Certified Provisionally Listed Colors and Specifications (only § 82.3-82.706).
- 7.4.6 Intentional Adulteration
- 7.4.6.1 21 C.F.R. 121: Mitigation Strategies to Protect Food Against Intentional Adulteration.
- 7.4.7 Federal Food, Drug and Cosmetic Act
- 7.4.7.1 Definitions: 21 U.S.C. § 321(f), (k), (m);
 - 7.4.7.2 Prohibited Acts: 21 U.S.C. § 331(e), (f), (k);
 - 7.4.7.3 Records of Interstate Shipments: 21 U.S.C. § 373.

280 State Drive – Center Building
Waterbury, VT 05671-1000



OFFICE OF THE SECRETARY
TEL: (802) 241-0440
FAX: (802) 241-0450

JENNEY SAMUELSON
SECRETARY

TODD W. DALOZ
DEPUTY SECRETARY

STATE OF VERMONT
AGENCY OF HUMAN SERVICES

MEMORANDUM

TO: Sarah Copeland Hanzas, Secretary of State

FROM: Jenney Samuelson, Secretary, Agency of Human Services

A handwritten signature in blue ink, appearing to be 'Jenney Samuelson', written over the 'FROM:' line.

DATE: January 31, 2023

SUBJECT: Signatory Authority for Purposes of Authorizing Administrative Rules

I hereby designate Deputy Secretary of Human Services Todd W. Daloz as signatory to fulfill the duties of the Secretary of the Agency of Human Services as the adopting authority for administrative rules as required by Vermont's Administrative Procedure Act, 3. V.S.A § 801 et seq.

Cc: Todd W. Daloz