

PA10-103

HB5419

Environment	1480, 1482-1490, 1495-1496, 1513-1514, 1516-1526, 1536, 1537, 1538-1543, 1558-1565, 1574-1577, 1580-1581, 1582- 1584, 1585, 1609-1611, 1640, 1641-1642, 1690-1694, 1710- 1712, 1740, 1741, 1816, 1817, 1858, 1962-1988	97
House	4037-4062	26
Senate	3544-3545, 3547, 3550-3552	6
		129

H – 1085

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2010**

**VOL.53
PART 13
3923 – 4245**

pat/mb/gbr
HOUSE OF REPRESENTATIVES

462
May 3, 2010

will be open.

THE CLERK:

The House of Representatives is voting by roll
call. Members to the chamber. The House is voting by
roll call. Members to the chamber please.

DEPUTY SPEAKER O'ROURKE:

Have all members voted? Please check the board
to ensure your vote is properly recorded. If all
members have voted, the machine will be locked and the
Clerk will take a tally.

Mr. Clerk, please announce the tally.

THE CLERK:

House Bill Number 5324.

Total number voting 145

Necessary for adoption 73

Those voting Yea 145

Those voting Nay 0

Those absent and not voting 6

DEPUTY SPEAKER O'ROURKE:

The bill is passed.

Mr. Clerk, please call Calendar 217.

THE CLERK:

On page 39, Calendar 217, Substitute for House
Bill Number 5419, AN ACT CONCERNING FARMS, FOOD AND

pat/mb/gbr
HOUSE OF REPRESENTATIVES

463
May 3, 2010

JOBS, favorable report of the Committee on
Appropriations.

DEPUTY SPEAKER O'ROURKE:

The Chair recognizes the vice chairman of the
Environment Committee.

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. It's wonderful to see
you up there this evening.

Mr. Speaker, I move for acceptance of the joint
committee's favorable report and passage of the bill.

DEPUTY SPEAKER O'ROURKE:

Motion is on acceptance of the committee's
favorable report and passage of the bill.

Will you remark?

REP. HURLBURT (53rd):

Thank you, Mr. Speaker.

Mr. Speaker, we've got a strike all amendment,
LCO 4811, I ask that the Clerk please call it and I be
allowed to summarize.

DEPUTY SPEAKER O'ROURKE:

Mr. Clerk, please call LCO 4811.

THE CLERK:

LCO Number 4811, House "A" offered by

pat/mb/gbr
HOUSE OF REPRESENTATIVES

464
May 3, 2010

Representative Hurlburt.

DEPUTY SPEAKER O'ROURKE:

The gentleman has been granted leave to summarize.

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you very much, Mr. Speaker.

Mr. Speaker, the amendment before us consists of four provisions that will continue our -- our efforts here in the chamber to promote local food sources and strengthen the ability of Connecticut farmers to bring food and produce to the markets. The first section deals with farmers' markets allowing for one day or multi-day events as opposed to the current statute. The second section allows for the Connecticut Milk Promotion Board to access federal dairy funds.

The third is a provision that allows for the production and sale of acidified foods at farmers' markets and food stands. And the third is allowed for the sale of locally grown poultry in accordance with the Code of Federal Regulations and Poultry Products Act.

Mr. Speaker, I move adoption.

DEPUTY SPEAKER O'ROURKE:

Motion is on adoption of House Amendment "A."

Will you remark? Will you remark?

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the amendment before us and I would certainly like to thank both the chairman and the vice chairman for moving this issue along and addressing the concerns that have been raised along the way and I would encourage my colleagues to support it. Thank you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Thank you, Representative Chapin.

The motion is on adoption of House "A."

Will you remark?

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

If I might, just a few questions to the proponent of the amendment.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt, prepare yourself.

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise in support of this amendment and I just wanted to ask a couple of questions about a section that appeared to be, I guess, deleted as a result of this amendment if it should become the bill and it had to do with school garden lunch issue, which I think was the last section in the underlying bill, Mr. Speaker. And I know that there were some concerns raised at the time the public hearing was held with regard to the risk of serving locally grown produce --

DEPUTY SPEAKER O'ROURKE:

Sorry about that.

Representative Miner, please proceed.

REP. MINER (66th):

Thank you, Mr. Speaker.

The concern was that -- that we should be mindful of the soil in which those gardens are prepared and then the food source, which would be served in the cafeteria that might take up some of the contaminants that could be in the soil and when you and I had the conversation, I think there was some concern that we were going to test for one substance only, I think it was lead.

And through you, based on our conversation, is it still your understanding that the process, which we have tried to get going in the state of Connecticut of actually making a small garden at a school and then allowing those vegetables to be grown and then prepared in the cafeteria. Would that process be allowed to continue under this new language? Through you.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker.

It is my understanding that that is the case, Representative. The Department of Public Health did express some concerns and it is my impression that they'll be working on some guidance documents to assist school districts that would like to do school-based farms so that there is some sort of program for testing so that we can make sure that the process that we have, as you mentioned, can continue and is done in a safe way. Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And I thank the gentleman for his answer. And if I could just go to the poultry section, just briefly, again, just clarifying, my recollection was that there were two sections within the underlying bill that dealt with this issue and during the public hearing, certainly there were a number of farmers that were interested in the possibility of not only growing but then producing locally grown chicken that could be sold to restaurants. Under this amendment, my understanding is that will be allowed and not only will that be allowed -- if an individual wanted to bring chickens to that farmer and work out some arrangement, that, too, allow them to be sold after the fact. Is that also correct? Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker.

Mr. Speaker, I think -- I think he is correct in that if I am the producer of chickens, I can arrange for somebody to process the chickens. They can give them back to me and I can then sell them to a

restaurant, boarding house, hotel or household
consumer under the provisions in the bill before.

Thank you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

Again, I rise in support of the amendment. I think it captures everything that we talked about in the committee. There are some local farmers in the couple of communities that I represent, some of them dairy farmers, some of them are not but in all cases they are looking to expand what they do in an effort to remain viable and solvent and so I think this goes a long way to helping the farmers.

DEPUTY SPEAKER O'ROURKE:

Very good.

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

I, too, rise in support of this amendment before us. I do have a question of the proponent of the amendment, if I may.

DEPUTY SPEAKER O'ROURKE:

Please proceed.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

In Section 3, in lines 117 through 136, appear to go through a list of things that are required in order to prepare and sell the various items here that we're discussing. In particular, in lines 124, apparently, through 131, there's mention of the preparers completion of an examination concerning safe food handling techniques and, as I read this, my understanding is that this is a one time course.

.. And I just want to confirm that that is indeed the correct interpretation that the preparer would just complete this course initially. It wouldn't be an ongoing recurring requirement. Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker.

And I appreciate the question from the Representative. It's my believing that there is a, if you will, a term limit on the number of years before you have to take the course again. I can't remember

pat/mb/gbr
HOUSE OF REPRESENTATIVES

471
May 3, 2010

the exact number off hand. Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Alberts.

REP. ALBERTS (50th):

Well, thank you, Mr. Speaker.

It's not quite the answer I wanted. I understand that's maybe just the way it is. I do stand in support of the amendment and I encourage my colleagues to support it. Thank you.

DEPUTY SPEAKER O'ROURKE:

Very good. Thank you.

Representative Coutu.

REP. COUTU (47th):

Thank you, Mr. Speaker.

Mr. Speaker, I rise with just a few questions to the proponent of the bill.

DEPUTY SPEAKER O'ROURKE:

Please proceed, sir.

REP. COUTU (47th):

Relating to the grant program, it has -- a program must have a demonstrated job creation potential. What exactly does that mean?

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

pat/mb/gbr
HOUSE OF REPRESENTATIVES

472
May 3, 2010

REP. HURLBURT (53rd):

Thank you, Mr. Speaker.

I believe the Representative is referring to the underlying bill. I believe we're on the amendment which strikes those provisions on the underlying bill. Through you.

REP. COUTU (47th):

Okay. Well, I see there are plenty of good things in the amendment so I printed out the wrong thing here. So, you know, I just want to say, I appreciate the work that you've done on behalf of the different organizations in our lengthy amendment. So thank you. Bye-bye.

DEPUTY SPEAKER O'ROURKE:

Thank you, Representative.

The question is on adoption of House Amendment "A."

Will you remark on the adoption of House "A?"

If not, I'll try your minds.

All those in favor, signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER O'ROURKE:

Those opposed, nay.

The ayes have it. House "A" is adopted.

Will you remark on the bill as amended?

Representative Sawyer.

REP. SAWYER (55th):

Thank you, Mr. Speaker.

The Clerk has before him an amendment with the LCO 5183. Would he call and I be allowed to summarize.

DEPUTY SPEAKER O'ROURKE:

Mr. Clerk, please call LCO 5183 and designate it House Amendment "B."

THE CLERK:

LCO Number 5183, House "B" offered by Representatives Sawyer and Hurlburt.

DEPUTY SPEAKER O'ROURKE:

The lady has asked leave to summarize.

Representative Sawyer.

REP. SAWYER (55th):

Mr. Speaker, I'd like to commend the vice chairman of the Environment Committee working so hard on this bill because it has many varying pieces to satisfy the farmer, the food and the jobs pieces. In this particular amendment that he -- that we have just passed, Section 3 referred to the acidified food

pat/mb/gbr
HOUSE OF REPRESENTATIVES

474
May 3, 2010

products and we know that in looking at those, it is referring to pickles, salsa, hot sauce and it also requires water testing and I move adoption.

DEPUTY SPEAKER O'ROURKE:

Motion is on adoption.

Will you remark?

REP. SAWYER (55th):

Yes, Mr. Speaker. Thank you.

In the underlying bill, one of the concerns that was raised was that it required these farms, the very smallest of farms to the very largest, but the very smallest if they public water or if they had private well that they would have to test their water annually to be able to produce these products. Mr. Speaker, in looking over the facts, we have found that these farms make a very small profit on the jars and produce that they make from their farms in many instances and the cost of water testing every would be significant with the outcome, most probably that the water would be continually the same find, it has been over the years.

So in the discussion and in the compromise, it was that they would test once and then if there was other reason to consider -- if the test had failed or if there's other reason to suspect that there is

pat/mb/gbr
HOUSE OF REPRESENTATIVES

475
May 3, 2010

contamination that ongoing water testing, then that would be allowed to occur. So I move passage. Thank you.

DEPUTY SPEAKER O'ROURKE:

Motion is on adoption.

Will you remark?

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you very much, Mr. Speaker.

Mr. Speaker, I rise in strong support of the amendment before us. This was a concern that was brought up. I want to thank my good friend from east of the river for bringing it forward and for her continue advocacy on behalf of Connecticut's farmers and I urge my colleagues to join me in supporting the amendment before us.

DEPUTY SPEAKER O'ROURKE:

Very good.

The motion is on adoption of House Amendment "B."

Will you remark?

If not, I'll try your minds. All those in favor, signify by saying aye.

REPRESENTATIVES:

Aye..

pat/mb/gbr
HOUSE OF REPRESENTATIVES

476
May 3, 2010

DEPUTY SPEAKER O'ROURKE:

Those opposed, nay.

The ayes have it. House "B" is adopted.

Will you remark?

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker.

I have a few questions to the proponent.

DEPUTY SPEAKER O'ROURKE:

Please proceed.

REP. HETHERINGTON (125th):

Through you, Mr. Speaker, is the course or the examination relating techniques. Does that -- does that exam exist now as in being?

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Through you, Mr. Speaker, the -- the first course indeed does exist and is -- is held regularly for -- for residents to participate in and the second course, the Maasai food processing technique is a course that does exist regionally. I am not aware that anybody who is interested in --

pat/mb/gbr
HOUSE OF REPRESENTATIVES

477
May 3, 2010

in doing (inaudible) stake in it but we -- but the
-- the first part, the safe food handling does
exist and -- and people have received and passed
the examination and are certified.

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you.

Through you, Mr. Speaker, has anyone taken the
exam?

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

To my knowledge they have.

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hetherington.

REP. HETHERINGTON (125th):

They have, okay, thank you.

In connection with this board that we're
establishing here, the Connecticut Milk Promotion
Board, that's a new board. Is that -- is that

pat/mb/gbr
HOUSE OF REPRESENTATIVES

478
May 3, 2010

correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Through you, Mr. Speaker, I think the Representative's first question is not a new board. It is -- it is a new responsibility that we're giving the board. The board was established in 2008 through this General Assembly. The -- the problem that we had with the board was that the board was unable to receive the federal milk program fees and this -- the provision will allow for those fees to be deposited and recouped and spent in the -- in the promotion of Connecticut milk.

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you.

Through you, Mr. Speaker, is there any representation on this board for the consumers?

Through you, Mr. Speaker.

pat/mb/gbr
HOUSE OF REPRESENTATIVES

479
May 3, 2010

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Through you, Mr. Speaker, one second while I read the membership which I believe is outlined in the amendment before us.

Through you, Mr. Speaker --

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker.

Through you, it doesn't explicitly say in the -- the nine members of the Milk Promotion Board that -- that one is a consumer but there are a number of requirements for -- for the members and I would assume that one of them is a consumer of milk.

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker.

Through you, there is currently a -- a charge of general application I believe on -- on milk

pat/mb/gbr
HOUSE OF REPRESENTATIVES

480
May 3, 2010

products which serves to in effect subsidize the dairy industry. Isn't that -- is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Through you, Mr. Speaker, if I could ask the -- the gentleman to -- to clarify his question.

DEPUTY SPEAKER O'ROURKE:

Yes, Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you.

Through you, Mr. Speaker, it is not dealt with in this amendment or the underlying bill but is -- by way of a background for considering this, my question is - is there not now a -- a tax or a charge in place on milk products that in effect -- well not in effect -- that actually subsidizes the dairy industry in Connecticut?

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker.

pat/mb/gbr
HOUSE OF REPRESENTATIVES

481
May 3, 2010

And through you to -- to my colleague, there is not a -- a charge or fee on milk products. The General Assembly passed last year provisions for a dairy relief fund but that is not on milk products.

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker.

And I appreciate the Representative's response. How is that funded?

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker.

Mr. Speaker, that is in conjunction with the -- with the filing fees. Again this isn't on the -- on the bill as -- as amended before us but that is -- is funded through the -- through the community investment act surcharge on filing fees at the town clerk's office.

VOICE:

Mr. Speaker.

pat/mb/gbr
HOUSE OF REPRESENTATIVES

482
May 3, 2010

DEPUTY SPEAKER O'ROURKE:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker. I appreciate very much that clarification and -- and my -- my only point in -- in pursuing that is that if we are, in effect, subsidizing the dairy industry, you know, I -- I begin to look for some representation for the consumer on this -- this council.

I -- you know I -- I think that farms add a great deal, particularly dairy farms, to our -- the overall environment, the overall positive feeling about our state. But let me ask this if I may, I know the State of Vermont has taken measures to -- to reduce the pollution that -- that comes from dairy farms because of the presence of -- of a large number of cattle on a limited acreage of property. I wondered is -- is Connecticut taken any steps to try to reduce the -- the pollution from dairy farms?

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you very much, Mr. Speaker.

Mr. Speaker, to answer the -- the gentleman's question, I'm not aware of any steps that have taken. That doesn't mean that there hasn't been any but I do understand that there are provisions within the Department of Public Health, Department of Consumer Protection and Department of Environmental Protection that do regulate dairy farms in the State of Connecticut and I would -- I would say that somewhere along there that steps may have been taken.

Through you, Mr. Speaker.

REP. HETHERINGTON (125th):

Thank you.

Through you, Mr. Speaker, can you -- can you give us an idea of the number of dairy farms or the acreage devoted to dairy farming that exists currently in Connecticut as compared with say one year or several years ago?

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you very much, Mr. Speaker.

To my knowledge there's approximately 150 dairy farms existing in the State of Connecticut. I don't know what it was five years ago or ten years ago but I do know that that number has been shrinking rapidly and through the course of the actions that this General Assembly has taken over the past few sessions, we've been able to slow that loss.

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Hetherington.

REP. HETHERINGTON (125th):

I -- I thank you, Mr. Speaker.

And I thank the good Representative for his responses.

DEPUTY SPEAKER O'ROURKE:

I thank you both.

Will you remark on the bill as amended? Will you remark?

Representative Tallarita.

REP. TALLARITA (58th):

Thank you, Mr. Speaker, good evening.

For -- a question for legislative intent purposes to the opponent -- proponent of the bill.

pat/mb/gbr
HOUSE OF REPRESENTATIVES

485
May 3, 2010

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt, prepare yourself.

Representative Tallarita.

REP. TALLARITA (58th):

Thank you, Mr. Speaker.

Representative Hurlburt, currently wine made at our Connecticut wineries is considered Connecticut grown products. Would this bill, as amended, allow the sale of wine at farmer's markets?

DEPUTY SPEAKER O'ROURKE:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you very much, Mr. Speaker.

And I thank the gentle lady for her -- her question. The -- the bill as amended before us does nothing to change that but as a number of us are aware we do have one floating a -- a similar bill floating around this session that would do that but the bill before us does not.

Through you, Mr. Speaker.

DEPUTY SPEAKER O'ROURKE:

Representative Tallarita.

REP. TALLARITA (58th):

pat/mb/gbr
HOUSE OF REPRESENTATIVES

486
May 3, 2010

Thank you, Mr. Speaker.

And I thank the gentleman for his answer. I am aware of the other bills that are floating around and hopefully we will have this discussion soon.

Thank you.

DEPUTY SPEAKER O'ROURKE:

Thank you.

Will you remark on the bill as amended? Will you remark?

If not, staff and guests come to the well of the House. Members take their seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is taking a roll call vote. Members to the chamber, please.

DEPUTY SPEAKER O'ROURKE:

Have all members voted? Have all members voted? Check the board to make sure your vote is properly recorded. If all the members have voted the machine will be locked and the Clerk will take a tally. Mr. Clerk please announce the tally.

THE CLERK:

pat/mb/gbr
HOUSE OF REPRESENTATIVES

487
May 3, 2010

House Bill 5419 as amended by House "A" and "B."

Total number voting	147
Necessary for passage	74
Those voting Yea	147
Those voting Nay	0
Those absent and not voting	4

DEPUTY SPEAKER O'ROURKE:

The bill as amended is passed.

Mr. Clerk please call Calendar 414.

THE CLERK:

On page 20, Calendar 414; Substitute for Senate Bill Number 261, AN ACT CONCERNING THE CONNECTICUT JOB CORPS TASK FORCE, favorable report by the Committee on Commerce.

DEPUTY SPEAKER O'ROURKE:

Representative Kevin Ryan.

REP. RYAN (139th):

Thank you, Mr. Speaker.

I move for the Joint -- to approve the Joint pass -- Joint Favorable Committee's report and passage of the bill -- excuse me.

DEPUTY SPEAKER O'ROURKE:

Motion is on acceptance of the committee's favorable report and passage of the bill.

S - 608

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2010**

**VOL. 53
PART 11
3251 - 3554**

calendar.

THE CHAIR:

Please proceed.

SENATOR LOONEY:

Yes, Mr. President, calendar page 2, and that is
Calendar 144, Substitute for Senate Bill Number 253.

I move to place this item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Mr. President, moving now to calendar page 20.

Mr. President, calendar page 20, Calendar 532,

Substitute for House Bill Number 5033. Mr. President,

I would move to place this item on the consent
calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, moving to calendar page 25, the
item at the bottom of calendar page 25, Calendar 561,
Substitute for House Bill Number 5419. Mr. President,
move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. And Mr. President, several additional items to mark. Going back to calendar page 7. Mr. President, calendar page 7, Calendar 377, House Bill 5291. Mr. President, move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, on calendar page 11, Calendar 465, House Bill 5448. Mr. President, move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President. Mr. President, moving to calendar page 12. Mr. President, calendar page 12, Calendar 466, House Bill 5289. Move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered

SENATOR LOONEY:

SENATOR LOONEY:

Yes, Mr. President.

Mr. President, one of the items that we marked for consent, appearing on calendar page 25 was single starred and would move first toward suspension to take that item up for purposes of placing it on the consent calendar and that is calendar page 25, Calendar 561, Substitute for House Bill 5419.

THE CHAIR:

There's a motion on Calendar 561; House Bill 5419. Seeing no objection, sir.

SENATOR LOONEY:

Good. Mr. President, since suspension has been approved, I would now move to place it on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Yes, Mr. President, one item to remove from the consent calendar, which was Calendar Number 427, Senate Bill 110. That was on page 8, Mr. President.

THE CHAIR:

Without objection.

Bill 121; calendar page 7, Calendar 377, Substitute for House Bill 5291; Calendar page 8, Calendar 398, Substitute for Senate Bill 231; calendar page 9, Calendar 442, Substitute for House Bill 5141; calendar page 10, Calendar 449, House Bill 5495; calendar page 11, Calendar 451, Substitute for House Bill 5535; Calendar 465, Substitute for House Bill 44 -- 5448; calendar page 12, Calendar 466, Substitute for House Bill 5289; Calendar 473, Substitute for House Bill 5059; Calendar 476, Substitute for House Bill 5117; calendar page 13. Calendar 478, House Bill 5290; Calendar 481, Substitute for House Bill 5119; Calendar 482, Substitute for House Bill 5120; calendar page 15, Calendar 492, Substitute for House Bill 5446; Calendar 494, House Bill 5315; Calendar 504, Substitute for House Bill 5306; calendar page 20, Calendar 532, Substitute for House Bill 5033; calendar page 21, Calendar 534, Substitute for House Bill 5543; Calendar 539, Substitute for House Bill 5350; calendar page 25, Calendar 561, Substitute for House Bill 5419; calendar page 36, Calendar 374, Substitute for House Bill 5225; calendar page 37, Calendar 415, House Bill 5131; calendar page 38, Calendar 454, Substitute for House Bill 5526.

Mr. President, that completes the items placed on Consent Calendar Number 2.

THE CHAIR:

Please call for a roll call vote. The machine will be open.

THE CLERK:

The Senate is now voting by roll on the consent calendar. Will all Senators please return to the chamber. Senate is voting by roll on the consent calendar. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is adoption of Consent Calendar Number 2.

Total number voting

35

Necessary for Adoption 18

Those voting Yea 35

Those voting Nay 0

Those absent and not voting 1

THE CHAIR:

Consent calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I would move that any items on the consent calendar requires additional action by the House of Representatives be immediately transmitted to that chamber.

THE CHAIR:

Without objection, so ordered, sir.

SENATOR LOONEY:

And also any other items acted upon today, not on the consent calendar requiring action by the House of Representatives. Also would move that those items be immediately transmitted.

THE CHAIR:

Seeing no objection, sir, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would yield to any members seeking recognition for announcements or points of personal privilege.

THE CHAIR:

At this time, I will entertain any points of

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 5
1346 – 1678**

2010

Seeing none, Elissa, thank you very much.

REP. WRIGHT: Thank you.

REP. ROY: Greg Weidemann, followed by Carl Wagener.

GREY WEIDEMANN: Good morning, Chairman Roy, members of the Environment Committee.

HB5419

My name is Greg Weidemann. I serve as the Dean at the College of Agriculture and Natural Resources at the University of Connecticut, and I'm pleased to have the opportunity to present testimony on House Bill 5418.

As the state's land grant institution, we have the three-fold mission of teaching, research and service. Our service mission includes providing research-based information to individuals, businesses and state and local government through the Cooperative Extension System, including information on Integrated Pest Management.

Much of what is requested in the bill is already provided by us through a variety of means, including one-on-one consultation, training programs, workshops, printed materials and electronic communications. Anyone can contact our Home and Garden Center via toll-free number, email or fax with questions about pest management.

The website offers wide variety of fact sheets addressing many common pest problems, along with other available resources and scheduled educational programming. We also maintain a separate IPM website which lists educational opportunities, available fact sheets on common pest problems and links to the members of our

that need, and, you know, something else would -- would have to give, but, you know, we would do the best we could to -- to address that need.

REP. CHAPIN: Well, I would note for the record that you're not here asking for the additional resources. It's us giving you additional responsibilities, perhaps, that would require additional resources. I guess when I think of IPM, I -- and we hear a lot in this building about green jobs -- I guess I would have to place IPM in a -- almost as one of the green job categories, because it's my understanding that the benefits and really the purpose of IPM is to significantly reduce the use of pesticides, thus my green job segue here. Would you agree with that?

GREG WEIDEMANN: Yes, absolutely. I -- I -- if you look at -- and there's a number of definitions of integrated pest management, but it's really -- the broadest definition is using all available pest management tools in a environmentally responsible manner, and -- and by and large, that does result in -- in the reduced use of pesticides for any particular situation.

REP. CHAPIN: And Bill 5419, the first section has to do with additional -- a -- a grant match program to train adults in the production of food and fiber. I assume UCONN, through -- probably primarily through its extension program, already does that.

GREG WEIDEMANN: Correct.

REP. CHAPIN: And I -- I would think it was a -- it's fair to say that in doing that, IPM could play a role in that as well. Would you agree with that?

GREG WEIDEMANN: Yes, absolutely. We have a number of training programs related to the green industry and green jobs. One of those is the Green Prep Program that we have with the green industry where we're providing training programs that has an integrated pest management component into the -- in the training program. We have a number of other programs offered through the Cooperative Extension System that also address IPM issues for the green industry.

REP. CHAPIN: And -- and in Section 1 where we would be setting up this matching grant program, it -- it looks like preference would be given to nongovernmental organizations. If we change that language to put you at least on a level playing field as a governmental organization, would you say then that that would give you and your staff the ability to develop new programs or expand the existing programs?

GREG WEIDEMANN: Absolutely. I mean, resources is always the -- the limiting factor as well as -- as available personnel and -- and the ability to -- grant match in -- in a variety of means would assist us in developing new programs or extending existing programs.

REP. CHAPIN: In that same bill, there's sections regarding poultry, and I don't know if you're prepared to answer those or whether somebody else from UCONN may be testifying today. If they are, I could certainly save those questions.

GREG WEIDEMANN: I do have Dr. Mike Darre here with me today in -- in case there was a question about that, because I'm not a -- an expert in -- in poultry and poultry slaughter, and he

is -- he's available to answer specific questions that you -- that you have.

We are very supportive of -- of small -- small-scale, locally grown animals for slaughter and balanced with appropriate food safety. I know Dr. Darre has -- has worked with some of the groups on -- on the legislation, but if you would like him to specifically address that, he's -- he's available if you prefer.

REP. CHAPIN: I guess I'll ask the Chairman if that would be all right or whether he'd like me to save those questions for another time.

REP. ROY: Has the gentleman signed up to testify in any part?

GREG WEIDEMANN: No. No. He's just here as part of the UCONN group.

REP. ROY: Okay. We'll -- we'll allow the question, but we're going to keep it very narrow.

GREG WEIDEMANN: Okay. Dr. Darre.

REP. CHAPIN: Thank you, Mr. Chairman.

The sections in the bill that -- that deal with poultry specifically, I guess, peaked my interest most recently due to a call I had from somebody who wanted to -- who's a chef who's opening a restaurant and wanted to sell locally-grown poultry.

It's my understanding that there's absolutely no place in the state of Connecticut that is authorized or approved as an inspected facility where poultry could be slaughtered. Is that accurate?

MICHAEL DARRE: To the best of my knowledge, that is an accurate statement. We do not have a USDA-approved poultry processing facility in the state of Connecticut.

REP. CHAPIN: And since I'm limited in my scope of my questions here, can you give me any sense of direction as to how we would go about meeting that consumer demand in the state of Connecticut?

MICHAEL DARRE: Yes. There are eight exemptions under federal USDA FSIS regulations that we can have local inspection of facilities or premises by a Department of Ag or a designated approved authority under direction of FSIS.

So a person would apply for an exemption -- one of those exemptions from the standard federal -- federal law for permanent and full-time inspection to get the exemption under one of the eight -- eight subsections there.

And we feel that working with the Department of Agriculture and other agencies within the state, I think we could agree upon ways that we could fit within those exemptions and be able to sell to the public, to restaurants or other establishments within those federal guidelines.

REP. CHAPIN: And I -- I'll make this my last question, Mr. Chairman, for this particular person.

Would it be beneficial for us -- I mean, we're very good in this building of setting up task forces, and I know this issue has probably gone on for the better part of 30 years as a problem in the state of Connecticut. Would it be of any benefit again to the residents and

to the consumers if -- if we were the ones who more or less orchestrated some broader, more comprehensive look at the issue?

MICHAEL DARRE: To -- to answer that, I would say that if we can't get the agencies to work cooperatively together along with the poultry farmers in the state without having a legislative basis for that organization, then I would say that's probably, you know, a last -- last-ditch effort if you set up a -- an official task force.

I -- you know, personally, I think it's nice when people work cooperatively and come up with agreements, rewrite the language of the bill. As it is now, there's some things that need to be rewritten in that language, and I think people understand that, and I'm sure you'll hear about that today.

I -- you know, I'm not a legislator. I'm an educator. I would be glad to work with any group or any task force that's set up as an educator. But I'm not a lawyer, so I have no idea of the legalese that would be involved.

REP. CHAPIN: Thank you very much, Dr. Darre, and thank you Dean Weidemann.

MICHAEL DARRE: You're welcome.

GREG WEIDEMANN: Thank you.

MICHAEL DARRE: You're welcome. Thank you.

REP. ROY: Representative Hurlburt, are you going to address the bill before us, which is 5418, or did you want to speak to this gentleman, and if so, it's got to be very tight.

REP. HURLBURT: I was hoping to speak to 5419 if that's all right, Mr. Chairman, AN ACT CONCERNING FARMS, FOODS AND JOBS.

REP. ROY: Okay, very quickly and very tightly.

REP. HURLBURT: Okay. Well, I -- actually, Dr. Darre and I had a -- an extensive conversation yesterday, but I -- and I -- I welcome his comments that he's willing to help us. I think Section 6 and Section 7 of the bill are -- you know, aren't perfectly drafted, and, you know, we -- we talked about what other states have done in order to grow their poultry industry, and I think, well, we can work together on getting that -- that accomplished this session.

My -- I'll -- I'll refer my first question to the Dean. Section 1 does create the bonding for the -- for the training grants, and -- and Representative Chapin's questioning asked if you already had the capability to do that and if this would extend it. Do -- do you guys currently pursue federal match grants for -- for farm training?

GREG WEIDEMANN: Absolutely. We look at every available resource to enhance our -- our educational programming, and so this would definitely benefit us. It would give us another tool in the toolbox where we could try to leverage federal resources or other resources to -- to enhance our program.

REP. HURLBURT: Any idea about how much you guys receive for federal fundings for this type of -- of program?

GREG WEIDEMANN: I -- I probably haven't looked at the specifics enough to -- to say exactly, but I would say on -- on an average annual basis,

it -- it probably is in excess of a million dollars or so that -- of various training programming funds that we receive.

REP. HURLBURT: Okay. And do you have to be registered or enrolled in courses to be able to -- to get access to this training, or is kind of a workshop?

GREG WEIDEMANN: No. Much -- much -- almost all of our training through the cooperative extension system is -- is noncredit educational programming for citizens of the state.

REP. HURLBURT: Okay. And about how many people do you think -- if we were able to secure some federal matching grants, about how many people do you think you would be able to train in a -- in a year?

GREG WEIDEMANN: I -- I think that would be difficult to address given exactly what the level of training would -- would be and -- and what the resource requirements would be, but I -- I think any additional resources are going to allow us to expand our program.

REP. HURLBURT: Okay. All right.

Thank you very much, Mr. Chairman.

I thank both of you for -- for your willingness to testify on the bill today.

GREG WEIDEMANN: Thank you.

REP. HURLBURT: Thank you.

REP. ROY: Thank you.

Representative Miller.

REP. MILLER: Thank you, Mr. Chairman. Good morning.

I have a number of questions. First of all, how many people do you have on staff?

GREG WEIDEMANN: Total in the college?

REP. MILLER: That use -- you utilize.

GREG WEIDEMANN: On pest management?

REP. MILLER: Yes.

GREG WEIDEMANN: Our pest management team is about six individuals.

REP. MILLER: Six.

GREG WEIDEMANN: Six after you (inaudible).

REP. MILLER: Do you have any intern programs where you utilize students that may go out into (inaudible).

GREG WEIDEMANN: Yes. There are students that actively work with our faculty members on research and -- and also with them on -- on some of these programming --

REP. MILLER: Okay. And lastly, how many municipalities have availed themselves to your service?

GREG WEIDEMANN: That might be a question best addressed to our IPM coordinator, Anna LaGrand.

Anna -- Anna, do you have an estimate on --

REP. MILLER: A guesstimate or whatever.

GREG WEIDEMANN: -- the number of municipalities that we worked with directly on IPM-related issues?

ANNA LAGRAND: I think the number varies from year to year. Actually, I couldn't really give you a good estimate. Perhaps -- do you have a pen? Twenty or so -- a year.

GREG WEIDEMANN: I would say at least -- least 20.

ANNA LAGRAND: Yes. I would say about 20. It varies a lot from year to year.

REP. MILLER: Thank you.

REP. ROY: Thank you.

Any other questions from members of the committee?

For those who are not signed up, would you please go to the clerk's desk and give them your names and your -- and the correct spelling so that we have that for the transcript?

Thank you.

REP. MILLER: Great.

REP. ROY: Dean, thank you very much.

GREG WEIDEMANN: Thank you.

REP. ROY: Karl Wagener, followed by Senator Edith Prague.

KARL WAGENER: -- quality, and the counsel recommends adoption of Section 1 of Raised Bill 5417, AN ACT CONCERNING OPEN SPACE AND THE CREATION OF ATV TRAILS.

what DEP staff has been doing over the last ten years, and some towns haven't really collected this and -- and submitted it to OPM.

So OPM does not have it. They might have it for some towns. Some towns that have all of their records electronic and really keep this stuff up, they might submit it, might include it, but it's -- it's haphazard, and I looked at their numbers and it -- it -- their totals aren't any better than the old totals.

REP. CHAPIN: Thank you.

Thank you, Mr. Chairman.

REP. ROY: Thank you.

Any other questions or comments from members of the committee?

Seeing none, Karl, thank you very much.

So, okay, that ends the officials portion until Senator Prague shows up. We will then fit her in to the public portion. And with that, we will go to the public list. First speaker on that list is Chris Phelps, followed by Kevin Lindemer.

Chris, congratulations. Usually, you're here at the end of the -- end of the hearing. What happened?

CHRISTOPHER PHELPS: Well, Representative Roy, for the first time in my life, I won a lottery this morning. So -- and thank you for the opportunity to testify here today.

My name is Christopher Phelps. I'm the Director of Environment Connecticut, and I'll -- I'm going to start -- I'm sorry

HB 5419
SB 388
HB 5418
SB 385

Representative Piscopo isn't here, but I -- in my -- my night job is as Chairman of the Portland Board of Education.

I just wanted to note for the record that last night our high school girls' basketball team defeated undefeated -- previously undefeated Thomaston in the state tournament, and we're very excited about that. They've moved on to the semifinals.

REP. ROY: Now we know why he's not here today.

CHRISTOPHER PHELPS: We've submitted testimony on a number of bills before you, and I'm going to quickly just skip through those.

Two of the first items are part of the green jobs agenda, if you will, supported by Environment Connecticut and a host of environmental organizations across Connecticut to support environmental policies for legislature that can protect our environment, our landscape, our water, our air, while at the same time incentivizing the creation of jobs in industries and businesses in that area. It's a, you know, win/win, if you will, for our state.

The first one is House Bill 5419, AN ACT CONCERNING FARMS, FOOD AND JOBS. We strongly support that bill. We've submitted some brief testimony in that regards.

The second bill is Senate Bill -- excuse me -- Senate Bill 388, AN ACT CONCERNING CONNECTICUT'S ECONOMIC AND ENVIRONMENTAL FUTURE. Members of the committee, I believe, may have seen a -- a white paper released by a number of environmental groups, including our own, with that title.

GORDON GIBSON: Good morning, Senator Meyer, Representative Roy, members of the committee.

I'm here in my usual capacity as Legislative Director of the Connecticut State Grange speaking in support of Raised Bill 5419 CONCERNING FARMS, FOOD AND JOBS.

You have my written testimony before you. For my remarks this morning, I'm going to depart from them somewhat to go into a couple of other areas. This is a good bill on a lot of programs. But one of the things we've been doing is preserving farmland. We also want to get people on that land.

Today, there's a lot of people in Connecticut who would like to get into farming at a small scale, some of them part-time, some of them think they're ready to go full-time, but because their family farm has been sold, their family has been out of farming for a couple of generations, the basic skills of farming have never been passed on to these people. They need some way to learn it.

And the provisions of Bill 5419 would go along with something I have been advocating to UCONN for a number of years to set up something similar to what I've been saying -- take the 4H program, tweak it a bit to come up with a similar program for the adults.

Senator Meyer, Representative Roy, this bill is the answer to my prayer.

Thank you.

SENATOR MEYER: Well, that was very encouraging. Thank you for that.

Questions or comments by the committee.

I guess you did it. Thanks.

GORDON GIBSON: Thank you.

SENATOR MEYER: Did Michael Devine come back in the room? Our next witness is David Radka, followed by Rick Hermon, Hermonot, Hermonot. David Radka.

Good morning, Mr. Radka.

DAVID RADKA: Thank you, Senator Meyer, Representative Roy.

I am David Radka, Director of Water Resources with the Connecticut Water Company. I'd like to testify on two water-related bills, 386 and 383.

First of all, I'd like to express our support of the intent behind 386, which is to create a more informed and coordinated approach among relevant state agencies prior to the adoption of water-related regulations. Clearly implementing regulations in isolation can have unforeseen and potentially detrimental spillover effects on related programs and policies.

So it is our understanding this bill was raised based on concerns over the potential effects that recently proposed streamflow regulations might have and the need to more fully explore the regulations' wider ramifications.

The bill would no doubt improve inner-agency dialogue, however, we believe Bill 5477, AN ACT CONCERNING CLEAN WATER ACT AND STREAMFLOW REGULATIONS, has significantly greater potential to safeguard public water supply and

Any questions or comments from members of the committee?

Seeing none, thank you very much, sir.

Rick Hermonot, followed by Jerry Silbert.

RICK HERMONOT: Good morning, Chairman Roy, and members of the committee. I'd like to thank you for this opportunity to testify in support of the Raised Bill 5419.

My name is Rick Hermonot. I'm owner, with my family, of Ekonk Hill Turkey Farm in Sterling, and we are -- we have a special interest in the portion of the bill referring to poultry processing in Connecticut.

We support the bill. The language, though, we do feel needs some -- some modification, as already been mentioned. I'd just like to briefly touch on our current situation in Connecticut.

We sell turkeys at our farm to customers, but the way we need to do it, under the current structure, is to sell a live bird, then the -- to our customer, then the customer hires us to custom process the bird for them. We sell turkeys for Thanksgiving, and we have a growing customer base, and we could sell a lot more if we had an opportunity to market them in a more open way.

What we're looking at -- at accomplishing with -- with this legislation would be to allow the federal USDA FSIS Food Safety and Inspection Service exemptions to be recognized in Connecticut subject to state inspection, so we feel this would be a -- a move that would enhance the consumer safety, and it would --

would expand the availability of poultry to consumers in Connecticut.

At our farm, we're finding a tremendous interest in locally-grown foods in general, including poultry, and poultry is something that's very difficult to obtain -- locally grown. We have restaurants calling us regularly looking for -- looking to purchase poultry from us, and -- and we are unable to sell to them.

But under this proposed change, we would -- that -- that market would be opened up. The benefits that this would bring to us -- it would allow us to grow our market. We currently have -- in the past year, we had 30 seasonal employees on our farm.

With the growth that we would see, we feel we could employ a lot more people, and we could grow our business. There would be tremendous benefits to the consumers, because there is a lot of demand out there for local foods, and the benefits are outlined in -- in our written testimony as well. So --

REP. ROY: Good. Thank you.

Any questions?

Representative Hurlburt:

REP. HURLBURT: Thank you, Mr. Chairman.

And Rick, I'm glad to see you and finally meet you. I -- I met your son a while back at -- up at UCONN at a -- at a farm -- Young Farmers of America program. I -- I thank you for pointing out that Section 6 is -- and Section 6 and 7 need a little work, because we

do want to make sure that the consumer safety is -- is at the forefront.

What are the inspection guidelines that you would look for? You mentioned FSIS under the USDA. That's, you know, something that I'm not very familiar with, and I would imagine that some of the -- my colleagues up here also share that -- share that. So could you talk a little bit about the types of standards that you guys are -- are looking to meet under this exemption?

RICK HERMONOT: The -- the standards that would -- would apply under the exemptions would be that we would have to have our facility inspected for sanitary conditions, and we would have to follow a HACCP plan -- a critical -- a hazard analysis critical control point plan.

My son has already gone through HACCP certification, and we've written a HACCP plan for our farm, but we would be required under this program to have a HACCP plan, to have our facility inspected, so the change would be that we would need to have state inspection in Connecticut in order for our -- our facility to be certified as -- as following sanitary practices. That's pretty much the -- the structure that needs to be in place.

REP. HURLBURT: Okay. And -- and -- you -- you mentioned that you would need to be inspected. About how many farms do you know of? I know we have a Connecticut -- a poultry council or association. How many farms will this impact in the state?

RICK HERMONOT: At this time, it would be fewer than five. However, I would anticipate that if we opened up the opportunity for marketing

poultry -- locally grown poultry -- we would see expansion of that in the state.

REP. HURLBURT: Is -- is there an ability for -- you know, we -- we are always under the concern of financial constraints this year. Is there an ability for the Department of Ag to -- to cross-train, you know, current inspectors or retrain -- you know, I mean, how much time would it take to -- to get to five farms?

RICK HERMONOT: We're certainly very sensitive to that, and -- and we feel that the Department of Ag's existing dairy inspectors who inspect dairy farms for sanitary conditions could be trained to inspect the poultry farms. And five farms would only require -- our farm, for example, is only using the facility for a very minimal amount of the year, mostly at Thanksgiving time for turkeys.

So one inspection in advance of our using the facility to be sure that it meets those standards would be adequate, and -- and if there's only five farms, it would -- it would be a very minor human resource commitment on the part of the Department of Ag to address that.

REP. HURLBURT: And in your testimony, you -- you talk about the Connecticut jobs and economy, and clearly this bill is trying to promote agriculture, you know, for -- for the benefit of everybody who -- who's here -- you're talking about, you know, an additional \$4 million of sales to -- to the consumers. That's a significant amount of -- of turkeys, I would imagine.

But -- but also, with sales tax, which you are -- you guys put in there, you know,

there -- there is some, you know, a good amount of -- of income generated and with income tax. Is there anything that we need to put in here that you feel we've missed?

You know, obviously, we're -- you know, the public hearing is an opportunity for us to better craft the legislation before us. You know, are -- are there things that as -- as a practicing poultry farmer that we should put in here or that -- or that the committee should be aware of moving forward?

I know, Massachusetts and Maryland have -- have similar programs. You know, could you -- could you talk on that if -- if you have any comments?

RICK HERMONOT: Well, we included -- we included in -- in our written testimony, the -- our suggestions for what should go into the language just -- just as a -- as a suggestion, but really what I think -- if we were piggybacking on the federal exemption program that many other states do already, that it would open up an opportunity for small farms.

Really, the -- the intent of that program is to allow small farms to ramp up and have an opportunity to grow, and then at some day maybe if they exceed the exemption limits to be able to become a -- a federally inspected facility.

So I think if we -- if -- if the verbiage is in there, if the language is in there, to address the USDA exemption in allowing that in Connecticut and assuring that we would then be able to sell to restaurants, stores and -- and institutions in the state where there is a lot of unmet demand right now.

REP. HURLBURT: And in Connecticut, we do about 5,000 birds a year, is that correct?

RICK HERMONOT: Currently, we do about 5,000 turkeys a year. Massachusetts, for example, does 70,000. And the only difference between Connecticut and Massachusetts -- we have similar demographics, similar interests in locally-grown food -- the difference is Massachusetts allows these rules under the USDA exemptions, and Connecticut does not, so there's a tremendous growth potential if we open this up, and I think it would bring jobs, it will bring revenue, it would boost the economy.

You know, we're -- we're a farm -- our farm is struggling with the economy, but one thing that helps us a lot is the fact that locally-grown foods are in tremendous demand right now. Even with our economy being in -- in the -- in a sluggish period here, we're seeing a tremendous increase demand in locally-grown food which is really exciting to us, and I think there's opportunity for growth if we offer legislation that allows it to happen.

REP. HURLBURT: Have restaurants contacted you about getting some of your birds and --

RICK HERMONOT: We get regular phone calls from -- from restaurants, and we're always telling them, "I'm sorry, we -- we can't sell to restaurants at this time."

REP. HURLBURT: Okay. Rick, thank you very much, and I look forward to working with you as we try to make this a -- a better bill.

And thank you, Mr. Chairman, for -- for the committee's time.

REP. ROY: Thank you.

Representative Miner.

REP. MINER: Thank you, Mr. Chairman.

My read of the bill would allow people who raise the birds offsite to take them to one of these locations and have them processed. You wouldn't be able to sell them, but they could then take them back to their whatever and sell them. Is -- is my understanding correct?

RICK HERMONOT: That is one of the exemptions. As Dr. Darre mentioned earlier, there are eight federal exemptions that a processing -- poultry processing facility can apply for. They're all small-scale exemptions, and one of them would allow that.

The one that we would apply for on our farm would be the producer processor exemption which would allow us to -- to process up to 20,000 birds, but only birds that we raised that we would then be able to sell within the state.

There are other exemptions that would allow customs, so that if -- if I didn't have a facility, I could take my birds to one of those facilities, have them processed, bring them back and then sell them at my farm.

And there's a need for both types of -- of facilities, and the exemptions exist under the USDA FSIS rules to allow for both of those, but you would have to pick as a processor one or the other exemption.

REP. MINER: And the word "exempted," does that -- does that create a problem in terms of the retail to a restaurant or some other facility

that would actually cook the bird and serve it as dinner, so to speak? Across the country, are you aware of any issue where they would choose not to buy that bird because it says "exempted?"

RICK HERMONOT: I am not personally aware of any issue like that. The only time that that becomes an issue is in Connecticut where exempted poultry is not an approved source for restaurants. But if, in states where it is an approved source, exempted poultry can be used within the state -- cannot be used for interstate commerce -- but within the state, that exempted poultry is very well received because there is tremendous demand, and the restaurants that are looking to serve local -- locally-grown foods are very interested.

The safety of it -- Massachusetts has never had an -- a -- a health safety issue arise because of their exempted poultry in Massachusetts to my knowledge.

REP. MINER: Thank you.

Thank you, Mr. Chairman.

REP. ROY: Representative Lambert.

REP. LAMBERT: Thank you.

Thank you for coming.

I -- I envision one day of going to Rick's turkey farm, because the fact of it is, I'm a -- a real firm believer in having these farms and having local grown, but -- I mean, I'm sure you're familiar being in Sterling with Wright's Chicken Farm, and so I -- I really would hope that that someday can happen to you if we turn around and change these

regulations, because not only would we be doing that, but we'd be producing more jobs because we'd be -- also be able to expand on that restaurant issue. Thank you.

RICK HERMONOT: We've already got a dream along those lines.

REP. LAMBERT: I hope I -- I'd be the first customer. Thank you.

REP. ROY: Representative Hornish.

REP. HORNISH: Thank you, Mr. Chairman.

Thank you for testifying today.

I just have a question concerning the Massachusetts experience that they've had. Do you happen to -- or in other states if you -- if you happen to know this -- if we enact this legislation, it's -- it's going to -- you know, obviously, small -- small local farms will grow, which is a good thing, but how many -- are you aware of how many farms exceed the 20,000 bird maximum?

My understand is that one you hit 20,000 birds, you have to go to USDA inspection. As a result of implementation of -- of policies like this, what -- have other states experienced a move towards very large farms?

RICK HERMONOT: In Massachusetts, I believe the largest one has grown to 40,000 birds. I -- I -- that's my understanding. And they do have a USDA facility now. They do not process birds for anyone but themselves at that facility, but they exceeded the 20,000, so they became USDA, but they're still a small family business where customers come and buy their turkeys from them.

But they do raise about 40,000 a year, and they do have a USDA plant, which one of the benefits of the exemption is it allows a small farm like us to grow within the -- the exemption and then when we get to that 20,000 point, if we want to continue growing them, we would be at the -- we'd have the critical mass and the ability financially to go to the federal inspection process at that point. And it has happened.

Vermont has a similar program, and they've got two farms to my knowledge in Vermont that have exceeded the 20 and are now in the 40 to 50,000 bird range, and they're selling through a USDA plant now, because they exceeded the exemption.

REP. HORNISH: And at -- you say two farms out of a total of roughly how many?

RICK HERMONOT: In Massachusetts, there's -- there's two that I know of out of -- I think there are 40 or so --

REP. HORNISH: Roughly.

RICK HERMONOT: -- turkey farms. Now I'm just talking.

REP. HORNISH: Just turkey -- just talking turkey, okay.

RICK HERMONOT: There's also a tremendous effort in there for other poultry as well, chickens, pheasants, waterfowl, but just in the turkey end, there's about 40, I believe in Mass., and two of which are now USDA because they have exceeded the exemption limit.

REP. HORNISH: So most still maintain the small -- small farm practices type?

RICK HERMONOT: Yes. Yes. Correct.

REP. HORNISH: Okay. Thank you very much.

Thank you, Mr. Chairman.

REP. ROY: Thank you.

Any other questions or comments from members of the committee?

Seeing none --

RICK HERMONOT: Thank you very much.

REP. ROY: Jerry Silbert. And he will be followed by Joan Nichols.

JEROME SILBERT: Well, now it's afternoon. Good afternoon --

REP. ROY: Good afternoon.

JEROME SILBERT: -- Representative Roy, members of the committee.

REP. ROY: Just made it.

JEROME SILBERT: And I'm Dr. Jerry Silbert. I'm HB5418
Director of the Watershed Partnership Incorporated, a nonprofit environmental organization. I am a physician, board certified in pathology and laboratory medicine.

And the Watershed Partnership has been active in the area of advocating -- educating the public about toxic lawn pesticides and advocating their elimination. The reason I'm

MICHAEL DEVINE: Thank you, sir.

Thank you, committee members.

REP. ROY: Martin Mador, followed by Steve Reviczky.

MARTIN MADOR: Good afternoon members of the committee. I'm Martin Mador. I'm the Legislative Chair for the Connecticut Chapter of the Sierra Club. Let me take you on a very, very quick tour through seven of your bills.

HB5419 HB5420

HB5418

383 calls for statewide planning. The advocates have been requesting this comprehensive statewide planning for decades, but we want to point out that in 2005, the Legislature passed PAO 5142 instructing the DEP to promulgate streamflow regulations.

In a five-year process, DEP has drafted those regulations, they've gone to a public hearing, they received 400 separate pieces of commentary, they're now working on revisions to those draft. We are concerned that 383 not be used as a vehicle to disrupt or dismantle the regulatory drafting process already underway for the streamflow regulations. That would be terribly destructive.

We endorse 385 increasing the -- the need for Class One or Class Two renewable energy sources.

We agree with David Sutherland that 386 is unnecessary, because the agencies already have an opportunity to do what the bill calls for.

5417 in Section 2 calls for the creation of the Community Green Fund, which we've been

asking for for several years which provides for a conveyance fee on buyers of real estate to fund open space and other things. It is clearly enabling legislation. It is not a mandate on the towns. They can do this if they so wish. It is another source of revenue for the towns.

I sit on the Speakers More Program Subcommittee on -- on municipal revenue. This is an idea which is on our long-term agenda for that committee. Sierra heartily endorses this concept and hopes you pass at least Section 2 of that bill.

5419 provides training for jobs -- protection -- for farms. Protection of farms is a -- is a very significant priority for Sierra -- Sierra. We would like to see this bill passed to provide people to work on farms. It also, of course, is a green jobs bill and is part of the agenda of the entire environmental advocacy community which has put forth the green jobs agenda.

5420 would -- would provide the opportunity to transfer land from Ten Mil to PA 490. We think protecting this forestland is a very high priority. Aside from the habitat and the open space value of forestland, it also serves as an extraordinarily effective filter of water so that this forestland is very important for protecting the quality of our potable drinking water supplies. It's very important to protect this land, so we think this is a very important bill.

We agree with the comments of Jerry Silbert on 5418 that this bill cannot be used to endanger the protections we already have on school -- school properties to protect our school children. So the two proposed changes of the

bill we heartily endorse and really would like to see you not pass this bill if you're going to without making those changes to the language.

Thank you.

REP. ROY: Any questions or comments for Marty?

Seeing none, thank you.

MARTIN MADOR: Thank you.

REP. ROY: Steve Reviczky, followed by Steve Guevan.

STEVEN REVICZKY: Marty was right on the money with time.

Good afternoon. My name is Steve Reviczky. I'm the Executive Director of the Connecticut Farm Bureau. Farm Bureau -- Connecticut Farm Bureau is a private, nonprofit statewide organization with over 5,000 member families dedicated to farming and the future of Connecticut agriculture. Farm Bureau has submitted written testimony on a number of bills, but what I would like to speak to you this afternoon about is House Bill 5419, AN ACT CONCERNING FARMS, FOOD AND JOBS.

Connecticut Farm Bureau strongly supports the bill. This is a very, very exciting measure. It will stoke the engine of Connecticut agriculture. This bill is all about local farms and local jobs.

There has been an explosion in the interest and demand for locally-grown foods. Connecticut citizens want access to healthy, safe Connecticut-grown products. Passage of

H.B. 5419 will go a long way in helping meet this demand.

There is no question that the bill will have a positive impact on the ability of local farms to increase their bottom lines by producing and selling Connecticut-grown food products. Consumers want locally grown food, and Connecticut farms want to supply it.

H.B. 5419 seeks to enhance the availability of acidified foods and poultry, protect small-scale community farms, provide farmer training, and make minor adjustments to the statute governing farmers markets, recognizing that some markets are not conducted throughout the season and might be one- or two-day events.

In addition, the bill would capture -- provides for the capture of funds that dairy farmers have taken from their milk checks by a -- through a federal program in -- provide those monies -- the availability of those monies to the Connecticut Milk Promotion Board so that they can promote the Connecticut dairy industry.

Connecticut Farm Bureau recognizes that the bill needs some refinement in several areas and stands ready to assist in any way we can. This proposal is about quality agricultural jobs and growing Connecticut's farm businesses. Connecticut Farm Bureau asks the Environment -- the Environment Committee to act favorably on the measure.

Thank you.

REP. ROY: Thank you.

Representative Hurlburt.

REP. HURLBURT: Thank you, Mr. Chairman.

Thank you, Steve, for -- for your testimony on a number of proposals, but just -- I'm going to -- I'm going to focus my questions on 5419, farms, food and jobs. We'll kind of go through section by section, actually, if you -- if you don't mind.

Section one is the --

STEVEN REVICZKY: Okay, Chairman Roy? I think he's choking on his lunch.

REP. HURLBURT: Yes. I'm sitting way over here, Mr. Chairman. I can't help you today.

Section 1 is -- is the Farm Training and Infrastructure Jobs. Do you -- what's the average age -- do you have -- do you by any chance know the average age of farmers in the state of Connecticut?

STEVEN REVICZKY: It's -- it's -- at this point, it's pretty high. I don't know what the average age is, but it's up there.

REP. HURLBURT: It's up there. Older than me?

STEVEN REVICZKY: Older than you.

REP. HURLBURT: Yes. Okay. Thank -- thank you, Steve.

So I think this -- you know, this is important to make sure that we do get people trained to come back to farming if -- if they left it or to -- to start a career there.

Section 3 we -- we spent a lot of time on, which the acidified foods or -- or as we

commonly call it, the -- "the pickle bill."
Could you -- could you explain to -- for --
for the purpose of people here, you know, what
safeguards we've put in here to make sure that
there is some consumer safety, you know, if
they -- if you do choose to buy a -- you know,
a jar of pickles at a farm market.

STEVEN REVICZKY: Sure. What the bill does is it
limits the foods that can be sold under this
provision to -- to fruits and vegetables. It
excludes dairy products. It excludes poultry.
It excludes fish, seafood, meat, eggs. It's
only -- it's limited to fruits and vegetables.

The bill requires that upon the completion of
the recipe for acidified foods, that the maker
of that food have an independent laboratory
test, the PH level, the PH level of the -- of
the acidified food has to be at 4.6 or less.

The bill requires that the producers of
acidified foods pass -- take and pass a safe
food handling course, one that is approved by
the State Department of Health. It requires
that those making acidified foods in locations
that are on a -- on a private well, that that
water be tested annually.

And it requires that the label on each product
be affixed that says that the product was not
prepared in a government-inspected kitchen.

REP. HURLBURT: So it's pretty far -- pretty far
from where -- where we have jams and jellies
or jams and preserves.

STEVEN REVICZKY: Right.

REP. HURLBURT: There's a -- there's a lot more
standards that have to be met, so it's -- it's
a very different person or a very different

qualification to be able to do acidified foods.

STEVEN REVICZKY: And these safeguards were -- were put in place -- we -- we had proposed the bill last year, and as the bill worked its way through the process, we did get input from various state agencies, and each one of these safeguards are the result of the input that they had, and we -- we tried to meet their concerns.

REP. HURLBURT: Thank you. The Milk Promotion Board -- I think, you know, members of the committee may be familiar. We did pass the creation of the Milk Promotion Board a few years ago. What this would do, it would allow us to recoup some of the funding. Can you explain how that funding will be -- that it's not new state funding, but it's -- it's a recoup of funding.

STEVEN REVICZKY: Out of each milk check that a dairy farmer receives, there's a mandatory reduction, a dairy check-off deduction, and right now, that money goes to the Federal Milk Promotion Program and, in the absence of a -- of a state program, it goes to a regional milk promotion program.

I -- I'm sure you all have seen the commercials on t.v. about California cows being happy cows. Well, that's money that the California dairy farmers get from the milk check-off. And, you know, Connecticut dairy farmers ought to -- the Milk Promotion Board needs access to -- to put at least a portion of that money so that they can promote Connecticut dairy farms and the Connecticut dairy industry the same way that other states do.

75
cip/gbr ENVIRONMENT COMMITTEE

March 12, 2010
10:30 A.M.

REP. HURLBURT: And this will promote the industry and not specific Connecticut farmers.

STEVEN REVICZKY: Right.. It -- it cannot go to promote a specific brand of milk. It has to go to promote the generic Connecticut dairy industry.

REP. HURLBURT: Okay. I -- I think that's important so that, you know, people -- people understand that this will help the entire industry, not a specific -- you know, not farmer's cow or any -- any one individual producer.

Mr. Chairman, I thank you. I only went through to Section 4, I think, as opposed to through all eight, and -- and I'll turn it back over to you. Thank you, Mr. Chairman.

REP. ROY: You have my undying gratitude. Thank you.

Any other comments or questions from members of the committee?

Seeing none, Steve, thank you very much.

STEVEN REVICZKY: Thank you. And I -- I just want to point out, there was a lovely editorial in the Hartford Chron on Wednesday dealing with acidified foods. You all ought to, read it. It's good.

REP. ROY: Can't wait.

Steve Guveyan, followed by Jiff Martin.

STEVE GUYEVAN: Good afternoon, Chairman Roy, members of the committee. I'm Steve Guveyan from the Connecticut Petroleum Council testifying in opposition to Senate Bill 382.

JIFF MARTIN: Good afternoon, Chairman Roy, members of the committee. Thank you for having us -- having me.

I'm here on behalf of the Working Lands Alliance Coalition. It's a project of American farmland trust. I'd like to first associate my remarks with those of Mr. Karl Wagener of CEQ earlier regarding the notion of creating a open space and farmland registry.

From an accounting standpoint, that would be a fantastic addition, because we really don't know how far along we are towards protecting our state goal of 130,000 acres. We know how much the state has done, and we know how much the federal government has done, but we don't know what some towns have done on their own, and that has been a frustration for us for many years.

In regards to Raised Bill 5419, AN ACT CONCERNING FARMS, FOOD AND JOBS, first I'd like to thank the committee for raising this bill. We are also very enthusiastic about this bill as Steve Revitzky of the Farm Bureau described.

We're particularly happy because there's a section of the bill which pertains to farmland preservation. That's Section 2, in which \$1.5 million was authorized for the Community Farms Preservation Program. There's no formal definition of community farms, but in essence, it's smaller farms, locally important farms.

Currently, the Farmland Preservation Program that exists right now is extremely busy. They have 24 farms that are near closing. They also have another 15 farms in the pipeline and

another eight farms that are priority applications coming in.

So that program is extremely busy. Fortunately, they have money for those projects, but they do not address -- they do not address any farms below 30 acres in cropland.

So there was a -- a law passed in 2008 enacting the creation of the Community Farms Preservation Program charging the Farmland Preservation Advisory Board to draft criteria for that program. Mr. Guskowski speaking after me will talk about that.

Just so you know, 64 percent of farms in Connecticut are less than 50 acres, so we actually have quite a lot of smaller farms which are not candidates currently for our Farmland Preservation Program. So having a community farms preservation program and getting this program started, infusing it with a 1.5 million sort of pilot program level of funding would be a great start. It's a win/win for the communities across the state.

We're also supportive of Section 1 of the same bill regarding the farm training and infrastructure of jobs grant program. There is a lot of federal money out there, more and more particularly with the current administration in support of programs that will grow the local farm industry, and it would be really nice if the state would put some money on the table to match that federal money to bring those dollars to Connecticut to train farmers, put solar panels on -- on farms to build infrastructures such as food processing.

There's just a lot of great opportunity there, and the state isn't helping yet, and that's what that Section 1 is about.

Thank you very much.

REP. ROY: Thank you.

REP. URBAN: Thank you, Mr. Chairman.

Thank you for being here, Jiff.

I'm a -- I have always been a huge proponent of the community farms, and I worry about the fact that we don't look at the smaller farms and we do have that level. Could you comment -- it's -- it's been my experience that smaller farms now can produce an amazing amount of product and diversify and be really environmentally friendly. So if you could just speak a little bit to that point and to the -- to the community farm issue.

JIFF MARTIN: Sure. I mean, it's true that many of the vendors in farmers' markets, many of the farmers participating in farm to restaurant, the farm to school type programs, those -- those are often coming from the smaller produce and fruit producers -- the vegetable and fruit producers in the state.

So -- so we really sort of cherish those folks, but we don't provide many services to grow that -- that sector of the farm business, nor do we spend any money on protecting the land on which all this business activity is taking place upon which it relies.

So the idea is to start spending a little bit of time and resources protecting the soils that are really the backbone of the local farm

and food economy right now. I hope that answers your question.

REP. URBAN: You have answered my question. I'd very much like to continue to work on that specific aspect with you, because I think we really do have a -- a gap there, and we really do need to -- because I think often times we do have people that there -- the -- the smaller farm is a second job, kind of, for them.

And they're able to do it simply because it's a second job. And with food security and food safety, I want to see that network be viable to support, you know, all of our food needs in Connecticut.

JIFF MARTIN: If -- if I may, that's a very good point. The -- the last agriculture census showed that of approximately 5,000 farms, slightly more than half of them are being run by part-time farmers, so it's a good point.

REP. URBAN: Exactly.

Thank you, Mr. Chairman.

REP. ROY: Thank you.

Any other questions or comments from members of the committee?

Jiff, thank you as always.

John Guszkowski, followed by Erin Wirpsa.

John, when you finish, please see the clerk's desk so we get the correct spelling for your last name.

JOHN GUSZKOWSKI: Okay. I -- I have submitted written testimony that hopefully has the -- the correct spelling.

REP. ROY: Thank you.

JOHN GUSZKOWSKI: I spelled it myself, but do tend to get that wrong sometimes.

Thank you, Mr. Chairman and members of the committee.

As you said, my name is John Guskowski. I am Director of Planning with CME Associates up in Woodstock, Connecticut, but I am here because through some of my volunteer involvements, I have had the privilege of serving on the Connecticut Farmland Preservation Advisory Board since its inception back in 2007.

And in that -- in that position on the Connecticut Farmland Preservation Advisory Board, I have had the opportunity to serve as Chairman of the Board's Criteria Subcommittee, which after the creation of the Community Farms Program back in 2008 -- or, yes, the -- the program was created in 2008 -- my subcommittee was charged with developing standards of criteria, the score sheet, essentially, for the community farms program, which I am here today to speak in favor of, which is of course Section 2 of Raised Bill 5419 to which Ms. Martin just immediately spoke much more eloquently than I was able -- I will be able to.

The -- you know, in echoing -- in echoing Jiff's comments, the -- the Community Farms Program was created expressly because there is that gap. The Department of Agriculture's -- the Purchase and Development Rights Program -- the Farmland Protection Program -- is cranking

along and does incredible work at protecting some of the largest farms and the most valuable soils in the state.

But as Jiff pointed out, a huge number, a huge percentage, 64, 65 percent of the farms in Connecticut are of a smaller size, and so the Community Farms Program was created to help address some of that gap. And these -- these are the farms that provide very local jobs, very local foods, and in many cases, and in most cases, I think, are really much more integrated in an intimate way into their community in terms of the -- the day to day interaction with the citizens, with the schools, with the institutions of that community and so deserve some more attention and some protection.

So we would urge that you support this -- this raised bill and (inaudible) to invest \$1.5 million for the first year of a pilot study -- pilot program to help protect some of the -- the critical community farms in Connecticut.

And I'd be happy to answer any questions you -- you folks may have about the Advisory Board or our (inaudible).

REP. ROY: Thank you.

Any questions?

Representative Hurlburt.

REP. HURLBURT: Thank you, Mr. Chairman.

And thank you for -- for your testimony today. And -- and I appreciate Jiff's -- Jiff's comments earlier too. So --- but of the 1.5 million provide here in Section 2, about

how many farms do you think that would be able to protect and --

JOHN GUSZKOWSKI: It's our -- it's our rough estimate that we'd be looking at about between five and eight farms, and it would really allow us to -- and as I said, our -- our subcommittee has drafted the criteria, which was then approved by the -- the full Farmland Preservation Advisory Board, but it's - it's a continual work in progress, and -- and we believe we'd be able to identify sort of the best of the best community farms, the ones that not only have the best soils, but also have that element of integration with their community.

And so this would allow us to help kind of work out those bugs, but we think we'd be able to -- to protect between five and eight in the first year.

REP. HURLBURT: And -- and did I hear you correctly in that there's no other program for community farms to -- for preservation of community farms?

JOHN GUSZKOWSKI: That's -- that's correct. I believe the -- the -- yes, not explicitly. I mean, there -- there are other options for protection -- the Connecticut Farmland Trust and the -- and the NRCS's Farm and Ranch Protection Program are both available, but -- and both of those, you know, rank and criteria and funds are -- are limiting factors, so there really isn't sort of a single unifying opportunity for these folks.

REP. HURLBURT: Great. Thank you very much.

And thank you, Mr. Chairman.

97
cip/gbr ENVIRONMENT COMMITTEE

March 12, 2010
10:30 A.M.

REP. ROY: Thank you.

Representative Urban.

REP. URBAN: Thank you, Mr. Chairman.

I -- I would also, and this is one of the reasons I'm so interested in this, is that we -- the topography and the size of the state of Connecticut lends itself more to the community farm-type situation where you would have a patchwork quilt of beautiful farms, which again is going to attract people to our state as they look at the vineyards, the -- the smaller farms and the stone walls and the whole vignette that we can offer, so to target this area, to me just seems to be common sense, so I am here to help and support you on this.

Thank you, Mr. Chairman.

REP. ROY: Thank you.

Any other questions or comments from members of the committee?

Seeing none, John, thank you very much.

JOHN GUSZKOWSKI: Thank you, Mr. Chairman.

REP. ROY: Erin Wirpsa followed by Paul Hoar.

Paul. I mean, Erin, excuse me. Erin? Okay.
Paul.

A VOICE: But he's been pushed back.

PAUL HOAR: Good morning, Chairman Roy, Chairman Meyer.

REP. MILLER: All right.

PAUL HOAR: -- in New Haven, so -- and he's been doing that for a number of years, and I believe what he gets is a B100 and blends it there, so he would have a -- a storage facility.

REP. MILLER: And he also has storage in Massachusetts from what I understand. Is that correct -- do you know?

PAUL HOAR: That's possible. I'm not sure if that's right.

REP. MILLER: All right. Thank you.

Thank you (inaudible).

REP. ROY: Thank you.

Any other questions or comments from members of the committee?

Seeing none; thank you very much, Paul.

PAUL HOAR: Thank you. Thank you.

REP. ROY: Erin Wirpsa Eisenberg, followed by Leah Schmalz.

ERIN WIRPSA EISENBERG: Hello. My name is Erin Wirpsa Eisenberg. I'm the Executive Director of CitySeed in New Haven. I am here to voice my support for Raised Bill 5419, AN ACT CONCERNING FARMS, FOOD AND JOBS.

Just to give you a little background about CitySeed, we're a community-based nonprofit in New Haven. We operate a network of farmers' markets, and we seek to promote increased

access to local, healthy, fresh food and farm viability in the state of Connecticut.

During the 2009 market season, our markets redeemed over \$89,000 in WIC and Food Stamps from New Haven residents who are most nutritionally at risk. Our markets are outdoors. They're -- one of them is yearly, and last year, we contributed \$1.75 million to the local economy.

We know firsthand the positive impact local agriculture and farms can have on the residents -- can have on the community in terms of creating jobs, building community and ensuring the inner-city residents have access to fresh, healthy food.

AN ACT CONCERNING FARMS, FOOD AND JOBS can help us make an even greater impact on the city of New Haven and the state of Connecticut.

I know you've already heard a bit about how important investing in small farms are through the Community Farms Program. I won't -- I won't talk on that at length. But I do want to talk about the impact of this bill on -- on helping our state's farms, farmers' markets and other local food venues grow in success and size by adding value-added products to their list of products that they sell at -- at the -- at markets.

We see on a regular basis that customers and farmers alike benefit from the jams, jellies, yarns, meats and dairy products that small farmers bring to market, and we would like to see the places that they can sell those things at increase and expand.

We also want to voice our support for allowing farmers' markets and school gardens to best serve their communities. The -- the ACT CONCERNING FARMS, FOOD AND JOBS will provide more and better opportunities to inform the public about the food they eat and how they contribute to the economy of Connecticut by buying local products.

As a nonprofit organization that works very closely with small farmers, we know the benefits that these business people bring to the communities of Connecticut. And in addition to jobs, they provide healthy, fresh fruits, vegetables, meats, greens and value-added products to our marketplaces, thus helping the residents of Connecticut stay healthy.

These healthy foods can be found in farmers' markets, restaurants, hospitals and schools, and we hope to see more of them in the coming years. Farmers' markets -- farmers and the diverse array of products that the farms in Connecticut specifically bring to market help not only increase those -- the access to those things by Connecticut residents, but by tourists who bring in their dollars as well to our state.

REP. ROY: Very nice timing, Erin.

Senator Meyer.

SENATOR MEYER: Hi, Erin. I just wanted to tell you how much I enjoy the farmers' market on Worcester Square.

ERIN WIRPSA EISENBERG: Thank you.

SENATOR MEYER: We lived in Worcester Square in the year 2001. There was no farmers' market

then. But we've gone back and seen there is one there. It's very diverse, great stuff, and congratulations on that initiative.

ERIN WIRPSA EISENBERG: Thank you. You're welcome back any time.

SENATOR MEYER: Thanks.

REP. ROY: Representative Urban.

REP. URBAN: Just for a -- a comment back from you. We're looking at the acidified farm products, and it seems to me that a lot of our farmers' markets -- and I'm so happy about this particularly in Stonington -- we're going through the winter.

So you might not have as much of the produce, but you would be able to have these acidified farm products to sell at those farmers' markets. Is that your opinion also?

ERIN WIRPSA EISENBERG: Yes, absolutely. It's -- it's hugely helpful for the farms. People want those products, and it's able to help the farmers get through those lean months. Absolutely.

REP. URBAN: That's exactly the response I was looking for.

Thank you, Mr. Chairman.

REP. ROY: Thank you.

Any other questions or comments from members of the committee?

Seeing none, Erin, thank you very much.

ERIN WIRPSA EISENBERG: Thank you.

environmental quality of our air, land and water.

Encouraging local agriculture, improving the management of our forests and natural resources and reducing our energy consumption all contribute to the economy while improving our environment and quality of life.

Thank you very much.

REP. ROY: Leah, thank you.

Any questions from members of the committee?

You got off scot free, Leah. Thank you.

LEAH SCHMALZ: Thank you very much.

REP. ROY: Henry Talmage followed by Bill Duesing.

HENRY TALMAGE: Good afternoon, Representative Roy, Senator Meyers, members of the committee.

My name is Henry Talmage. I'm the Executive Director of the Connecticut Farmland Trust. Connecticut Farmland Trust is a private land trust with a mission to permanently protect Connecticut's working farms.

We are somewhat unique as we do work statewide. And we often partner with conservation -- on conservation projects with the State Department of Agriculture, USDA NRCS, local municipalities and local land trusts. We are a proud member of the Working Lands Alliance Coalition.

I come to -- before the committee today to testify on aspects of Raised Bill 5419, AN ACT CONCERNING FARMS, FOODS AND JOBS, and Raised Bill 5417, AN ACT CONCERNING OPEN SPACE AND

THE CREATION OF TRAILS FOR ALL-TERRAIN
VEHICLES.

To begin with, Raised Bill 5419, whereas there are many aspects of this bill that will promote local agriculture, my comments will be focused on the section of the bill that provides for funding for the Community Farms Program.

Connecticut small farms play a key role in forming the character and history of our communities and bring local food from the state's rich soils to our plates. They are worth the state's investment in their preservation.

Currently, the State Farmland Preservation Program has a minimum size limit of 30 acres of cropland, meaning that many small farms less than 30 acres typically cannot participate. However, in Connecticut, small farms are very common. Sixty-two percent of Connecticut's farms are less than 50 acres.

Raised Bill 5419 provides for a separate source of funding for the Community Farms Program that will allow smaller farms to be protected as well. The existing Farmland Preservation Program, even with its current limits, has more demand for its services than it can fully meet.

The independent agreement -- arrangement, excuse me, will prevent small and large farms from competing for the same dollars and allow a balanced preservation of farmland across the state.

With respect to 5417, Connecticut Farmland Trust supports Section 1 of 5417 as it provides for a registry of protected land that

does not currently exist and would be beneficial to all parties interested in farmland preservation.

An online registry as proposed would provide information that would be helpful in the monitoring and stewardship of -- of protected land, as well as provide a common set of data that could be used to plan for future preservation.

Section 2 of 5417 provides a mechanism for local municipalities to initiate a conveyance tax on the transfer of real property to be used for local environmental priorities. Often, state and federal funds are available for preservation but require local matching funds. Many more municipalities would participate in farmland preservation if they had a source of revenue as provided in 5417.

Thank you. I'd be glad to answer any questions.

REP. ROY: Thank you.

Any questions for Henry from members of the committee?

Seeing none, Henry, thank you very much.

Bill Duesing, followed by Karl Radune, which I believe is correct.

BILL DUESING: Good afternoon, Senator Meyer, Representative Roy, members of the Environment Committee.

I'm Bill Duesing, Executive Director of Connecticut MELPA. This testimony is presented on behalf of the Northeast Organic Farming Association of Connecticut's nearly

HB 5419
HB 5418

800 members who see Connecticut agriculture and a vibrant local food system as essential for a healthy future.

Since 1982, Connecticut MELPA has been educated and advocating for local and organic agriculture. We strongly support passage of Raised Bill 5419, AN ACT CONCERNING FARMS, FOOD AND JOBS.

In these challenging times, Connecticut agriculture is one of the bright spots. Over the past ten years, there has been a remarkable growth in interest and participation in local agriculture and food and farm projects in our state.

The growth of farmland preservation, small farms, community farms, farmers' markets, community food projects, farm to school, to chef and to plate programs, and many more aspects of the growing, vibrant Connecticut food system have been remarkable and very heartening.

We all have to eat every day. As more of the places where our food now comes from develop their farmland, face diminishing water supplies and a growing number of mouths to feed, the food we can grow in Connecticut will become even more important. Raised Bill 5419 will provide some significant incentives to encourage the local food movement in our state.

The farm training and infrastructure jobs and grant match program should help provide more trained workers and better infrastructure to help meet our food and farm needs. I know the federal government is providing a -- a lot of funding for beginning farmer training.

I was at a meeting earlier this week at regional basis. There's a -- as we pointed out, a lot of the farmers are old, including myself, and we need more young farmers and there's a lot of interest, but it takes a lot of work to get to a successful business.

I echo the support to the Community Farms Program -- increasingly important. Many of our farmers are, you know, on five acres or -- or ten acres, very small amounts, but they have really good economic numbers on them. The -- I support the -- especially the acidified food projects -- products, and -- and the ability to -- to stretch the marketing season -- marketing out over a longer season -- various ways -- farm stands, farmers' markets and special events.

The change in the definition of farmers' markets so they can be short season and one or two days and still fall under the regulations is very important us because we do a number of special days.

And we're also very excited about a revision to adopt the federal exemption that allows a farm to grow and process up to 20,000 chickens. I have never grown that many, but I was going up to 100 or 200 a years, and then the -- the unclarity of the state regulations made me back off from doing that.

I'd also like to, on behalf of our organic land care program, echo Jerry -- Dr. Silbert's comments on Bill 5418 CONCERNING INTEGRATED PEST MANAGEMENT. It doesn't prohibit the use of dangerous chemicals. We really need to protect our children where they play. We require them to be in the schools most of the days. We shouldn't be poisoning the

environment where they are -- are to be. So that's important to maintain that regulation.

Thank you.

REP. ROY: Thank you.

Senator Meyer.

SENATOR MEYER: I live in Guilford, and we have just started an indoor farmers' market during the winter. Do you have any comments on that? Is there -- do you see any particular problems with an indoor farmers' market?

HB 5419

BILL DUESING: No. I -- I think that indoor is good in the winter, because it's very cold, and if the farmer's out there, and it's snowing, you've got to stand out there for four years, it's nice to be indoors, and I think it's -- many of the most successful ones around the country, the oldest ones that have been around for a long time have that indoor facility.

SENATOR MEYER: Good. That's really great. Thanks.

REP. ROY: Thank you very much.

Any other questions or comments from members of the committee?

Thank you, Mr. Duesing.

BILL DUESING: Thank you.

REP. ROY: Karl Radune, I think it is, and -- followed by Bill O'Neill.

Do we have your last name correct, sir?

Seeing none, David, thank you very much.

DAVID BINGHAM: Thank you.

REP. ROY: Dan Meiser, followed by Gus Kellogg.

DAN MEISER: Good afternoon. My name is Dan Meiser. I run Firebox Restaurant just around the corner here, and I came to speak on behalf of House Bill 5419, FARM, FOOD AND JOBS.

At Firebox, those are three things that we care very deeply about. I am by no means an expert on farming, but I do know the farmers in Connecticut that we work with, we work with fisherman, farmers, cheese makers, bread makers, up and down from coast to coast of the state, and -- and this bill, specifically the piece concerning -- allowing Connecticut farmers to process poultry here in the state is something that we care very deeply about.

We've seen the success in the last three years that we've been open that has to do with staying local and -- and staying responsible and staying sustainable. It is something that the citizens of this state care deeply about, and we have seen that in the success of our business.

And people want to eat local. They like to know where their food comes from. They like to know their farmers. And currently the way it stands right now, you know, I have to buy chickens from Pennsylvania and ducks from Long Island.

And I'm quite certain that the farmers of this state could make chickens and ducks taste just as good outside of this state, so I'm all in favor of giving them an opportunity to do so.

142
cip/gbr ENVIRONMENT COMMITTEE

March 12, 2010
10:30 A.M.

REP. ROY: Thank you.

Representative Miller:

REP. MILLER: Good afternoon. I think a lot of us know your restaurant.

DAN MEISER: Yes, sir.

REP. MILLER: Where do you buy your turkeys?

DAN MEISER: We currently don't have turkey on our menu, but we would love to have Connecticut turkeys on there.

REP. MILLER: We were sitting here hearing some testimony from some turkey growers.

DAN MEISER: Yes, and I was -- I was talking to those gentlemen earlier --

REP. MILLER: (Inaudible).

DAN MEISER: -- and if this works out, we will certainly have a deal made.

REP. MILLER: Thank you.

DAN MEISER: Thank you.

REP. ROY: Thank you.

Any other questions or comments from members of the committee?

Senator Maynard.

SENATOR MAYNARD: Dan, thanks for coming and emphasizing the importance of this to our restaurant business, and I'll be over later to pick up my mail.

DAN MEISER: All right. Well -- and -- and actually -- and just to show our commitment, we were in Senator Maynard's neighborhood yesterday. I was down buying scallops from the Bomster Boys down on the docks, and, you know, that, I think, really goes to show that -- the commitment that not only our restaurant but a lot of restaurants have in this state to -- to sustain, you know, keeping it local and staying within the state, and -- and this would just add to that.

REP. ROY: Any other questions or comments?

Seeing none, thank you very much.

DAN MEISER: Thank you very much.

REP. ROY: Gus Kellogg, followed by Bob Crook.

GUS KELLOGG: Good afternoon, Chairman Meyer, Chairman Roy.

My name is Gus Kellogg. I'm here to speak in favor of S.B. 382, AN ACT REQUIRING BIODIESEL BLENDED HEATING OIL AND LOWERING THE SULFUR CONTENT OF HEATING OIL SOLD IN THE STATE.

I'm the Founder and CEO of Greenleaf Biofuels. We are a biodiesel distributor based in Guilford, and we are also in the process of building a 10 million gallon a year biodiesel plant in New Haven Harbor. I am also the Founder of the Connecticut Biodiesel BioHeat Association which represents the interests of the biodiesel producers and marketers in the state and currently serve as the President of that organization.

The Legislature nearly passed a similar bill last year that would have required the use of

REP. URBAN: That's great. Thank you so much.
Anything I can do to help with that, please
let me know.

JAMIE LOHR: Thank you.

REP. ROY: Thank you.

Any other questions or comments from members
of the committee?

Seeing none, thank you very much.

JAMIE LOHR: Thank you.

REP. ROY: Maureen Westbrook or Westford from
Connecticut Water, followed by Eric
Hammerling. Maureen is not here.

Eric, you're on, followed by Pete Noel.

ERIC HAMMERLING: Members of the Environment
Committee, thank you for having me here. I'm
going to try as quickly as possible to testify
on five bills in three minutes. I'm very
excited to see several of these bills.

HB 5420
HB 5417

Just very quickly, we are supportive of
S.B. 116. We are supportive of H.B. 5419.
And I'm going to focus most of my attention
today on the forestry-related bills before
you.

S.B. 388 is an outstanding bill with a lot of
provisions to it, but we're particularly
excited about the Timber Harvesting Revolving
Fund that is a part of that bill. That
revolving fund would create more forestry
jobs, generate revenue, reduce fire and pest
problems and enhance wildlife habitats.

It also would help to restore the Conservation Fund and several programs to greater control by the Department of Environmental Protection to the place where it was until last year and we believe it should be in the future.

H.B. 5420, the Ten Mil Program, is the one that I wanted to spend the most time on, because perhaps you haven't received as much testimony on it today. We're -- we're very pleased to see this bill put forward, because there are over 14,000 acres of forested lands that are still in the Ten Mil program.

This is actually the earliest forest conservation program in Connecticut. It started in 1913, and it's been tremendously successful in protecting forests. However, many of you are probably more familiar with the PA490 Program, which is also very effective at protecting forests, open lands.

And what this bill would do is open a window of one year to allow landowners in the Ten Mil Program to transfer into the PA490 Program without penalty.

The way the bill is written -- or the -- the statute is written, if someone withdrew from the Ten Mil Program before the 50 years is up that they might have originally subscribed to, there's a very large penalty associated with that.

Essentially, they would be charged five mil for every year they were in the program, and they would be reassessed on both their land and timber value. That adds up very quickly if you're talking about a larger forested property, and we'd like to afford those forest landowners the same opportunity that others have to be in the PA490 Program.

This is very consistent with what was done in one year between 1972 and 1973, and this is another opportunity to let a number of other -- it's only 75 remaining landowners in the PA -- in the Ten Mil Program that could potentially take advantage of this.

I do want to also mention on 5417, that is a bill that we're very concerned about the ATV portion of that bill, and I'd be happy to respond to that if there are any questions.

Thank you.

REP. ROY: Thank you, Eric.

Representative Hurlburt.

REP. HURLBURT: You were right, Mr. Chairman. I did have more questions.

HB 5420

Just -- just really quickly, I -- and -- and Eric, I want to thank you for -- for testifying on this. We did receive some written testimony, but I don't know that we've heard too many people come up and talk about it with the other issues that we have today.

You did a good job explaining the program, but for -- for the interest of the committee, what would be the penalty if we didn't enact, you know, this legislation, for these -- for these forest owners?

ERIC HAMMERLING: Without providing a -- a penalty-free opportunity for folks to move into the PA490 Program, at the end of either 50 years or 100 years, depending on where they are in the program, and after 100 years, they wouldn't have another opportunity to extend.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 6
1679 – 1996**

2010

CHRIS VANDEHOEF: I did not.

REP. HURLBURT: Explains a lot.

Thank you very much, Mr. Chairman.

REP. ROY: Any other comments? I think not.

Chris, thank you very much.

CHRIS VANDEHOEF: Thank you. It's been a pleasure.

REP. ROY: Jon Hermonot, followed by Jeff Going.

JONATHAN HERMONOT: Good after -- good afternoon, Chairman Roy. I'll try to keep it short here. I -- my name is Jonathan Hermonot, and I'm pleased to be here to be given the opportunity to testify on my support of the Bill 5419 CONCERNING FARMS, FOOD AND JOBS.

As an owner of Ekonk Hill Turkey Farm in Sterling, Connecticut, the -- I'm a young person passionate for Connecticut agriculture, and I'm excited about the opportunity to develop our small family farm. Allowing this federal exemption in Connecticut as they do in neighboring states would provide -- would provide a good opportunity for us.

Actually, I was just at a conference up in Massachusetts this past winter, and I was talking about the challenges to marketing poultry in Connecticut, and I was told maybe you should move to Massachusetts. But I'm not going to do that. You know, I like Connecticut.

So I'd like to develop our family farm, and I -- applying what I learned at University of Connecticut, I think I could develop a

successful poultry farm if we could change these rules in our state, and I think we're heading in the right direction.

Bill 5419, with the appropriate language, will allow my family farm to have a future with poultry in Connecticut, and I think it will create many benefits to our state, our residents, and -- and into our farms and hopefully preserving more farmland for the future.

And -- and thank you for giving me the opportunity.

REP. ROY: Thank you.

Any questions or comments?

Senator Maynard.

SENATOR MAYNARD: Thank you.

Thank you, Jon, for being here. Appreciate you and your brother taking the time. It was your brother?

JONATHAN HERMONOT: My father.

SENATOR MAYNARD: It was your father. See I --

JONATHAN HERMONOT: I'm a little younger maybe.

SENATOR MAYNARD: I think the Chairman was trying to create favor with your -- your dad here, but you're --

JONATHAN HERMONOT: Good looking (inaudible).

SENATOR MAYNARD: But thank you so much --

REP. ROY: He looks as young as I do.

SENATOR MAYNARD: That's right. Well, there goes that anyway. No --

But no, thank you very much for being up here, and we look forward to working with you both as the session progresses on the bill. So thanks for your testimony.

JONATHAN HERMONOT: Thank you.

REP. ROY: Any other questions or comments?

Representative Hurlburt.

REP. HURLBURT: Thank you, Mr. Chairman, and thank you, Jon, for -- for sticking through the -- through the day to testify.

Given, you know, your facility, where you -- you do customer processing --

JONATHAN HERMONOT: Yes.

REP. HURLBURT: -- is there any other facilities in the state where you can do any other sort of processing for more of a -- more of a retail market?

JONATHAN HERMONOT: Not currently in the state. I think you've got to travel I think down Pennsylvania. Currently, the way it is, it's under the custom exemption. We actually sell -- I know my dad was telling earlier -- we sell the bird live and they ask us to custom process it --

REP. HURLBURT: Right.

JONATHAN HERMONOT: -- which is kind of -- kind of confusing. You know, we've got to, you know, sell the bird first, and we take a deposit

by -- so our market is really limited, and we have a lot of restaurants and wholesaler -- you know, wholesalers that ask to sell our birds, but we can't do it at this point in time.

REP. HURLBURT: So you -- you would have to ship the bird to --

JONATHAN HERMONOT: Yes. We have to ship Pennsylvania --

REP. HURLBURT: Rhode Island, say, to get it back the (inaudible).

JONATHAN HERMONOT: -- and then they're not going to want to process the birds at the time we're going to need to have them -- to suit our niche market, because we get a premium price, and that's one of the benefits of being in Connecticut. We can get the -- we get three fifty nine a pound for turkeys at Thanksgiving time.

But I -- we're not going to be able to find someone to process them and keep them fresh, because at our farm we process them a week before Thanksgiving and ship them right out, so they're not even, you know, going from the field to the dinner plate (inaudible) but --

REP. HURLBURT: Well -- well, thank you. I -- I didn't realize that -- that you had to ship it that far away to -- in order to bring it back so, you know, that -- this would really keep it as a local -- because this would give you the benefit of really keeping it as a local bird raised locally, processed locally, and shipped right down the street.

JONATHAN HERMONOT: Yes. I think it -- it creates food safety and, you know, allowing if the

state came and inspected us, and I think we cross-train some of the inspectors that we already have, and I think you could be very wise to the state for, you know, taxes and increasing business and seeing more farms. It creates all that good stuff, you know.

REP. HURLBURT: Right, right.

Thank -- thank you, Jon.

And thank you, Mr. Chairman.

REP. ROY: Thank you.

Representative Lambert.

REP. LAMBERT: Thank you.

Thank you for your testimony and thank you for your dad.

This is a perfect example of passing something that keeps our youth in Connecticut, so we're always complaining of losing our youth, so this is something that all of the generation that you have and your dad is so wonderfully teaching you would keep you here. As you said, you won't be leaving for Massachusetts.

REP. ROY: Thank you.

Any other questions or comments?

Thank you very much, Jon.

JONATHAN HERMONOT: Thank you for your time.

REP. ROY: Jeff Going, followed by Bob Andrews.

JEFF GOING: Good afternoon, Chairman Roy, members of the committee.

HB5417

And I think we would like to say that it is our obligation to provide protection and not exposure. And I would say also that I thank you all for all that you do and the support that you've given things that I've worked on.

And in addition, I'd like to support S.B. 382. Just throw that in there, because I had a little extra time. And I look forward to the dandelions and the -- and the wine that goes along with them, so thank you.

REP. ROY: Thank you.

Any questions or comments from members of the committee?

Joyce, thank you very much.

JOYCE ACEBO-RAGUSKAS: You're welcome.

REP. ROY: Gary Proctor, followed by Steve Sack. Jeremy not show up?

GARY PROCTOR: He had to go back to work. He was a young farmer I wanted to introduce here, but he couldn't be.

HB5419

My name is Gary Proctor. I'm the Vice President of the Connecticut Poultry Association and Chairman of the Poultry Processing Committee. I just wanted to say when Dan Meiser was here from Firebox Restaurant, he was here in the morning, but he had to go back and start his restaurant up, but he was -- he was so concerned about testifying that Jiff called him back just before he was due and he came back in and testified, so that's -- I really appreciated that.

I've been associated with chickens my whole life other than four years of college and four years in the military, one of those in Vietnam, and as such I became a member of the Disabled American Veterans Club. It's a good club, but the initiation is a bear.

The -- I'm going to bypass some of this written testimony since you all have it and concentrate on the -- on the bill concerning farms, food and jobs. When I was with Arbor Acres, I was with them 26 years. I had 84 farms in New England, 54 in Connecticut. Today, there is less than 15. This is a serious, serious thing.

We're all talking about open lands and keeping them going. If this bill passes, I, myself, personally could probably put on another four or five farms just to keep things going. We'd have to keep in mind that the processing of local farmers is 3 to 400 perhaps a day. That would be a big day with personal attention from the farmers, whereas the USDA inspection is 3 to 4,000 an hour.

Connecticut jobs and the economy -- Rick put together some figures for the turkeys, and added direct sales would be about \$4 million a year if we did the same sales as Massachusetts. The feed sales would be \$800,000. The payroll would be 25 percent of that -- is 1,000 -- one million two hundred thousand. The local economic impact would be over \$6 million and 30 jobs.

I did this for the chickens. If we just did 1,000 a week, which is a very small amount, it would be 500,000 in direct sales, feed sales 292,000, payroll 130,000, for close to a million dollars a year, and it would add at

least 30 more jobs to the economy and five or six new farms.

As far as turkeys and tourism and food security and environment, it speaks for themselves. There is no place today, as we've heard testimony, for anybody to do USDA inspections. There just is none in Connecticut.

And there isn't anyplace anybody can take their chickens to to get processed even without USDA inspections. This would be very important to the organization and to Connecticut restaurants and chefs and stores, and it's -- I think it's just a good -- a good all-around bill. It's needed. We get calls every day asking us to do something about being able to get chickens into these markets.

So thank you very much.

REP. ROY: Thank you, Steve -- Gary.

Any questions from members of the committee?

Seeing none, you're all set. Thank you.

GARY PROCTOR: Thank you.

REP. ROY: Steve Sack, followed by Jason Cohen.

STEVE SACK: Good afternoon, committee. My name is Steve Sack, Jr. I'm from Sack Distributors, a fourth generation wholesaling of petroleum products in the state of Connecticut.

I'm here today in support of Special Bill 382, AN ACT REQUIRING BIODIESEL BLEND HEATING OIL AND LOWERING THE SULFUR CONTENT OF HEATING OIL SOLD IN THE STATE OF CONNECTICUT.



Conserving Connecticut since 1895

16 Meriden Road
 Rockfall
 Connecticut 06481-2961
 T 860 346-2372
 F 860 347-7463
 email: info@ctwoodlands.org
 web site: www.ctwoodlands.org

March 12, 2010

Testimony of Eric Hammerling, Executive Director, Connecticut Forest & Park Association

Proposed Bills	Support/ Oppose
<u>S.B. 116: AN ACT CONCERNING CAMPING FEES PAID BY STATE RESIDENTS AND NONRESIDENTS AND AUTHORIZING CERTAIN HUNTING OF DEER BY PISTOL</u>	Support
<u>S.B. 388: AN ACT CONCERNING CONNECTICUT'S ECONOMIC AND ENVIRONMENTAL FUTURE</u>	Support
<u>H.B. 5417: AN ACT CONCERNING OPEN SPACE AND THE CREATION OF TRAILS FOR ALL-TERRAIN VEHICLES</u>	Oppose Sects 3 & 4
<u>H.B. 5419: AN ACT CONCERNING FARMS, FOOD AND JOBS</u>	Support
<u>H.B. 5420: AN ACT CONCERNING THE TRANSITION FROM THE TEN MIL PROGRAM IN 2011</u>	Support

Chairmen Roy, Meyer, and Members of the Environment Committee:

My name is Eric Hammerling and I am the Executive Director of the Connecticut Forest & Park Association, the first conservation organization established in Connecticut in 1895. CFPA has offered testimony before the Legislature on issues such as sustainable forestry, state parks and forests, trail recreation, natural resource protection, and land conservation every year since 1897.

S.B. 116

Although we do not have a strongly held position with regard to deer hunting by pistol or revolver, we are quite supportive of efforts to reduce camping fees (which doubled on October 1, 2009). For unimproved sites, camping fees for residents and non-residents increased from \$11 to \$22 per camping permit, and for improved sites, fees increased from \$13 or \$15 per site to \$26 or \$30 per site. This bill would reduce the increase from 100% to 20% greater than last year's level for in-state campers. Non-resident campers would experience a reduction from a 100% increase to only a 50% increase. This would certainly be an improvement from the current situation.

S.B. 388

CFPA supports the entire bill, but I will highlight a few of CFPA's priorities in the forestry, parks, Greenways, and wildlife habitat conservation sections of this bill. In particular, we strongly support the protection of funds raised by the state through Long Island Sound, Wildlife, and Greenways commemorative number plates. We strongly support Section 7 which (re)institutes a Conservation Fund and the maintenance, repair and improvement subaccount to support park activities. Lastly, we strongly support the creation of a "timber harvesting revolving fund" that would provide funding which would allow DEP Forestry and contracted private certified foresters develop forest management plans and conduct sustainable harvests on state forest lands. Amazingly, only about 30% of our state forests

have up to date management plans, and there are tens of thousands of acres with no one managing them at all (see attached graphic). At the same time, an October, 2008 Yale School of Forestry Study suggests that annual harvest levels on state lands could be 9-10 million board feet for the next 50 years (approximately triple the current rates of harvest) AND be ecologically sustainable. This would raise revenues, create jobs, and improve forest health and wildlife habitats at a critical time for our state.

H.B. 5417

We are concerned that Sections 3 and 4 were inserted into this otherwise good bill that we would normally support. The sections should be promptly removed. Last year, CFPA's Trails Committee took the unprecedented action of de-blazing a section of Blue-Blazed Hiking Trail at the Pachaug State Forest. Why did we take this dramatic action? Illegal ATV usage had turned a formerly well-maintained trail into a rutted, eroding, trashed racecourse. Where is the budget at the DEP for the heavy machinery that would be required to both create and maintain the ATV trails that this bill would compel them to build? Aren't we putting the motorcart before the horse?

To deal with illegal ATV use over the past 5 years, DEP conservation officers have spent over 6,000 hours responding to almost 2,500 incidents/complaints. They have issued over 1,500 infractions despite only having three officers dedicated to recreational vehicle enforcement. A recent study by Baystate Environmental Consultants for the DEP last April states that ATV traffic can "change the speed, timing, quantity, and quality of water moving through the landscape ; reduce perennial and annual plant cover and density, and the overall above ground biomass; expose or directly damage the shallow root systems of our white pine and eastern hemlock forests (common in CT); significantly reduced biota, specifically declines in arthropods, lizards, and mammals with only low levels of ATV use; and that areas with heavy ATV use have been observed to have virtually no native plants or wildlife." Further, BEC estimated that the cost to repair the documented damage which they reviewed in just four State Forests studied would be approximately \$1.45 million. Remind me again why we would want to do this on state lands?

H.B. 5419

At a time where our state needs to create jobs, investing \$1.5 million in the preservation of Community Farms would be both wise and relatively inexpensive. Over 60% of our farms are below 50 acres, and many small farms are involved in direct to consumer retail: bringing fruits, vegetables, meats, and greens to thriving farmers markets and farm stands.

H.B. 5420

In 1913, the Legislature approved the "10 Mill Law" as an early effort to conserve large forested properties. This innovative conservation program capped the landowners' tax rate at 10 mills¹ for a period of 50 years with an opportunity to renew for another 50 years. The program has done well for many years, and 75 landowners remain in the program owning 15,000 acres of forest collectively.

Over time, the 10 Mill program has become an anachronism as land values increased beyond the eligibility threshold of \$100/acre, and as the P.A. 490 program has grown since its creation in 1963 to allow eligible forest, farm, and open space lands to be taxed at their "use

¹ A "mill" is equal to \$1.00 of tax for each \$1,000 of assessment. E.g., a property with an assessed value of \$100,000 located in a municipality with a mill rate of 20 mills would have a property tax bill of \$2,000 per year. The 10 mill rate of this same property would be \$1,000 per year.



Connecticut Chapter
645 Farmington Ave.
Hartford, Connecticut 06105
www.connecticut.sierraclub.org

Martin Mador, Legislative Chair

Environment Committee
March 12, 2010

Testimony In Favor of
SB 383 AAC A State-wide Water Use Plan
SB 385 an Act Creating Incentives for the Development of Solar Energy and
Other Renewable Energy Resources
SB 386 AAC the Adoption of Regulations Relating to Water Use, Planning and Protection
HB 5417 AAC Open Space and the Creation of Trails for All-terrain Vehicles
HB 5419 AAC Farms, Food and Jobs
HB 5420 AAC the Transition from the Ten Mil Program in 2011

In Favor of; But with Changes
HB 5418 AAC Integrated Pest Management Plans for Municipal Facilities

I am Martin Mador, 130 Highland Ave., Hamden, CT 06518. I am the volunteer Legislative Chair for the Sierra Club Connecticut Chapter. I am a director of Rivers Alliance and the Quinnipiac River Watershed Association. I hold a Masters of Environmental Management from the Yale School of Forestry and Environmental Studies.

383

This bill calls for statewide water planning. The advocates have been asking for this for decades. However, we are concerned that the agencies do not have the staff resources to compile such a plan without recourse to resources outside the government. In fact, the expertise of organizations and educational institutions would be necessary to successfully complete this task.

In 2005, the legislature instructed DEP to promulgate streamflow regulations. The draft regulations were issued last fall. Many stakeholders participated on several committees which helped to draft the regulations. A public hearing was held, and almost 400 people and organizations submitted written testimony. DEP will now revise the draft according to the public comment. That process, now five years in the making, must be allowed to run to completion. These regulations are vital to the health of our river systems, and to management of our water supply. Comprehensive statewide planning should be the next step in this process. This planning will address issues not resolvable thru the legislation which created the streamflow regulations.

However, I stress that SB 383 must not become a vehicle for dismantling the regulatory drafting process for streamflow regulations already underway.

385

Raises the *minimums* for energy suppliers for the component of their energy derived from Class I or II renewable energy sources. This is a laudable goal, which Sierra fully supports.

386

This bill provides that DEP, DPH, and the DPUC shall each be given 45 days to respond to draft regulations of the other two agencies, if they relate to water. The Water Planning Council must also have an opportunity to respond. Sierra feels this bill is unnecessary, as the agencies can easily respond during the comment period, but has no objections to the principle otherwise.

5417, Section 2.

Section 2 of this bill calls for enabling legislation which will allow towns to establish a conveyance fee on buyers of real estate. Income would be used to fund open space and other environmental priorities. This tax would constitute a new source of municipal revenue, so would be in line with the goals of the Speaker's MORE program. I sit on the Municipal Revenue Subcommittee. This concept is on the list of long term proposals the subcommittee has prepared.

This fee, known as the Community Green Fund, has worked very successfully in other states in raising revenue for open space. It is an appropriate fee, as buyers of real estate will be the beneficiaries of the use of funds.

This has been a Sierra priority for several years. Sierra strongly recommends passage.

5419

Section 1 of 5419 establishes a farms job training program which would be eligible for grant funding. Promotion of state agriculture is a legislative priority for Sierra. This bill will help provide the workforce for farming in the state. It has the additional advantage of creating jobs, a top priority for this legislative session. Section 2 provides very modest bond funding to support this program and the community farms program. This bill is part of the Green Jobs proposal submitted by the entire environmental advocacy community. It is a critically important bill.

5420

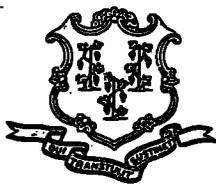
5420 would ensure that the thousands of acres of forest land preserved by the Ten-Mill Program will continue to be preserved as forestland by conversion to PA 490 land. This protection is necessary not only for the value of forestland as habitat and open (undeveloped) land, but for the important services forests provide as water quality filters. Loss of forestland will certainly lead to higher water filtration costs.

5418

Sierra is very concerned that the vague language of this bill could be interpreted to hold that previous passed prohibitions on pesticide applications on school grounds would be replaced by authorization to use IPM. The previous legislation has become an important tool in making school environments safe and toxic free for students. It is extremely important to continue the bans. 5418 must be amended so that it is clear it does not override any previous legislation.

This bill is therefore acceptable if, and only if, two changes are made. Section 2(a) must have the additional language "except as provided in Section 10-231b, and Section 19a-79a."

The language of Section 2(b) implies that IPM is optional if bidding procedures are revised. This must be fixed by changing "may" to "shall".



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE ENVIRONMENT COMMITTEE

March 12, 2010

Ellen Blaschinsk, Branch Chief, Regulatory Services Branch 509-8171

House Bill 5419 - An Act Concerning Farms, Food, and Jobs

The Department of Public Health opposes House Bill 5419.

The proposed bill has multiple components that would create disparities among current regulation, impacting multiple state and federal agencies.

Section 3

Language in this section is identical to language from House Bill 5287, AA Allowing the Production and Sale of Acidified Foods On Residential Farms, which was heard before the Public Health Committee on March 1. Included in this testimony is the information that was submitted to the committee by DPH. To briefly summarize, the impact of this language would be to create an unnecessary risk of the spread of foodborne illness in the state, including the potentially fatal disease, botulism.

Section 5

The expansion of the definition of the term "farmers market" in this section would increase the demands placed on local health departments to license and inspect farmers markets under the Public Health Code. This change has the potential to become a significant unfunded mandate on municipalities. Limiting these types of markets to farmers selling farm products and not engaging in any food service activity would mitigate the demands placed on local health. DPH is happy to work with the proponents of this bill as well as the CT Department of Agriculture to develop appropriate language to achieve this end.

Sections 6 and 7

The intent of the language in this section is unclear. It appears to attempt to create an avenue for the commercial sale of poultry raised by Connecticut farmers outside the traditional USDA inspection process. The Department of Public Health supports the sale and use of Connecticut raised poultry but expects that any commercial activity in this regard will take place in a manner that would ensure public health and keep Connecticut consumers safe. The agency looks forward to working with the relevant stakeholders to find an appropriate solution for this issue. However, given the current fiscal challenges facing the state, no resources are available to implement such a program at this time.

Section 8

The use of fresh whole fruits and vegetables in food service establishments originating from any property is currently unregulated. However, during the course of routine inspections of these establishments, including school kitchens, local health inspectors have the authority to prohibit the use of items they identify as unfit for human consumption. During the course of an inspection, fruits and vegetables grown on school grounds may be identified as having been exposed to contaminated water, sewage, contaminants besides lead in the soil or feces from animals either directly or from nearby runoff. Alternative language should be incorporated that allows for local health directors to prevent the use of such products.

In addition, work has been done to ensure that fruits and vegetables grown on school grounds are suitable for consumption. Guidance from the UCONN Cooperative Extension System regarding food safety and school gardens has recently been updated and is being shared with the CT Department of Education. In addition to this, promoting the use of USDA's Good Agricultural Practices (GAP) could assist schools with gardening. These GAP principles focus on risk reduction of all potential contaminants such as *E. coli* bacteria and could be used as guidance for produce grown at schools and used in their food service facilities.

Thank you for your consideration of the Department's views on this bill.

Phone:



Telephone Device for the Deaf: (860) 509-7191

410 Capitol Avenue - MS # _____

P.O. Box 340308 Hartford, CT 06134

Affirmative Action / An Equal Opportunity Employer

March 11, 2010

Testimony of Marydale DeBor, Vice President for External Affairs, New Milford Hospital/Plow to Plate® Community Coalition

RB 5419 - An Act Concerning Farms Food and Jobsand HEALTH!!

We submit this testimony in support of this legislation which would contribute to development of a sustainable food system for the state of Connecticut. At its national convention in 2009, the American Medical Association passed a resolution in support of practices and policies within health care and public health organizations that promote and model sustainable food systems; an action which builds on a report from the organization's Council on Science and Public Health. New Milford Hospital's food service program now procures as much produce and other ingredients from Connecticut farms as possible, but demand exceeds supply. If we are to feed our patients, and ourselves in a healthful manner, we must create support and incentives to "grow farming."

Community Farms are small farm businesses that provide jobs in the state...jobs that are becoming increasingly attractive to a younger generation that is committed to environmental and human well being..

According to 2007 USDA Census of Agriculture, 64% of Connecticut's farms are under 50 acres in size. Since the CT Farmland Preservation Program continues to maintain a waiting list of farm applications that meet that program's size criteria of 30 acres or more of cropland, legislative leaders and farmland advocates saw the need for a separate and new farmland preservation program that would be able to work with smaller working farms. The creation of the Community Farms Program was enacted in PA 08-174.

The Farmland Preservation Advisory Board has completed the scoring criteria which would be used by the Community Farms Program. The same entity has recommended a pilot year for the program at a level of \$1.5 million in funding. The scoring criteria gives preference to farms that have significant community support, including financial match for the state's investment.

\$1.5 million invested by the state could easily leverage another \$1.5 million in matching funds. The Federal Farm and Ranchland Preservation Program would be a major potential funder for the preservation of Community Farms, matching the state's investment dollar for dollar. Working Lands Alliance anticipates that the Community Farms Program could protect between 5 - 8 farms if funded at the \$1.5 million level by the state.

Many of CT's smaller farms are involved in direct to consumer retail, bringing fruits, vegetables, meats, and greens to our thriving farmers markets and farm stands. They are also the source of most of the farm-to-restaurant and farm-to-table harvest events, such as Dinners at the Farm, which attract tourism and contribute to the state's quality of life.

Demand for local, fresh...and safe... foods already exceeds supply: enactment of this legislation will help to address this great need, while also promoting environmental and human health.



Eastern Connecticut RC&D

Resource Conservation & Development Area, Inc.

139 Wolf Den Road, Brooklyn, CT 06234 * (860) 774-0224 * www.easternrcd-ct.org

*John Guskowski, President
Paula Stahl, Vice President
Barbara Kelly, Treasurer
Norma O'Leary, Secretary*

To: Connecticut General Assembly Environment Committee
From: John Guskowski, Board President, Eastern Connecticut RC&D Council
Re: RB 5419 - An Act Concerning Farms Food and Jobs, Section 2 providing funding for Community Farms Program
Date March 12, 2010

I appreciate the opportunity to be able to be here today to discuss with you the Community Farms Program. My name is John Guskowski, and I am the Board President of the Eastern Connecticut Resource Conservation & Development Area, Inc. We are a volunteer, nonprofit organization dedicated to improving agricultural viability and building livable communities across the region. On behalf of this organization I also sit on the Connecticut Farmland Preservation Advisory Board that was created by PA 07-162, and serve as the chairman of the Board's Criteria Subcommittee.

As you know, PA 08-174 created the Community Farms Program as a new program, independent of the ongoing Farmland Preservation Program, and charged the Farmland Preservation Advisory Board with developing program criteria. Over the past year, my subcommittee has done just that, relying heavily on guidance provided by the statute creating the program. We believe that the criteria we have developed will help the State protect the best of the best small and community-supported farms in Connecticut. Along with the development of these criteria, the Farmland Preservation Advisory Board has recommended a pilot year for the program at a level of \$1.5 million in funding.

Section 2 of RB 5419 authorizes the State Bond Commission to invest \$1.5 million in the preservation of Community Farms. The Farmland Preservation Program in Connecticut currently only works with properties that have 30 or more acres of prime farmland. As Connecticut is home to hundreds of vibrant, vital farms smaller than that threshold, there is a key gap to be addressed. According to 2007 USDA Census of Agriculture, 64% of Connecticut's farms are under 50 acres in size. Community Farms are small farm businesses that provide jobs in the state.

The scoring criteria my subcommittee developed gives preference to farms that have significant community support, including financial match for the state's investment. \$1.5 million invested by the state could easily leverage another \$1.5 million in matching funds. The Federal Farm and Ranchland Preservation Program would be a major potential funder for the preservation of Community Farms, matching the state's investment dollar for dollar. We anticipate that the Community Farms Program could protect between 5 - 8 farms if funded at the \$1.5 million level by the State.

In these difficult fiscal times, it is critical to invest State funds where they can do the greatest good. By investing in permanently protecting the finest farmland in the state, by creating and retaining local jobs, by ensuring continuing support for local farms, by protecting sources of fresh, local foods, the choice to invest \$1.5 million in the Community Farms pilot program this year will be one of the best choices you make.

Thank you for your consideration.

Testimony presented to the Environment Committee
of the Connecticut General Assembly by
Connecticut Commissioner of Agriculture
F. Philip Prelli
March 12, 2010

Good Morning Chairman Meyer, Chairman Roy, Ranking Members McKinney, Chapin and Members of the Committee.

SB 383
SB 397

My name is Phil Prelli and I serve as Connecticut's Commissioner of Agriculture. I am here today to testify on a number of bills principally Raised House Bill 5419 AAC FARMS, FOOD AND JOBS.

Areas of this bill generate much debate with respect to public health and safety, as well as issues regarding its cost. I would like to focus on a few sections of the bill that deserve your attention today.

Section 4 of the bill concerns the Connecticut Milk Promotion Board. The Department supports developing, coordinating, and implementing promotional, research and other programs designed to promote Connecticut dairy farms and the consumption of pasteurized milk. Our concern revolves around the best language to accomplish that and we will stand ready to work with the Committee to affect that desire.

Section 5 of the bill allows for a one day type of Farmers Market. Presently, Farmers Markets abide by long term schedules of fixed times and places. This section allows for flexibility when scheduling markets to take advantage of large crowds gathered for other reasons. The Department believes this will be used in a limited fashion. The language in this section needs changes regarding vendors operating as food service establishments. We would be happy to work with the proponents of this bill and the CT Department of Public Health to develop appropriate language to achieve this end.

With regard to sections 6 and 7 the intent of the language in this section is unclear. It appears to attempt to create an avenue for the commercial sale of poultry raised by Connecticut farmers outside the traditional USDA inspection process. The Department of Agriculture supports the sale and use of Connecticut raised poultry, but expects that any commercial activity in this regard will take place in a manner that would ensure public health and keep Connecticut consumers safe. The agency is willing to work with the relevant stakeholders to find an appropriate solution for this issue in the future. However, given the current fiscal challenges facing the state, no resources are available to implement such a program at this time.

Lastly, we applaud section 8 and are very much in favor of teaching Connecticut's school children about agriculture from an early age. The presence of pesticides, lead and other heavy metals in the soil around and near schools and the safety of the food grown in this circumstance are better commented on by other agencies.

With respect to Raised Senate Bill 383 AAC A STATE-WIDE WATER USE PLAN the Department urges that the Connecticut Department of Agriculture be consulted as well as the Water Planning Council when agencies develop a state-wide water use plan as water use is part of the fundamental foundation of agriculture.

Finally, Senate Raised Bill 397 AAC PUPPY MILLS AND THE ORIGIN OF OTHER POTENTIALLY SICK DOGS IMPORTED INTO THIS STATE recognizes the need to pinpoint where the vast majority of diseased animals entering the state come from and offers the opportunity to correct this threat to Connecticut companion animals. The Department supports the goals of this bill.

Thank you for the opportunity to comment on these bills.

CONNECTICUT
FARMLAND
T R U S T

PRESERVING WORKING LANDS FOR FUTURE GENERATIONS

TO: Members of the Environment Committee
FROM: Henry N. Talmage, Executive Director
DATE: March 12, 2010

RE: Testimony on RB #5419

I am writing to express Connecticut Farmland Trust's support for RB #5419 "An Act Concerning Farms, Food and Jobs."

The Connecticut Farmland Trust is the state's only private, non-profit organization dedicated exclusively to the preservation of working farmland. We hold agricultural conservation easements on privately owned farms and assist farm families throughout the process of protecting their land. CFT is a member of the Working Lands Alliance coalition.

Connecticut's small farms play a key role in forming the character and history of our communities and bring local food from the state's rich soil to our plates. They are worth the state's investment in their preservation. Currently the state Farmland Preservation Program has a minimum size limit of 30 acres of cropland, meaning that farms smaller than 30 acres typically cannot participate. However, in Connecticut, small farms are very common (62% of Connecticut's farms are less than 50 acres). RB #5419 provides for a separate source of funding for The Community Farms Program that will allow smaller farms to be protected as well.

The existing Farmland Preservation Program, even with its current limits, has more demand for its services than it can fully meet. This independent arrangement will prevent small and large farms from competing with each other for dollars to purchase development rights.

Thank you for your consideration of my testimony.

Henry N. Talmage
Connecticut Farmland Trust

77 Buckingham Street
Hartford, CT 06106

860.247.0202
860-247-0236 fax

email: info@ctfarmland.org
web: www.ctfarmland.org

Date: March 12, 2010

To: Legislative Committee
Connecticut General Assembly

From: Jon & Rick Hermonot
Owners
Ekonk Hill Turkey Farm

Re: Raised Bill No. 5419
An Act Concerning Farms, Food, and Jobs

On behalf of Ekonk Hill Turkey Farm, we would like to thank you for including language addressing poultry processing in Connecticut. We are very excited about the opportunities that exist in Connecticut to market locally grown poultry.

IMPACT TO OUR FARM:

- On Ekonk Hill Turkey Farm we grow 2,000 pasture raised turkeys for sale from our farm.
- We are limited by the current CT rules that state we must sell our customer a "live bird" and then they can hire us to "custom process" that bird for their "exclusive personal use".
- This places a severe market limitation on our farm.
- The changes we support would create for us the same opportunity available to farmers in Massachusetts and many other states (most recently Maryland).
- This would allow us to expand our business.
- In 2009 we hired over 30 seasonal employees. We look forward to the opportunity to be able to expand our business, which in turn would provide added jobs to the CT economy.
- Without this proposed change, the only next step for us would be to build a USDA inspected facility.
- While that is a long term goal of ours, we are not big enough to afford the necessary investment. If and when we reach the 20,000 bird limit set by the small farm exemption we would "graduate" to a USDA facility.
- Our understanding is that this opportunity to ramp up in feasible way was part of the intent of the exempt guidelines when they were established by the USDA.

We have attached additional supporting information. Thank you for your consideration of our thoughts and input on this very important topic concerning the future of CT agriculture. If you have any questions please do not hesitate to contact me (my phone is 860-208-7304).

Sincerely,


Jon & Rick Hermonot
Owners
Ekonk Hill Turkey Farm

Benefits of this Proposed Legislation:

1. **CT JOBS AND ECONOMY** – There is significant consumer interest to buy locally grown poultry. Likewise, there is significant farmer interest in growing local poultry. Considering the multiplier effect of direct sales, the economic impact to jobs and the economy would be very significant. For example, Massachusetts already has rules similar to what is being proposed here. This allows for direct marketing of local poultry. For example, comparing just turkey production in MA (70,000 birds/yr) compared to CT (5,000 birds/yr). If CT increased to MA production levels, the following conservative impact on revenue and jobs would result:

Added direct sales of turkeys to consumers -	\$4,000,000/yr
Added feed sales to turkey farms -	\$ 800,000
Added payroll at 25% of above sales -	<u>\$ 1,200,000</u>
Added local economic impact -	\$6,000,000
Added \$40,000 per year jobs -	30 jobs

This is just turkeys! Strong potential for chickens, capons, waterfowl, pheasants, and related products etc. also exists.

2. **TOURISM** – Retail and value added farms contribute significantly to Connecticut's tourism appeal. Removing roadblocks to marketing local poultry will give rise to more retail farm stands that can begin offering poultry products.
3. **FOOD SECURITY** - Benefits food security in Connecticut since more food being produced locally means less travel and distribution where interruption of transportation or adulteration of the product could occur.
4. **ENVIRONMENT** - Benefits the environment because poultry grown locally does not need to be trucked potentially thousands of miles from the farm, to the processing facility, to a distribution center, to the retail store, and finally to the consumers table.
5. **CONSUMERS** - Benefits the consumers in Connecticut that are looking for locally grown poultry and currently finding it difficult to find.
6. **FARMERS** – Provides entrepreneurial opportunity to CT farmers interested in developing poultry enterprises.
7. **CT AG VIABILITY** – By opening up a new market opportunity (value added poultry) to Connecticut's farms, the opportunity to diversify and grow will add to the viability of Connecticut's farms.
8. **FARMLAND PRESERVATION** – Expanded agricultural market opportunity and improved farm viability will support more demand for farmland in Connecticut (pastured poultry needing pasture, and corn land to grow grain to feed local poultry).
9. **NO EFFECT ON CT STATE BUDGET EXPENDITURES** – Could inspections be done by existing Dairy Inspection staff? The process of inspecting for sanitary conditions would be very similar to what these inspectors already do on dairy farms in Connecticut.

Current Situation:

1. Farmers raising poultry for meat in CT have no options to have their poultry processed at government inspected facilities.

- a) State inspected facilities do not exist in CT. The Connecticut Department of Agriculture does not provide an inspection program for poultry processing facilities. All of our neighboring States (New York, Rhode Island, & Massachusetts) do provide State inspection for their poultry farm processing facilities. State inspection is only applicable to farms in that state, as poultry processed at State inspected facilities may be sold only inside of that state. Inter-state sale would require Federal USDA Inspection.
 - b) There are no USDA inspected poultry processing facilities in New England that provide custom processing of another farm's poultry. The closest facilities offering this service are in Pennsylvania, and even those have limited capacity that would result in scheduling problems, especially for farms growing birds for holiday markets (such as Thanksgiving turkeys). Most of the USDA poultry processing in the US is controlled by large corporate processors or by family farms that have grown large enough to build their own USDA inspected processing facility. These facilities typically process only their own birds. (Note: USDA inspected poultry are processed: in facilities that are USDA inspected AND with a USDA inspector on hand during processing to conduct individual bird by bird inspection).
2. The Federal USDA Food Safety & Inspection Service (FSIS) has existing regulations exempting small farms and processors of poultry from the full requirements of USDA inspection in the United States.

These exemptions were created for two reasons;

- a) Small processor's (under 20,000 birds per year as defined in the regulations) do not process enough birds to justify the USDA inspection staff to be present during processing. This staff is provided at no cost to the processor, and if all small processor's required inspection, one can only imagine the number of inspectors that would have to be hired to visit many small farms all over the countryside.
- b) The infrastructure requirements of a USDA plant are very costly to construct and would be financially unfeasible for small farmers/processors. Since the intent was not to prevent small farms and enterprises from being able to operate in a feasible manner, these exemptions were implemented. This allows small businesses an opportunity to get started and grow within the limits of the exemption. If they expand beyond the limits, then they must invest in the infrastructure necessary to meet USDA inspection (at which time they have the critical mass to do so in a feasible manner).

"Exempt" birds must be labeled as such, may not be sold in "inter-state commerce", but CAN BE sold to consumers, restaurants, stores, institutions, and food establishments within the state that that are processed.

3. Connecticut does not recognize these FSIS poultry exemptions. Only one "custom exemption" that applies to all meat and poultry is recognized in Connecticut.
 - a) This allows the owner of livestock and poultry to hire a "custom processor" to process their livestock or poultry for their exclusive personal use.
 - b) Therefore, when a farmer sells beef, pork, lamb, or poultry, etc. to a customer, they are technically selling the live animal to the customer, and the customer is hiring the custom processor to process the meat or poultry for their "exclusive personal use".

- c) This results in a significant restriction to the marketing of poultry in CT. Meat producers have options, as there are several USDA inspected plants in Southern New England that can process meat. As noted, these options do not exist for poultry producers.
- d) The FSIS exemptions referred to in #2 above are unique to poultry processing. USDA's FSIS rules allow poultry processed at exempt facilities that meet sanitary standards to be sold intra-state to restaurants, stores, institutions, hotels, and food establishments.

Our Objective:

1. Establish USDA's FSIS Exemption rules as being applicable in Connecticut.
2. Establish State of Connecticut poultry processing facility inspection to be completed by the Connecticut Department of Agriculture. Passing state inspection supports that the facility meets "sanitary standards" as is required under FSIS rules.
3. Establish qualifying exempt facilities in CT that receive and pass CT Department of Agriculture facility inspection as being approved sources for dressed poultry to restaurants, stores, institutions, hotels, and food establishments.

Suggested Language:

(Respectfully submitted as our suggestion to provide a clear and simple intent)

1. Eliminate the changes being proposed in Section 6 of Raised Bill 5419. These refer to custom processing of livestock (which are not poultry). We support the existing custom exemption for livestock and poultry, where the owner of the animal can have the animal custom processed for their "exclusive personal use" should not be changed so that existing protocols for this market continues unchanged.
2. Replace existing language in the New Section 7 to Raised Bill 5419 with the following:

"The Commissioner of Agriculture shall be the state official in charge of Connecticut poultry processing facility inspections. A poultry processing facility that meet the applicable criteria for Federal Food Safety and Inspection (FSIS) exemption (as outlined in Public Law 90-492, the Poultry Products Inspection Act as amended in 1968) and have sanitary facilities as determined by Connecticut Department of Agriculture facility inspection shall be designated as an approved source for restaurants, stores, institutions, hotels, and food establishments within the State of Connecticut."

Connecticut State Grange

**TESTIMONY OF THE CONNECTICUT STATE GRANGE
IN SUPPORT OF RAISED BILL NO. 5419
AN ACT CONCERNING FARMS, FOOD AND JOBS**

MARCH 12, 2010

I am Gordon Gibson of Vernon, Legislative Director for the Connecticut State Grange. I am speaking today on behalf of the nearly 4,000 Grange members throughout Connecticut in support of Raised Bill 5410, An Act Concerning Farms, Food and Jobs.

The Department of Agriculture is trying to preserve active farmland in Connecticut, but its limited resources of staff and funds must concentrate on the larger farms. The Department will not consider the preservation of farms containing 30 acres or less of important farmland. However, the USDA Census of Agriculture reports that 40% of the active farms in Connecticut contain 50 acres or less. These small farms are also small businesses that provide jobs, increase our local food security and provide much of the rural charm that makes Connecticut an attractive state in which to live and work.

Raised Bill 5419 would provide funding to protect and preserve these small farms that are an important part of our economy. This funding could be leverage with matching federal funding so that for every dollar invested by the State another matching dollars could be obtained from community and federal funds.

Other provisions of Raised Bill 5419 would do much to increase the opportunities for the smaller farms in Connecticut to be economically viable operations. The Grange therefore urges the General Assembly to pass Raised Bill 5419.

Thank you for your consideration of my testimony.

Gordon F. Gibson, Legislative Director
Connecticut State Grange
836 Hartford Turnpike, Vernon CT 06066
860-871-7757
gfgibson@aol.com



CT NOFA

Cultivating an Organic Connecticut

To: The Environment Committee
Re: HB 5419, AAC Farms, Food and Jobs
From: Bill Duesing, Executive Director, CT NOFA
Date: March 12, 2010

This testimony is presented on behalf of the Northeast Organic Farming Association of Connecticut's nearly 800 members who see Connecticut agriculture and a vibrant local food system as essential for a healthy future. Since 1982, CT NOFA has been educating and advocating for local and organic agriculture.

We strongly support passage of Raised Bill 5419, AAC Farms, Food and Jobs.

In these challenging times, Connecticut agriculture is one of the bright spots. Over the past ten years there has been a remarkable growth in interest and participation in local agriculture and food and farm projects in our state. The growth of farmland preservation, small farms, community farms, farmers' markets, community food projects, farm-to-school, to-chef and to-plate programs and many more aspects of the growing, vibrant Connecticut food system has been remarkable and very heartening.

We all have to eat every day. As more of the places where our food now comes from develop their farmland, face diminishing water supplies and a growing number of mouths to feed, the food we can grow in Connecticut will become even more important.

Raised Bill No. 5419 will provide some significant incentives to encourage the local food movement in our state. The Farm Training and Infrastructure Jobs and Grant Match Program (and the funding for it) should help provide more trained workers and better infrastructure to help meet our food and fiber needs.

The funding for the existing Community Farms program will help meet the growing need to preserve the significant smaller farms that communities believe are increasingly important.

The acidified food products section provides a common sense and safe way for farmers to add value to the products they grow and will allow them to have products for sale over a longer season. This will also benefit the consumers at Farmers Markets and Farm Stands.

CT NOFA is especially interested in the change in the definition of Farmers Market to include events that are not season long. We had trouble for the first time last year at the Farmers Market we held at Manchester Community College for one day in September because of the existing language relating to season long. There are more and more special events that include a one or several days-long Farmers Market that meets all the other criteria for such a market, Connecticut producers selling produce from their farms. Under current law, just because the event is not season long, each farmer's stall becomes instead a food service establishment with serious limits on what can be sold and an increase in the fees that must be paid.

We are excited by the provision that adopts the Federal exemption that allows a farm to grow and process up to 20,000 chickens. There is an increasing demand for local and organically raised poultry and Connecticut has a long history of raising poultry and lots of new interest among farmers.

The provision which explicitly lets schools use the produce they grow to feed students, subject to a test for lead, should eliminate a lot of confusion and frustration among teachers and schools which are using school gardens and farms as important educational tools. Learning to eat the food students grow may be as important as learning to grow it.

CT NOFA strongly supports passage of this bill.
 Thank you.

The Northeast Organic Farming Association of Connecticut
A growing community of organic farmers, gardeners, land care professionals and consumers
 Box 164, Stevenson, CT 06491-0164 • 203-888-5146 • www.ctnofa.org



Working Lands Alliance
A Project of American Farmland Trust

To: Environment Committee

Date: Mar 12, 2010

Testimony in support of: The Preservation of Community Farms: Promoting Farm Viability: Creating an Easement Registry, and Enabling a Municipal Conveyance Tax

HB5417

Submitted by: Jiff Martin, Project Director, Working Lands Alliance

The following testimony is submitted on behalf of the Working Lands Alliance, a statewide coalition of 200 businesses and non-profits as well as over 600 individuals committed to increasing the state's commitment to farmland preservation.

Thirty years ago our state leaders enacted landmark legislation with passage of Public Act 78-232 which laid the groundwork for what is today known as the CT Farmland Preservation Program (or Purchase of Development Rights Program (PDR)). The main objective of the program is to secure a food and fiber producing land resource base for the future of agriculture in Connecticut. Connecticut has 4,916 farms and 406,000 acres of 'land in farms'.¹ The state goal is to protect 130,000 acres of farmland, including cropland and supportive lands such as forest and wetlands. So far the state has protected less than 37,000 acres on 265 farms.

Support to RB 5419

As outlined in Sec 1 and 2 of RB 5419, An Act Concerning Farms, Food, and Jobs, the Working Lands Alliance coalition strongly supports a \$1.5 million investment in the Community Farms Preservation Program. WLA is also supportive of a \$1.5 million capital bonding authorization to leverage federal funds through a new Farm Training and Infrastructure Jobs and Grant Match Program. Both of these programs are important investments in growing jobs and income on small farms.

According to 2007 USDA Census of Agriculture, 64% of Connecticut's farms are under 50 acres in size. Since the CT Farmland Preservation Program continues to maintain a waiting list of farm applications that meet that program's size criteria of 30 acres or more of cropland, legislative leaders and farmland advocates saw the need for a separate and new farmland preservation program that would be able to work with smaller working farms.

The creation of the Community Farms Program was enacted in PA 08-174. The Farmland Preservation Advisory Board has completed the scoring criteria which would be used by the Community Farms Program. The same entity has recommended a pilot year for the program at a level of \$1.5 million in funding. The scoring criteria give preference to farms that have significant community support, including financial match for the state's investment. \$1.5 million invested by the state could easily leverage another \$1.5 million in matching funds. The Federal Farm and Ranchland Preservation Program would be a major potential funder for the preservation of Community Farms, matching the state's investment

¹ USDA 2007 Census of Agriculture

dollar for dollar. WLA anticipates that the Community Farms Program could protect between 5 - 8 farms if funded at the \$1.5 million level by the state.

In addition to our farmland preservation advocacy, WLA supports efforts that promote the long-term viability of farming in Connecticut recognizing that the sustainability of farms is as critical to Connecticut agriculture as is the long-term availability of farmland. To this end, we feel the creation of a state funding source to match growing federal funding available to grow the local food and farm economy is critical. The Farm Training and Infrastructure Jobs and Grant Match Program would incentivize entrepreneurs and service providers to address infrastructure gaps, pursue value added agriculture enterprises, and train beginner adult farmers.

Support to RB 5417, Sec 1 and 2 only

WLA strongly supports the creation of an online registry of open space and protected farmland. We currently have no way of estimating the amount of farmland that has been protected by towns unless they have leveraged state or federal funding. We estimate there could be up to 10,000 acres of unaccounted protected farmland. Although the registry would not resolve the lack of information from past acquisitions, it would at least build a new database of farmland easements going forward.

WLA is also supportive of the concept of enabling municipalities to use a buyer's tax on the conveyance of real property in order to raise local funds for investments in the preservation and restoration of a community's natural assets, including the purchase of development rights on farmland. We have seen this model work successfully in certain regions where land values are high, such as the Hudson River Valley and the North and South Forks of Long Island. This tool has made farmland preservation possible in communities where it would have otherwise been unaffordable. As you can imagine, there are regions in Connecticut which are already prohibitive in terms of land values for the use of public dollars to protect farmland without significant local match funding.

Date: March 9, 2010

To: Bryan Hurlburt, Vice Chair
Legislative Committee
Connecticut General Assembly

From: Gary Proctor, Chairman
Connecticut Poultry Association

Re: Raised Bill No. 5419
An Act Concerning Farms, Food, and Jobs

On behalf of the Connecticut Poultry Association, I would like to thank you for including language addressing poultry processing in Connecticut. We are very excited about the opportunities that exist in Connecticut to market locally grown poultry. With the rise of consumer interest in locally grown foods in recent years, there is a strong demand for locally grown poultry in Connecticut. There are poultry farmers in CT interested in meeting this demand. However, current rules limit the sale and marketing of locally grown poultry here in Connecticut.

Benefits of this Proposed Legislation:

1. CT JOBS AND ECONOMY – There is significant consumer interest to buy locally grown poultry. Likewise, there is significant farmer interest in growing local poultry. Considering the multiplier effect of direct sales, the economic impact to jobs and the economy would be very significant. For example, Massachusetts already has rules similar to what is being proposed here. This allows for direct marketing of local poultry. For example, comparing just turkey production in MA (70,000 birds/yr) compared to CT (5,000 birds/yr). If CT increased to MA production levels, the following conservative impact on revenue and jobs would result:

Added direct sales of turkeys to consumers -	\$4,000,000/yr
Added feed sales to turkey farms -	\$ 800,000
Added payroll at 25% of above sales -	<u>\$ 1,200,000</u>
Added local economic impact -	\$6,000,000
Added \$40,000 per year jobs -	30 jobs

This is just turkeys! Strong potential for chickens, capons, waterfowl, pheasants, and related products etc. also exists.

2. TOURISM – Retail and value added farms contribute significantly to Connecticut's tourism appeal. Removing roadblocks to marketing local poultry will give rise to more retail farm stands that can begin offering poultry products.
3. FOOD SECURITY - Benefits food security in Connecticut since more food being produced locally means less travel and distribution where interruption of transportation or adulteration of the product could occur.
4. ENVIRONMENT - Benefits the environment because poultry grown locally does not need to be trucked potentially thousands of miles from the farm, to the processing facility, to a distribution center, to the retail store, and finally to the consumers table.

5. **CONSUMERS** - Benefits the consumers in Connecticut that are looking for locally grown poultry and currently finding it difficult to find.
6. **FARMERS** - Provides entrepreneurial opportunity to CT farmers interested in developing poultry enterprises.
7. **CT AG VIABILITY** - By opening up a new market opportunity (value added poultry) to Connecticut's farms, the opportunity to diversify and grow will add to the viability of Connecticut's farms.
8. **FARMLAND PRESERVATION** - Expanded agricultural market opportunity and improved farm viability will support more demand for farmland in Connecticut (pastured poultry needing pasture, and corn land to grow grain to feed local poultry).

Current Situation:

1. Farmers raising poultry for meat in CT have no options to have their poultry processed at government inspected facilities.
 - a) State inspected facilities do not exist in CT. The Connecticut Department of Agriculture does not provide an inspection program for poultry processing facilities. All of our neighboring States (New York, Rhode Island, & Massachusetts) do provide State inspection for their poultry farm processing facilities. State inspection is only applicable to farms in that state, as poultry processed at State inspected facilities may be sold only inside of that state. Inter-state sale would require Federal USDA Inspection.
 - b) There are no USDA inspected poultry processing facilities in New England that provide custom processing of another farm's poultry. The closest facilities offering this service are in Maryland, Virginia, and Pennsylvania, and even those have limited capacity that would result in scheduling problems, especially for farms growing birds for holiday markets (such as Thanksgiving turkeys). Most of the USDA poultry processing in the US is controlled by large corporate processors or by family farms that have grown large enough to build their own USDA inspected processing facility. These facilities typically process only their own birds. (Note: USDA inspected poultry are processed: in facilities that are USDA inspected AND with a USDA inspector on hand during processing to conduct individual bird by bird inspection).
2. The Federal USDA Food Safety & Inspection Service (FSIS) has existing regulations exempting small farms and processors of poultry from the full requirements of USDA inspection in the United States.

These exemptions were created for two reasons;

- a) Small processor's (under 20,000 birds per year as defined in the regulations) do not process enough birds to justify the USDA inspection staff to be present during processing. This staff is provided at no cost to the processor, and if all small processor's required inspection, one can only imagine the number of inspectors that would have to be hired to visit many small farms all over the countryside.
- b) The infrastructure requirements of a USDA plant are very costly to construct and would be financially unfeasible for small farmers/processors. Since the intent was not to prevent small farms and enterprises from being able to operate in a feasible manner, these

exemptions were implemented. This allows small businesses an opportunity to get started and grow within the limits of the exemption. If they expand beyond the limits, then they must invest in the infrastructure necessary to meet USDA inspection (at which time they have the critical mass to do so in a feasible manner).

"Exempt" birds must be labeled as such, may not be sold in "inter-state commerce", but CAN BE sold to consumers, restaurants, stores, institutions, and food establishments within the state that that are processed.

3. Connecticut does not recognize these FSIS poultry exemptions. Only one "custom exemption" that applies to all meat and poultry in recognized in Connecticut.
 - a) This allows the owner of livestock and poultry to hire a "custom processor" to process their livestock or poultry for their exclusive personal use.
 - b) Therefore, when a farmer sells beef, pork, lamb, or poultry, etc. to a customer, they are technically selling the live animal to the customer, and the customer is hiring the custom processor to process the meat or poultry for their "exclusive personal use".
 - c) This results in a significant restriction to the marketing of poultry in CT. Meat producers have options, as there are several USDA inspected plants in Southern New England that can process meat. As noted, these options do not exist for poultry producers.
 - d) The FSIS exemptions referred to in #2 above are unique to poultry processing. USDA's FSIS rules allow poultry processed at exempt facilities that meet sanitary standards to be sold intra-state to restaurants, stores, institutions, hotels, and food establishments.

Our Objective:

1. Establish USDA's FSIS Exemption rules as being applicable in Connecticut.
-
2. Establish State of Connecticut poultry processing facility inspection to be completed by the Connecticut Department of Agriculture. Passing state inspection supports that the facility meets "sanitary standards" as is required under FSIS rules.
 3. Establish qualifying exempt facilities in CT that receive and pass CT Department of Agriculture facility inspection as being approved sources for dressed poultry to restaurants, stores, institutions, hotels, and food establishments.

Suggested Language:

(respectfully submitted as our suggestion in order to provide a clear and simple intent)

1. Eliminate the changes being proposed in Section 6 of Raised Bill 5419. These refer to custom processing of livestock (which are not poultry). We support the existing custom exemption for livestock and poultry, where the owner of the animal can have the animal custom processed for their "exclusive personal use" should not be changed so that existing protocols for this market continues unchanged.
2. Replace existing language in the New Section 7 to Raised Bill 5419 with the following:

"The commissioner of Agriculture shall be the state official in charge of poultry processing facility inspections. Poultry processing facilities that meet the applicable criteria for Federal Food Safety and Inspection (FSIS) exemption and have passed Connecticut Department of Agriculture facility inspection shall be designated as approved sources for restaurants, stores, institutions, hotels, and food establishments within the State of Connecticut."

Thank you for your consideration of our thoughts and input on this very important topic concerning the future of CT agriculture. If you have any questions please do not hesitate to contact me (my cell phone is 860-716-9064).

Sincerely,


Gary Proctor
Chairman
Connecticut Poultry Association



775 Bloomfield Avenue, Windsor, CT 06095-2322
 860-768-1100 • Fax 860-768-1108 • www.cfba.org

March 12, 2010

Testimony in support of:

HB 5419 AN ACT FARMS, FOOD AND JOBS

Submitted by: Steven K. Reviczky, Executive Director, Connecticut Farm Bureau Association

The following testimony is submitted on behalf of the Connecticut Farm Bureau, a statewide nonprofit membership organization of over 5,000 families dedicated to farmers and the future of Connecticut agriculture.

Connecticut Farm Bureau supports HB 5419, An Act Concerning Farms, Food and Jobs.

Senator Meyer, Representative Roy, and Members of the Environment Committee:

The Connecticut Farm Bureau Association strongly supports the broad goals HB 5419 An Act Concerning Farms, Food and Jobs. This is an exciting measure that seeks to stoke the economic engine of Connecticut agriculture. This bill is about local farms and local jobs!

There has been an explosion in the interest and demand for locally grown foods. Connecticut citizens want access to healthy, safe, Connecticut Grown products. Passage of HB 5419 will go a long way in helping meet that demand. There is no question that HB 5419 will have a positive impact on the ability of local family farms to increase their bottom lines by producing and selling Connecticut grown food products. Consumers want locally grown food and Connecticut farmers want to supply it. There is growing consumer desire to know their farmers and where their food comes from. This is a phenomenon that has taken hold across the county.

HB 5419 seeks to enhance the availability of acidified foods and poultry, protect small scale community farms, provide farmer training and make minor adjustments to statute governing farmer's markets recognizing markets that are not conducted throughout the season.

Section 3 of the bill allows farmers to produce a wider variety of value-added food products on the farm by allowing the production of acidified foods in much the same way that they can make jellies and jams today. This will not only be a boost for the local economy but a great help to many small farm families.

While current state law allows jams and jellies to be made and sold on residential farms, it requires that most other food products be prepared in government inspected commercial kitchens. The requirements for such kitchens are extensive and expensive. The cost of constructing and equipping such a facility is a barrier that many small farm operations simply

cannot overcome. HB 5419 includes many safeguards: A very restrictive definition of acidified foods and requiring a laboratory pH test of the completed recipe, an annual water test and safe food handling training that is approved by the Connecticut Department of Public Health. HB 5419 will go a long way in helping farmers in Connecticut take advantage of a short growing season by making acidified foods that they can sell all year long and at a higher return.

Section 4 of the bill will give the Connecticut Milk Promotion Board access to dollars that are mandatorily taken from dairy farmers' milk checks under the federal Check-Off program for milk promotion efforts. Currently all Connecticut dairy farmer dollars go to support national and regional milk promotion efforts. The Connecticut Milk Promotion Board seeks the enabling language contained in this bill so that they might promote the Connecticut dairy industry and the production of local milk. We have all seen the commercials that claim "California cows are happy cows." The Connecticut dairy industry needs access to dairy farmer dollars taken from their milk checks so that they might compete and promote the value of a healthy Connecticut dairy industry.

Section 7 of HB 5419 seeks to amend current law to allow for greater opportunities to process and sell locally grown poultry. There is incredible demand for local poultry and a severe lack of processing in Connecticut that hampers farmers' ability to provide quality product and expand operations. There is an overwhelming need to change the status quo.

Connecticut Farm Bureau recognizes that the bill needs refinement in several areas and stands ready to assist in any way it can help modify language to achieve desired goals.

This proposal is all about quality agricultural jobs and growing Connecticut's farm businesses. Connecticut Farm Bureau asks the Environment Committee to support local farms and local jobs and respectfully requests you act favorably on HB 5419, AAC Farms, Food and Jobs.

Production and Sale of Acidified Foods on Residential Farms

What the Bill does

- This is a common sense bill that promotes local agriculture and healthy local foods. It allows the production and sale of acidified foods such as pickles, tomato sauce and salsa and their sale at farm stands and farmer's markets.
- This bill would legalize the production of acidified foods in much the same ways that jellies and jams have been successfully and legally prepared in residential farm kitchens for many years.

Why it's important for local farms

- Current state statute mandates that most food products (other than jams, jellies, preserves and maple syrup) be prepared in government inspected kitchens. The requirements for such are very expensive and an insurmountable barrier for most small family farms.
- Under current law, farmers are prohibited from turning the "vegetables" of their labor into acidified value-added products
- The Pickle Bill makes it economically viable for farmers to expand, produce and sell new value-added products right on the farm.
- Consumers want and trust local foods Connecticut and want to purchase these products directly from CT farmers.

The Bill has many safeguards

- Defines "acidified food product" as a food item with a pH of 4.6 or less upon completion of the product.
- Requires the completed recipe to be tested by an independent laboratory to ensure that it has a pH level of 4.6 or less.
- Requires those producing acidified foods in residential farm kitchens to successfully complete a safe food handling course approved by the CT Department of Public Health.
- Excludes potentially hazardous foods as defined by the FDA including meat, dairy, eggs, fish, poultry and shellfish
- Requires the annual testing of private water supplies of residential farm kitchens
- Requires a label stating the product is "not prepared in a government inspected kitchen."
- Acidified foods are among the safest foods you can buy.
- Foods with a pH level of 4.6 or less cannot support botulism.
- Pickling is an age-old method of food preservation. People have preserved their food this way for hundreds of years.
- The following states allow production of acidified foods in residential kitchens with appropriate safeguards: Pennsylvania, Minnesota, Wisconsin, and Nebraska..

Written Testimony of Dr. Donald Zink
to the State of Connecticut Committee on Public Health
Regarding Raised Bill No. 5419
March, 2010

I am the Senior Science Advisor for the U.S. Food and Drug Administration's Center for Food Safety and Applied Nutrition, the part of US FDA that regulates the safety of food and cosmetics. I am an expert in food safety and canned food processing with 27 years of combined experience in the canned food industry and the US FDA. I would like to provide comments in opposition to Raised Bill No. 5419, a bill that would allow for the unregulated production of certain acidified foods in residential farm kitchens.

The U. S. Food and Drug Administration is the federal agency responsible for regulating the safety of acid, acidified, and low-acid canned foods, other than meat and poultry. The regulations that pertain specifically to the processing of these foods are contained in the Code of Federal Regulations (CFR), Chapter 21, Parts 108, 113, and 114. The regulations that pertain to current good manufacturing practice for foods, in general, are contained in 21 CFR Part 110.

FDA regulations establish the minimum standards necessary to produce safe low-acid canned foods and acidified foods and prevent illness due to the consumption of such foods that are contaminated with the toxins of *Clostridium botulinum*, commonly known as botulism. These regulations apply to any low-acid canned food or acidified food that is sold in interstate commerce or that is produced from ingredients and components that have moved in interstate commerce.¹ Therefore, since many of the raw ingredients used in foods originate from out-of-state suppliers, these regulations apply to many foods that are sold only within the State of Connecticut. If the State of Connecticut were to exempt certain acidified foods from state regulation, the producers of these foods might not realize that they must still comply with the registration requirements of 21 CFR Part 108 and additional provisions of 21 CFR Parts 110, 113, and 114. Additionally, this would create an inconsistency in state and federal food safety regulations. Furthermore, even if such foods were made with ingredients grown solely in the State of Connecticut, FDA may maintain regulatory authority over such activity.

Botulism is a serious disease that is often fatal or requires many months of hospitalization and therapy, including advanced life-support for several weeks up to many months. In the United States, an average of 145 cases of botulism are reported each year and approximately 15% of these cases are the result of

¹ US FDA Compliance Policy Guide, Section 100.200.
<http://www.fda.gov/ICECI/ComplianceManuals/CompliancePolicyGuidanceManual/ucm073820.htm>

foodborne exposure. The majority of cases of foodborne botulism are due to the consumption of improperly processed canned foods that are made in the home.² Therefore, it is critically important that consumers who process acidified and low-acid canned foods in the home have an understanding of the food safety principles and processing requirements that are unique to canned foods.

The proper processing of low-acid canned foods and acidified foods, is not a simple matter. There are time-tested home canning recipes that were established using scientific principles; however, we find that home canners often deviate from these recipes. Many homes are not ordinarily equipped with the tools to accurately measure acidity and temperature, and home canners often lack the expertise to understand the principles of salt and acid diffusion, heat penetration, and the microbiology of canned foods. The time for acid to penetrate and reduce the pH of low-acid components is critical in the safe preparation of acidified foods, and this depends on a number of factors that require stringent controls. I have no doubt that, without compliance with the FDA standards for acidified foods, we will see occasional process failures with resultant cases of botulism. I would like to emphasize that there is history of botulism cases due to improperly processed acidified foods including pickles, salsa, chili peppers, olives, and some fermented foods.

I hope that the Committee will consider these comments and oppose Raised Bill No. 5419.



Don L. Zink, Ph.D.
Senior Science Advisor
U.S. Food and Drug Administration
Center for Food Safety and Applied Nutrition

² Centers for Disease Control and Prevention. 2010.
http://www.cdc.gov/nczved/dfbmd/disease_listing/botulism_gi.html

Department of Consumer Protection

Testimony to Environment Committee, March 12, 2010

In opposition to

HB-5419 'AN ACT CONCERNING FARMS, FOOD AND JOBS'

Frank Greene, Director, Food & Standards Division

Senator Meyer, Representative Roy, Senator McKinney, Representative Chapin and Honorable members of the Environment Committee, I am Frank Greene, Director of the Department of Consumer Protection's Food & Standards Division. Thank you for the opportunity to submit testimony in opposition to Raised House Bill 5419.

As was the case with a similar proposal last session, the Department understands and applauds efforts to assist Connecticut's farmers. Our opposition to this bill arises not from the good intentions of the proponents, but solely from our strongly held belief that carving out the proposed exemptions will lead to increased cases of sickness and even death of the consuming public.

To many people, there may appear to be little difference between allowing the production of jams and jellies in home kitchens, and the production of other jarred foods such as pickles, salsa and the like. But the difference is profound. The current exemption for jams and jellies is limited to fruit grown and produced on the farm, and critically important is that fruit is naturally acidic. It is acid that inhibits bacterial growth. Jams and jellies by statute must also be produced with sugar, which acts in a manner similar to salt as a preservative and also works to inhibit bacterial growth. Jams and jellies made with fruit have never shown themselves to pose a significant risk for food borne illness whereas other food items such as vegetables, that aren't naturally acidic, do pose a serious risk even when acidified.

Consequently, the bill as written generates a number of concerns. There is a very real risk for disease and death by the inclusion in this bill of products (vegetables) and processes (acidification) that have been shown to be repeatedly implicated in cases of botulism. According to the Center for Disease Control the primary risk for botulism is home canned foods. Botulism is a horrible disease which when untreated has a high mortality rate, with death caused by respiratory failure. For those individuals that survive, a lifetime of significant medical ailments may ensue. In short, this is a very serious disease.

It should also be noted that there are very specific requirements under the Food and Drug Administration regulations for the production of such foods. These requirements may continue to be in effect regardless of any state's exemption for such processes. As such, it may be that simply taking a food handler course is not sufficient to meet the FDA requirements. Further, awareness of the process of "equilibrium" is crucial to any canner. In equilibrium the pH of the product drifts in a less acidic direction as a result of the acid mixing with the non-acid

vegetable. This process, depending on the ingredients can occur over an extended period. If this process is not accounted for the final pH of the product may end up in the danger zone for the growth of botulism.

Testing is also crucial. If a laboratory is used it should be one that is certified or accredited to deal with food testing. Its pH meters or test procedures should be validated regularly to ensure accuracy.

Production of food as contemplated by this legislation also makes one consider the risks for other food borne diseases. For instance, even when a home operator may strive for good sanitation, there is always a concern regarding the presence of a sick child; and hand sanitation following the handling of soiled diapers; and the presence of family pets. These issues cannot always be controlled and represent an increased risk of food borne illness.

Second, home processors do not usually meet all the requirements of food safety regulations; and this bill seeks exemption from inspection and licensing of certain residential kitchens. It should be noted that neither DCP's nor DPH's regulations are designed to frustrate home processors. The formation of these regulations is quite literally constructed upon real-life experiences and tragedies regarding foodborne illnesses and outbreaks. The creation of a special exemption, particularly for the foods proposed, creates a loophole in the food safety system which is designed to protect the consuming public from undue risk.

Additionally, customary residential equipment such as ovens and refrigerators available in home kitchens are not designed or manufactured to produce, cool and hold large volumes of prepared foods. This lack of commercial equipment creates an added contributing risk factor to foodborne illness.

The Department recognizes that certain individuals want to produce jarred and canned products and while charged with enforcing food safety laws we also currently do our best to assist the operator in producing a safe food product. We have demonstrated our commitment to this by working with entrepreneurs who want to engage in food processing by guiding them to educational resources in our State and surrounding State Extension Services, as well as to directing them to acceptable venues where commercial kitchens are already located; including churches, restaurants or service organizations. We are currently working with three organizations to establish a cooperative kitchen in the State where processors can produce products under inspection and sanitary control. These are the real and safe options for those operators who want to start a food business.

Turning to another section of this bill, there is language to provide inspection-exemptions for poultry slaughter operations. We have some concerns about the retailing of uninspected meat and poultry but understand that there is a demand for locally grown products. It should be pointed out that currently there is a system in place called "custom exempt" which does allow a grower to sell to consumers without inspection. Rather than initiate a separate process there should be greater education on how "custom exempt" currently operates in Connecticut.

Thank you again for the opportunity to remark on HB-5419.

Frank Greene, RS, MPH
Director, DCP, Division of Food & Starcrops



198 Park Road, 2nd Floor
West Hartford, CT 06119
(860) 231-8842
www.EnvironmentConnecticut.org

Written Testimony of Christopher Phelps, Environment Connecticut Program Director
Before the Connecticut General Assembly Environment Committee
Friday, March 12, 2010

Supporting HB 5419, An Act Concerning Farms, Food And Jobs.

Senator Meyer, Representative Roy, and members of the Committee:

Thank you for the opportunity to offer this testimony supporting HB 5419. Environment Connecticut is a statewide member supported, non-profit environmental advocacy organization. In 2010, our top legislative priorities are those measures which can benefit Connecticut's environment *and* support job growth. HB 5419 is legislation that would support growth in the original "green job" sector – farming.

The farm job training and infrastructure grant program established in section 1 of HB 5419 would leverage available federal funding to support programs that would expand Connecticut's agricultural workforce. Additionally, the Community Farms Program would also leverage federal funding to support the preservation of small farms in Connecticut. Small farms are a vital part of our state's heritage and culture as well as a source of jobs in our small towns. The preservation of small farms also helps prevent destructive sprawling development, preserving our state's natural landscape and wildlife habitat.

Environment Connecticut urges the committee to support HB 5419.

Sincerely,

Christopher Phelps
Program Director
Environment Connecticut



To: Environment Committee
From: Erin Wirpsa Eisenberg, Executive Director, CitySeed
Re: RB 5419 – An Act Concerning Farms, Food and Jobs
Date: March 12, 2010

CitySeed is a community-based, nonprofit organization that operates a network of farmers' markets in the City of New Haven and seeks to promote increased access to local, healthy food and farm viability. During the 2009 market season, our markets redeemed over \$89,000 in WIC and Food Stamps from New Haven residents who are most nutritionally at-risk. In addition, these four, outdoor markets contributed over \$1.75 million to the local economy. We know firsthand the positive impact local agriculture and farms can have on a community in terms of creating jobs, building community and ensuring that inner-city residents have access to fresh, healthy food. *An Act Concerning Farms, Food and Jobs* can help us make an even greater impact on the City of New Haven and the entire State of Connecticut.

In these challenging economic times, leaders and communities at every level are required to seek new solutions to keeping our communities healthy and prospering. *An Act Concerning Farms, Food and Jobs* does just that:

- By investing \$1.5 million into the preservation of community farms, *An Act Concerning Farms, Food and Jobs* will **support the small farm businesses that provide jobs in our state**. According to the 2007 USDA Census of Agriculture, 64% of Connecticut's farms are fewer than 50 acres in size. Since the CT Farmland Preservation Program continues to maintain a waiting list of farm applications that meet that program's size criteria of 30 acres or more of cropland, legislative leaders and farmland advocates worked to create the Community Farms Program, enacted in PA 08-174. The Farmland Preservation Advisory Board has completed the scoring criteria which would be used by the Community Farms Program. The same entity has recommended a pilot year for the program. Working Lands Alliance anticipates that between 5 and 8 farms could be protected if the pilot program is funded, thus maintaining jobs and open space in our state.
- By investing \$1.5 million of state money, Connecticut can easily **leverage these**

moneys to attract matching federal dollars. The Federal Farm and Ranchland Preservation Program would be a major potential funder for the preservation of Community Farms, matching the state's investment dollar for dollar.

- By allowing small farmers to increase their production of value-added products, *An Act Concerning Farms, Food and Jobs* will **help our state's farms, farmers' markets and other local food venues grow in success and size, thus creating new jobs in our state.** These value-added products are a vital component to any vibrant marketplace. Customers and farmers alike benefit from the jams, jellies, yarns, meats and dairy products that small farmers sell. These products need to be able to find new marketplaces and sales outlets.
- By allowing farmers' markets and school gardens to best serve their communities, *An Act Concerning Farms, Food and Jobs* will provide for more and better opportunities to inform the public about the food they eat and how they can contribute to the economy of Connecticut by buying local products!

As a nonprofit organization that works very closely with small farmers, we know the benefits that these business people bring to the communities of Connecticut. In addition to jobs, they provide healthy, fresh fruits, vegetables, meats, greens and value-added products to our marketplaces, thus helping the residents of Connecticut stay healthy. These healthy foods can be found in farmers' markets, restaurants, hospitals and schools, where healthy food is most needed. Through their diverse array of products, our farmers attract not only New Haven residents but also tourists from outside the state. These visitors bring both their interest in seeing the great work we are doing here in Connecticut around agriculture and food, and their dollars. For CitySeed, this translates into \$1.75 million that is infused on an annual basis into our local economy.

For the health of our urban and rural communities alike, I strongly urge you to support Raised Bill No. 5419 – An Act Concerning Farms, Food and Jobs – so that our state can build on a strong movement to improve the health of our environment, people and economy.