

From: Bothfeld, Diane [Diane.Bothfeld@vermont.gov]
Sent: Tuesday, February 01, 2011 6:13 PM
To: Ross, Chuck; MacLean, Alex
Subject: FW: Maple Law Changes
Attachments: MAPLE LAW.doc

Chuck and Alex,

The information attached was prepared by Roger Allbee and provided to Senator Kittell and Representative Partridge after the issue with Log Cabin arose. These are recommendations to strengthen the maple labeling law. Henry Marckres has been asked to testify tomorrow on this issue. I have reviewed the information and feel the improved language would be helpful. Wanted you to know this prior to Henry's testimony.

Diane

From: Marckres, Henry
Sent: Tuesday, February 01, 2011 3:44 PM
To: Bothfeld, Diane
Subject: Maple Law Changes

Here it is!

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MAPLE LAW & REGULATION CONCERNS

December 10, 2010

A new product began appearing on store shelves in Vermont during the summer of 2010. The product, Log Cabin All Natural Syrup, is a concern for the Vermont maple industry, as well as the Agency of Agriculture, Food & Markets. The concerns include: the designation on the label as “All Natural” and only containing 4% maple syrup, calling a product “Natural” with xanthan gum, caramel color and citric acid, and using a container that is exactly like the plastic jugs pure maple syrup is packaged in.

In addition to this, most supermarkets placed this product with the pure maple syrup, confusing consumers. All other maple flavored syrups and artificial syrups are placed away from pure maple syrup.

In dealing with this situation, it became apparent that our current maple laws and regulations did not deal specifically with this type of product. The Vermont Maple Industry Council has formed a committee that has met with Secretary Allbee twice to develop recommended changes to the law and regulation. The following are the results of the combined effort to clarify and strengthen our existing law and regulations.

Title 6, Chapter 32

Section 481 – Definitions

Add definition for maple flavored products and artificial maple flavored products

Section 493 - Labeling container of artificial maple flavored products

Add “or natural” – It shall be unlawful to use the term “maple syrup”, “maple sugar” or natural to describe any product, flavoring, sweetener or food additive unless the product meets the statutory definition of “maple syrup” or “maple sugar”.

Section 496 – Regulations; Powers

Add “or maple flavored product” – (b) When the Secretary determines that there is reasonable cause to believe a maple product or maple flavored product is in violation of this chapter or any regulations promulgated hereunder, he may embargo the sale, transportation or use of this product.

(b) The court shall have power to condemn any maple product or maple flavored product sold, stored, held, offered, exposed or advertised for sale or possessed in violation of this chapter, and may authorize its disposal.

Regulations

Section 1 – Definitions

Add definition for maple flavored products and artificial maple flavored products

Section V – Labeling

Add “or package” – No person shall label or package any maple syrup, maple product, maple flavored product or artificial maple flavored product in any manner which is untruthful, unfair or deceptive.

Section VII – Advertising

Add “ or display” – No person shall advertise or display any maple syrup, maple product, maple flavored product or artificial maple flavored product in any manner which is untruthful, unfair or deceptive.