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Subject: Ag lab Regulated drugs exemption clause DRAFT

Attachments: Ag lab Regulated drugs exemption clause DRAFT.docx

Title 6: Agriculture

Chapter 5: Central Testing Laboratory

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§ 121. Creation and purpose

There is created within the Agency of Agriculture, Food and Markets a central testing laboratory for the purpose of providing agricultural ~~and~~ environmental and other necessary testing services. (Amended 1981, No. 22; 1989, No. 256 (Adj. Sess.), § 10(a), eff. Jan. 1, 1991; 2003, No. 42, § 2, eff. May 27, 2003; 2015, No. 58, § E.225.2.)

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§ 122. Fees

Notwithstanding 32 V.S.A. § 603, the Agency shall establish fees for providing agricultural ~~and~~ environmental and other necessary testing services at the request of private individuals and State agencies. The fees shall be reasonably related to the cost of providing the services. Fees collected under this chapter shall be credited to a special fund which shall be established and managed pursuant to 32 V.S.A. chapter 7, subchapter 5, and which shall be available to the Agency to offset the cost of providing the services. (Added 1975, No. 220 (Adj. Sess.), § 23; amended 1999, No. 49, § 104; 2003, No. 42, § 2, eff. May 27, 2003; 2015, No. 58, § E.225.3.)

§ 123. Persons Exempted

'Regulated drugs' shall be defined as in 18 V.S.A. § 4201.

The provisions of 18 V.S.A., Chapter 84 (restricting the possession and control of regulated drugs), shall not apply to the Secretary or his or her designee in the lawful performance of their official duties requiring possession or control of regulated drugs, nor by the Secretary or his or her designee whose possession is for the purpose of performing their official duties, provided all other applicable Federal or Vermont controlled substance statutes and rules are adhered to.

Additionally, the central testing laboratory shall obtain the appropriate certificate of approval specified by 18 V.S.A. §4207, as and if deemed necessary.