

VERMONT AGENCY OF AGRICULTURE, FOOD & MARKETS
116 STATE STREET
MONTPELIER, VERMONT 05620-2901
APPLICATION FOR MILK HANDLERS LICENSE

(Vermont law-VSA, Title 6, Chapter 151, Section 2721 – designates September 1 of each year as the date on which all milk handlers must be licensed for the following year. Application is hereby made for a milk handler license in the State of Vermont as provided by VSA, Title 6, Chapter 151, Section 2721-2723.

PART I. TO BE FILLED OUT BY ALL APPLICANTS.

Name of company as it should appear on license _____

Mailing Address _____

City _____ State _____ Zip Code _____

911 formatted location if different from Mailing address needed for **Vermont plants only**

Street _____

Town _____

Primary contact for licensing purposes _____

Email (if available) _____

Telephone Number _____

IMS state and plant number if have one _____ - _____

This company is registered with the Vermont Secretary of State's office or has a registered agent for service (out of state firms must register or have a registered agent for service).

CLASS OF BUSINESS

Corporation LLC Incorporated Association Individual Partnership
 Cooperative Non-profit cooperative association Other _____

Is the applicant for license the principal of a subsidiary or any other corporation or holding company engaged in the purchase of dairy products in Vermont? (Y) / (N). If yes of whom _____

Address _____

City _____ State _____ Zip Code _____

All applicants agree that they will pay to the Secretary any milk assessments or taxes as required by law.

MILK HAULERS PLEASE LIST ALL BULK MILK TANK TRUCKS OR TRAILERS BASED IN VERMONT (can substitute with a list attached to application or list all on an attachment)

Make	Year	Capacity	Serial #	ID name / #

PART II. TO BE COMPLETED BY APPLICANTS INTENDING TO PROCESS, PACKAGE OR SELL MILK OR DAIRY PRODUCTS IN VERMONT.

P	P	B	T	B	(Check all items that apply)
r	a	u	r	a	Process includes manufacturing as well
c	k	/	n	r	Package would be packaging of the processed product such as "cut and wrap" of cheese
e	a	S	s	a	Buy/sell includes buying, selling or distribution of milk and milk products at wholesale
s	g	e	p	i	Transport is the transportation of bulk milk and milk products
s	e	l	o	n	Bargaining is the collection of and paying for raw milk purchased from farmers
					Milk (Whole Milk, Skim, Nonfat Milk, Lowfat Milk, Reduced Fat Milk, flavored, etc.)
					Cream (Light, Heavy, whipping, etc.)
					Cultured Products (yogurt, cultured buttermilk, sour cream, etc.)
					Butter (butter, flavored butter, buttermilk from churn, etc.)
					Cheese (American, cheddar, baker, cottage, soft, etc.)
					Powdered and/or evaporated milk products
					Pasteurized Ice Cream Mix
					Other

Do you plan to make any claims around the use of milk from cattle **NOT** treated with rBST/rBGH () yes () no
 If yes appropriate affidavits and list of product utilizing such claims must be filed with the application, see attached rules.

Type of livestock milk is from (check all that apply) () cattle () goat () sheep () water buffalo

If you purchase any milk or cream from other licensed milk handlers, list them below

NAME	ADDRESS
_____	_____
_____	_____
_____	_____

List names, addresses and locations of all plants and facilities owned or operated and/or to be owned or operated.

NAME	ADDRESS
_____	_____
_____	_____
_____	_____

Applicants with processing plants located outside the State of Vermont must enclose a copy of their latest Plant Inspection Report made by the appropriate regulatory agencies in those states or provide current IMS number and state rated in. Ratings above 90 will be acceptable in lieu of current inspection form.

State whether the applicant, or any partner, officer or director thereof is the subject of any criminal, civil or disciplinary action by any federal or state agency or has been convicted of a crime relating in any way to the business of milk processing, marketing or both (Attach statement if necessary).

(Y) (N) explanation if needed _____

List localities or market areas to be served. (List by counties, or townships if not serving entire county or entire state if that is the case. Attach additional sheet, if needed).

WATER USAGE:

If the plant is located in Vermont and you withdraw more than 57,600 gallons of groundwater per day (40 gallons per minute) averaged over any 30-consecutive-day period this must be reported to the Agency.

Does your company withdraw more than 57,600 gallons of groundwater per day averaged over a 30 day period for any 30 day period of the year? () yes () no

If yes, how many _____ gallons per day averaged over a 30 day period.

PART III. FOR APPLICANTS INTENDING TO, OR PURCHASING MILK FROM VERMONT DAIRY FARMERS OR COOPERATIVES SELLING VERMONT SOURCED MILK EITHER DIRECTLY OR THROUGH A COOPERATIVE OWNED MARKETING SERVICE. If you have already sent this in for the previous calendar year, you do not need to do it again.

List the sources of Vermont sourced milk if your own farm or farm with the same principle owners as the plant just put down the name of your farm and then if not the same name as the plant put down “same principle owners”:

List volumes of milk purchased, or to be purchased from Vermont dairy farmers or cooperatives selling Vermont sourced milk. (For new licensees that are starting up indicate the estimated future twelve months by placing the year next to the month.)

January		April		July		October	
February		May		August		November	
March		June		September		December	

List the amounts paid for Vermont sourced milk during the previous calendar year.

January	\$	April	\$	July	\$	October	\$
February	\$	May	\$	August	\$	November	\$
March	\$	June	\$	September	\$	December	\$

FINANCIAL STATEMENTS:

If a handler buys or intends to buy milk from a Vermont farm, cooperative or marketing service owned by a cooperative(s) must attach a sworn balance sheet showing assets and liabilities and a profit and loss statement as of the end of the handler's preceding fiscal year. For new applicants, these financial statements shall be accompanied by an opinion of a certified public accountant. The financial information will be maintained as confidential by the Agency under section 317(c) (6)(tax related documents) and (9) (trade secrets) of Vermont’s public record law.

BONDS, LETTER OF CREDIT, OR LETTER ON PURCHASE AT OR BEFORE DELIVERY

All milk handlers buying milk from Vermont farmers, cooperative selling milk from their Vermont members, or from a marketing service owned by a cooperative(s) must provide a surety bond, letter of credit or a letter from the farmer, cooperative or marketing service stating that milk is paid for at or before the time of delivery. For exemptions and details see attached statutes. If milk is paid for at or before the time of delivery provide an updated letter with the application. For bonds, a bond will be calculated buy the dairy office based on the milk you are buying that is Vermont sourced and you will be notified of the bond amount needed. Bonds can be either a surety bond or an irrevocable letter of credit.

AGREEMENT AS TO PAYMENTS:

In the absence of a contract with the producers as to the time and form of payment for milk and cream, the law provides that such payments shall be made not later than the 25th of each month for products delivered during the preceding calendar month. On what dates each month do you agree to make payments to your producers for the coming year? _____ and _____.

State specifically from what date your first payment of the month covers. Payment made on the _____ day of the month covers deliveries from _____ to _____.

State specifically from what date your second payment of the month covers. Payment made on the _____ day of the month cover deliveries from _____ to _____.

PART IV: MILK HANDLER APPLICATION FEE SCHEDULE AND SIGNATURE. NOTE: ALL APPLICATIONS MUST BE SIGNED BEFORE THEY CAN BE PROCESSED

Fee schedule

	Statutory fee each	Fill in here and total for correct amount to include with the application
Size of operation based on pounds of milk or dairy products, bought, sold, assembled, transported or processed each day. This means production capacity NOT average processed or amount sold to Vermont.		
500 pounds or less	\$60.00	
Over 500 pounds but less than 10,000 pounds	\$200.00	
10,000 pounds to 50,000 pounds	\$350.00	
50,000 pounds to 100,000 pounds	\$750.00	
100,00 pounds to 500,000 pounds	\$1000.00	
Over 500,000 pounds	\$1500.00	
Processor fee for each pasteurizer unit. This does not apply to out of state firms unless inspected by Vermont	\$75.00	
Late Fee if renewing after August 15	\$100.00	
If this is a new application there is an application fee	\$50.00	
TOTAL		\$

READ THIS CAREFULLY PRIOR TO SIGNING APPLICATION FORM

Tax Department Requirement

By signing This Application You Certify That You Are In Good Standing with the Requirements Below.

If You Certify Falsely That You Are In Good Standing You May Be Subject To Prosecution.

By law (15 V.S.A. Section 795), the State may not renew a license for trade or business unless the licensee first certifies that he or she is in good standing with any order to pay child support.

By law (32 V.S.A. Sec. 3113), the State may not renew a license for business or trade unless the licensee certifies, under the pains and penalties of perjury, that he/she is in good standing with the Department of Taxes. The maximum penalties for perjury are fifteen (15) years in prison, a \$10,000 fine or both.

- Good standing means:
- that no taxes are due;
 - the liability is on appeal;
 - the licensee is complying with a State authorized payment plan; or
 - the immediate payment would cause unreasonable hardship. (If you are claiming hardship, please contact the licensing agency for further information.)

For further information the licensee should contact the Department of Taxes at (802) 828-2518.

I hereby certify under the pains and penalties of perjury that the information in this application is correct and that I am in Good Standing as noted in the Tax Department Requirement section of this application.

Name of company, partnership or individual submitting the application _____

Print name of individual signing the application _____

Print title of individual signing the application _____

Signature: _____

Date: _____