

Bakery Establishments and Camps

Division of Environmental Health
Food & Lodging Program
Effective July 1, 2015

TITLE 18 V.S.A. CHAPTER 85, SUBCHAPTER 4 - BAKERIES

4441. BAKERY PRODUCTS; DEFINITION. For the purposes of this subchapter, the word "bakery" is defined as a building or part of a building wherein is carried on as a principal occupation the production of bread, cakes, pies or other food products made either wholly or in part of flour and intended for sale. The word "person" shall extend and be applied to bodies corporate, and to partnerships and unincorporated associations.

4442. REGULATIONS AND INSPECTION BY STATE BOARD OF HEALTH. The board shall promulgate and enforce rules and regulations as the public health may require in respect to the sanitary conditions of bakeries as defined herein. The board is hereby authorized to inspect any such bakery at all reasonable times through its duly appointed officers, inspectors, agents or assistants.

4443. SLEEPING ROOMS SEPARATE. The sleeping rooms for persons employed in a bakery shall be separated from the rooms where food products or any ingredient thereof are manufactured or stored.

4444. LICENSE. (a) No person shall operate a bakery in this state without having obtained from the department a license describing the building used as a bakery, including the post office address of the same, which license shall be posted by the owner or operator of such bakery in a conspicuous place in the shop described in such license or in the sales room connected therewith. (b) No person shall knowingly and willfully sell or offer for sale in this state any bulk product manufactured by a bakery, whether such a bakery is located within or without the state, unless the operator of such bakery shall hold a valid license, as prescribed, from the department, which license shall in no case be granted covering a bakery located outside the state unless the person operating such bakery shall have consented in writing to its inspection and paid the fee as herein provided, or shall have paid the fee and received a license after presenting to the department satisfactory evidence of inspection and approval from the proper authority of his own state, and such bakery shall have been found by the inspection to meet the requirements of the laws of this state and rules and regulations of the secretary relating thereto.

4445. RENEWAL OF LICENSE. The holder of such a license who desires to continue to operate a bakery shall annually, commencing on or before January 31, 1974, and thereafter on or before January 31, renew his license, pay the renewal fee, and receive a new license provided the licensee is entitled thereto.

4446. FEE. A person owning or conducting a bakery as specified in sections 4441 and 4444 of this title shall pay to the board a fee for each certificate and renewal thereof in accordance with the following schedule:

BAKERY	I	Home Bakery	\$100.00
	II	Small Commercial	\$200.00
	III	Large Commercial	\$350.00
	IV	Camps	\$150.00

The Commissioner of the Department of Health will be the final authority on definition of categories contained herein.

All fees received by the board under this section shall be credited to a special fund and shall be available to the department to offset the cost of providing the services.

4447. REVOCATION. Such license may be suspended or revoked by the board for cause after hearing.

4448. NEW BAKERY. No person shall open a new bakery in this state without having given at least 15 days' notice to the department of intention to open such bakery which notice shall contain a description and location of the building proposed to be used as such bakery. Upon receipt of such notice, the department shall cause such premises to be examined and, if found to comply with the provisions and statutes relating to bakeries and the rules and regulations prescribed by the secretary, a license shall be issued upon payment of the fee as herein provided.

4449. LOCAL REGULATIONS. The provisions of this subchapter shall not prevent local health authorities from making and enforcing orders or regulations concerning the sanitary condition of bakeries and the sale of bakery products, except that such orders and regulations shall be suspended to the extent necessary to give effect to the provisions of this subchapter and the rules and regulations prescribed pursuant thereto.

4450. PENALTY. A person who violates any provisions of this subchapter shall be fined not more than \$500.00.

4451. EXCEPTIONS. The provisions of this subchapter shall not apply to individuals manufacturing in and selling from their own private home kitchens, bread, cakes, pies or other food products made either wholly or in part from flour whose average gross retail sales of such products do not exceed \$125.00 a week, nor to restaurants, inns or hotels subject to the provisions of subchapter 2 of this chapter, nor to church, fraternal or charitable food sales.

4305. POWERS AND DUTIES OF STATE BOARD OF HEALTH. The board may require a person proposing to work or working in an establishment subject to the provisions of this subchapter, to undergo a physical examination for the purpose of ascertaining whether such person is affected with any contagious, infectious or other disease or physical ailment, which may render his employment detrimental to the public health. The examination shall be made at the time and pursuant to conditions which shall be prescribed by the board. A person who refuses to submit to such examination shall not work or be required, permitted or suffered to work in any such establishment.

CHAPTER 81, PURE FOOD & DRUGS

4023. BREAD TO BE WRAPPED. A person shall not carry or cart about with intent to sell or offer for sale, or deliver to customers after it has been sold, for human food, any kind or quality of bread or cake in loaf form, unless each loaf is wrapped separately in waxed paper, tissue paper or some similar wrapper or a sanitary container of sufficient thickness and quality to protect the bread and cake from dust and dirt. A person who violates a provision of this section shall be fined \$5.00 for each offense.