

STATE OF VERMONT JOINT FISCAL OFFICE

#### MEMORANDUM

To: James Reardon, Commissioner of Finance & Management

From: Nathan Lavery, Fiscal Analyst

Date: June 15, 2009

Subject: JFO #2380

No Joint Fiscal Committee member has requested that the following item be held for review:

JFO #2380 — \$15,200 grant from the US Department of Agriculture to the Agency of Agriculture, Food and Markets. These grant funds be used to conduct surveillance audits at retail facilities to ensure compliance with federal country of origin labeling provisions.

[*JFO received 5/14/09*]

In accordance with 32 V.S.A. §5, the requisite 30 days having elapsed since this item was submitted to the Joint Fiscal Committee, the Governor's approval may now be considered final. We ask that you inform the Secretary of Administration and your staff of this action.

cc: Roger Allbee, Secretary



STATE OF VERMONT JOINT FISCAL OFFICE

### MEMORANDUM

To: Joint Fiscal Committee Members

From: Nathan Lavery, Fiscal Analyst

Date: May 15, 2009

Subject: Grant Request

Enclosed please find one (1) request that the Joint Fiscal Office has received from the administration:

JFO #2380 — \$15,200 grant from the US Department of Agriculture to the Agency of Agriculture, Food and Markets. These grant funds be used to conduct surveillance audits at retail facilities to ensure compliance with federal country of origin labeling provisions. Funds for this activity have been previously accepted without the Joint Fiscal Committee action because the amount of the grant was below the statutory threshold of \$5,000 (see 32 V.S.A. §5(a)(3)). Because the amount is now above \$5,000, this grant is being submitted to the Joint Fiscal Committee. A Small Grant & Gift Request summary report indicating past notification to the Joint Fiscal Office of this grant has been included. [JFO received 5/14/09]

The Joint Fiscal Office has reviewed this submission and determined that all appropriate forms bearing the necessary approvals are in order.

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Nathan Lavery at (802) 828-1488; <u>nlavery@leg.state.vt.us</u>) if you have questions or would like this item held for Joint Fiscal Committee review. Unless we hear from you to the contrary by <u>May 29</u> we will assume that you agree to consider as final the Governor's acceptance of this request.

cc: James Reardon, Commissioner Roger Allbee, Secretary



JFO 238

Agency of Administration

**State of Vermont** Department of Finance & Management 109 State Street, Pavilion Building Montpelier, VT 05620-0401

[phone] 802-828-2376 [fax] 802-828-2428

### **STATE OF VERMONT** FINANCE & MANAGEMENT GRANT REVIEW FORM

Grant Summary:		complianc	e with th	ne country of c	origin labeling pro	red retail facilities to ensur visions of the 2002 and arketing Act of 1946.		
Date:		5/4/2009						
Department:		Agriculture Food and Markets						
Legal Title of Gra	nt:	Country of	Country of Origin Labeling					
Federal Catalog #	······································	10.163						
Grant/Donor Nam	e and Address:			artment of Ag 20250-0254	riculture, 1400 Inc	lependence Avenue, SW		
Grant Period:	From:	4/27/2009	To:	9/30/09		······································		
<b>Grant/Donation</b>		\$15,200		•	<u></u>	,		
	SFY 1	SFY	2	SFY 3	Total	Comments		
Grant Amount:	\$2,600	\$12,60	)0 · 0(	\$	\$15,200			

	# Positions	Explanation/Comments
Position Information:	0	
Additional Comments:		USDA has awarded them funding for this in the past. However, the amount was small enough that Agriculture could send a letter of notification of the grant to JFO and to the Secretary of Administration. This year's grant is over that limit and so must go through the regular approval process with JFC. Also because there is some required training which has to happen before grant process completed, Agriculture has submitted a grant spending pre-notice to JFC ( a copy is attached.)

Department of Finance & Management		Sar	(Initial)	
Secretary of Administration	mda P Mu	RAM	(Initial)	
Sent To Joint Fiscal Office		5////RE	CEIVED	
Department of Finance & Management Version 1.1 - 10/15/08	Page 1 of 2		MAY 1 4 2009	
		JOINT	FISCAL OFFICE	

## STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

BASIC GRANT INFORMA				······
1. Agency:	Agency of Agriculture	, Food & Markets		
2. Department:			· · · · · · · · · · · · · · · · · · ·	
3. Program:				
4. Legal Title of Grant:	Country of Origin Lab	eling		
5. Federal Catalog #:	10.163			
6. Grant/Donor Name and A United States Departs 1400 Independence A Washington, DC 202	ment of Agriculture venue, SW 50-0254			
7. Grant Period: Fro	<b>m:</b> 4/27/2009	<b>To:</b> 9	9/30/2009	
Agricultural Marketin 9. Impact on existing progra Audits will not be pe	ng Act of 1946. Am if grant is not Acce arformed.	ng provisions of the 200		ms as amended in the
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	<b>FY</b> 2009	<b>FY</b> 2010	FY	
Personal Services	\$	\$10,290	\$	
Operating Expenses	\$2,600	\$2,310	\$	
Grants	\$	.\$	\$	
Tota	l \$2,600	\$12,600	\$	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	. \$	\$	\$	
Federal Funds:	\$	\$	\$	
(Direct Costs)	\$ \$2,600	\$ \$12,600	\$ \$	·····
	\$2,600 \$			
(Direct Costs)	\$2,600	\$12,600	\$	
(Direct Costs) (Statewide Indirect)	\$2,600 \$ \$	\$12,600 \$ \$	\$ \$ \$	
(Direct Costs) (Statewide Indirect) (Departmental Indirect)	\$2,600 \$	\$12,600 \$ \$ { \$	\$ \$ \$ \$	•
(Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds:	\$2,600 \$ \$ \$ \$ \$ \$ \$	\$12,600 \$ \$	\$ \$ \$	
(Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds: Grant (source ) Tota	\$2,600 \$ \$ \$ \$ \$ 1 \$2,600	\$12,600 \$ \$ \$ ' \$ \$ \$12,600	\$ \$ \$ \$ \$ \$	
(Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds: Grant (source ) Tota	\$2,600 \$ \$ \$ \$ \$ \$ \$ \$	\$12,600 \$ \$ { \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
(Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds: Grant (source ) Tota	\$2,600 \$ \$ \$ \$ \$ 1 \$2,600	\$12,600 \$ \$ \$ ' \$ \$ \$12,600	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
(Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds: Grant (source ) Tota	\$2,600 \$ \$ \$ \$ \$ 1 \$2,600	\$12,600 \$ \$ \$ ' \$ \$ \$12,600	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	

## **STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE** (Form AA-1)

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				\$	
				\$	
			Total	\$	
PER	SONAL SERVICE IN	FORMATION			
If "Y	Vill monies from this g es", appointing authorit ointing Authority Name	y must initial here to ind	e or more Personal Service C icate intent to follow current co (initial)	ontracts? [] Yes mpetitive bidding	s 🖾 No process/policy.
12. T	imited Service				
	tion Information:	# Positions	Title		
1 004				· · · · · · · · · · · · · · · · · · ·	
				· · · · · · · · · · · · · · · · · · ·	* .
	<b>Total Positions</b>				
	Equipment and space tions:	for these Is	presently available. Can	be obtained with	available funds.
		GENCY/DEPARTMEN	ST		
	certify that no funds	Signature	<u> </u>		Date
	nd basic application	Day Day	ve have		Date: 4/21/09
	preparation and filing costs Title:				
	been expended or	Depute	Seevenary		
	nitted in anticipation of	Signature:	3		Date:
	Fiscal Committee oval of this grant, unless				· ·
	ous notification was	Title:			1
	on Form AA-1PN (if	· ·			
appli	cable):				
14. A	<b>CTION BY GOVERN</b>	NOR			
/	Check One Box:	Runto	1		11
	Accepted		$\mathcal{X}$ $\subseteq$ $\mathcal{X}$		5/8/09
	<u> </u>	(Governor's signature	)		Date:
	Rejected		,		
15. 8	SECRETARY OF ADM	MINISTRATION			
	Check One Box:	$\varphi$	PM /		
	Request to JFO	1 Nonda 1	P //co	5/6/09	
	Information to JFO	(Secretary's signature	or designee)		Date:
┝╘┉┙					Piles Contra
16.1	OQCUMENTATION H				
		Required	GRANT Documentation		
	Request Memo		Notice of Donation (if any)		
	Dept. project approval (in	f applicable)	Grant (Project) Timeline (i		
	Notice of Award		Request for Extension (if a		
	Grant Agreement		Form AA-1PN attached (if	applicable)	
	Grant Budget				
		E	nd Form AA-1		

## STATE OF VERMONT GRANT SPENDING PRE-NOTICE (I

(Form AA-1PN)

<b>PURPOSE &amp; INSTRUCTIC</b>	DNS:		
		oint Fiscal Committee of the unavoidable need to spend State fund	
in advance of Joint Fiscal Con	nmittee approval of g	rant requests and with the intent of securing a federally or privatel	/ ·
funded grant award. Pre-notifi	ication is required for	expenditures of state funds beyond basic grant application	
		state funds does not guarantee that a grant will be awarded to the	
		be accepted by the Joint Fiscal Committee. If a grant award is	
		equest for Grant Acceptance must be submitted to the Joint Fise	al
		g or obligating additional funds.	
BASIC GRANT INFORMA	ΓΙΟΝ		
1. Agency:	Agriculture,	Food and Markets	
2. Department:		· · · · · · · · · · · · · · · · · · ·	
·		· · · · · · · · · · · · · · · · · · ·	
3. Program:	· · · · · · · · · · · · · · · · · · ·		
4. Legal Title of Grant:		Drigin Labeling	
5. Federal Catalog #:	10.163		
· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	
6. Grant/Donor Name and Ac			1
United State Departme			
7. Grant Period: From	n: 4/27/2009	<b>To:</b> 9/30/2009	
8. Purpose of Grant:			
To conduct surveillanc	e audits at covered re	etail facilities as determined by USDA to ensure compliance with	
		the 2002 and 2008 Farm Bills that amended the Agriucitural	·
Marketing Act of 1946			
		E OF GRANT ACCEPTANCE BY JOINT FISCAL:	
Expenditures:	FY 9	Required Explanation/Comments	{
Personal Services	\$	(Include type of expenditures to be incurred, i.e. training, planning, proposal development	t.
Operating Expenses	\$2,600.00	etc.)	- I
Grants	\$	There are two required days of training for two Vermont Agency	
		of Agriculture employees related to grant that will take	
Total	\$2,600.00	place May 9-7, 2009.	
<b>10. AUTHORIZATION AGE</b>			
I/We certify that spending these	Signature	Date: 5/1/200	9
State funds in advance of Joint			
Fiscal Approval of a Grant is		ry Agriculture Food and Markets	
unavoidable, and that a complete	d b	t A	
Form AA-1 Request for Grant	Signature:	Date:	
Acceptance will be submitted for		ARA AND AND AND AND AND AND AND AND AND AN	
Joint Fiscal Committee approval	l if a Titles		
grant award is received for this	Title:		
program:			
	relevant documentat	ion that demonstrates the necessity of this expenditure. (example:	
funding opportunity guidelines			
Distribution:	<u> </u>		,
Distribution: Original - Joint Fiscal Office:	<u>- 1 2;</u>		
Original - Joint Fiscal Office;			
Original - Joint Fiscal Office; Copy 1 – Department Grant File	••••••••••••••••••••••••••••••••••••••	v received).	
Original - Joint Fiscal Office;	••••••••••••••••••••••••••••••••••••••	ly received).	



United States Department of Agriculture

Agricultural Marketing Service

1400 Independence Avenue, SW. Room 3054-S, STOP 0254 Washington, DC 20250-0254

April 6, 2009

Henry Marckres Chief, Consumer Protection Vermont Department of Agriculture, Food and Markets 116 State Street Montpelier, Vermont 05620-2901

Dear Mr. Marckres:

In accordance with the terms of the cooperative agreement for Country of Origin Labeling (COOL) retail surveillance activities established between the Department of Agriculture (USDA) and the Vermont Department of Agriculture (VTDA), USDA is obligating \$15,200 for the 2009 fiscal year. The allocation is inclusive of performance of 21 retail reviews and travel expenses for COOL training in Chicago, Illinois May 6-7, 2009.

The travel allowance was determined for 2 VTDA employees using an average price for roundtrip airfare, lodging for 3 nights at the conference hotel, and the domestic per diem rate (2 days at \$64 per day and 2 days at \$48 per day) for meals and incidental expenses. If driving, mileage will be reimbursed at \$0.55 per mile. VTDA will be required to submit supporting documentation for actual airfare costs and mileage when requesting reimbursement.

The COOL retail surveillance training workshop will be held Wednesday and Thursday, May 6-7, 2009 from 8:00AM to 5:00PM both days at the Chicago Marriott O'Hare Airport in Chicago. Illinois. This training will provide necessary information to conduct surveillance reviews of covered facilities to ensure compliance with COOL provisions of the 2008 Farm Bill, All necessary materials, such as copy of the presentation and the COOL final rule will be provided for you on the day of the training. Please RSVP to the training by contacting Julie Lewis at (202) 205-9356 or Julie lewis@ams.usda.pov.

To make hotel reservations, please contact the Chicago Marriott O'Hare Airport, 8535 West Higgins Road, Chicago, Illinois 60631 via phone at (773) 693-4444 or (800) 228-9290, Room rates are \$99.00 per night. A block of rooms has been reserved under "USDA". Reservations must be made by April 27, 2009 to ensure government rate. Also, the hotel has a complimentary 24-hour shuttle service to and from the airport.

If you have any questions regarding the material to be covered at the training or other related questions, please contact Julie Lewis at (202) 205-9336. We look forward to seeing you in Chicago.

Sincerely,

Kenneth Becker, Acting Chief Standards, Analysis and Technology Branch



United States Department of Agriculture Agricultural Marketing Service 1400 Independence Avenue, SW. Room 26071-S, STOP 0254 Washington, DC 20250-0254

April 13, 2009

Henry Marckres Chief Consumer Protection Vermont Department of Agriculture, Food, and Markets 116 State Street Montpelier, Vermont 05620-2901

Dear Mr. Marckres:

This letter forwards the Cooperative Agreement between the U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS) and the Vermont Department of Agriculture. The enclosed amendment to cooperative agreement, No. 12-25-A-4891, has been approved by AMS' Associate Administrator. This copy is for your records.

We appreciate your cooperation in this process.

Sincerely,

Martin E. O'Connor Chief Standards, Analysis and Technology Branch Livestock and Seed Program

Enclosure

Agreement No. 12-25-A-4891 Amendment No.1

#### AMENDMENT TO COOPERATIVE AGREEMENT between the AGRICULTURAL MARKETING SERVICE UNITED STATES DEPARTMENT OF AGRICULTURE WASHINGTON, D. C. 20250 (hereinafter called the Federal Agency) and the Vermont Agency of Agriculture, Food, and Markets (hereinafter called the State Agency)

1. Provision for Amendment: It is agreed that the Cooperative Agreement providing for Country of Origin Labeling Retail Surveillance in the State of Vermont, effective April 27, 2009, is amended as follows:

Page 1 of 4 of cooperative agreement:

2. Objective: To conduct surveillance audits (reviews) at covered retail facilities as determined by the Federal Agency to ensure compliance with the country of origin labeling provisions of the 2002 and 2008 Farm Bills as amended in the Agricultural Marketing Act of 1946.

Page 2 of 4 of cooperative agreement:

II Responsibilities
 A. The Federal Agency will:

2. Pay for travel expenses for the maximum of two State employees to attend training seminars as deemed necessary by the Federal Agency.

5. Reimburse the State Agency a maximum of \$600 for each retail review contingent upon submission of properly completed review documentation.

Page 3 of 4 of cooperative agreement:

C. It is mutually understood and agreed that:

7. This agreement shall continue in force until terminated, subject to annual confirmation by an authorized officer of the Federal Agency. It may be amended or supplemented at any time by mutual agreement of the parties in writing. It may be terminated at any time by mutual consent or by either party hereto by giving 30 days written notice to the other party and specifying the date of termination. Supplemental agreements between the Agricultural Marketing Service and the cooperating State Agency made under this agreement shall be limited to the fiscal year in the work is performed.

- 2. Effective date of Amendment: April 27, 2009
- 3. Approvals: This Amendment is hereby approved for the State Agency.

Done at <u>Montpelier</u>, Vermont (City and State) on ylator (Date) fire Koger Allbee N Printed Name

Secretary, VT Agency of Agriculture IIIIIe

This Amendment is hereby approved for the Federal Agency.

(Date)

Done at Washington, D. C. on  $-\frac{4-9-99}{2}$ 

Associate Administrator Agricultural Marketing Service

Form AMS-20-3 (4/2/73)

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STATE OF VERMONT LEGISLATIVE JOINT FISCAL OFFICE

# **MEMORANDUM**

**To:** Joint Fiscal Committee Members

From: Rebecca Buck, Staff Associate K

**Date:** October 15, 2008

Subject: Small Grant & Gift Requests—Summary Report

In accordance with the provisions of 32 V.S.A. § 5(a)(3) (as amended in Secs. 394 and 406 of Act No. 65 of 2007\*), the Joint Fiscal Office is required to submit quarterly reports for small grant and gift requests with a value of \$5,000 or less. In the past sixteen months 6 items have been submitted. The following is a summary, to date, of the items submitted:

(1) July/December 2007; **\$5,000 grant from the National Alcohol Beverage Control** Association to the Department of Liquor Control for distribution of training video.

(2) April 2008; **\$4,800 grant from the U.S. Department of Agriculture to the Agency** of Agriculture, Food and Markets to perform Country of Origin labeling audits at specified locations with Perishable Agriculture Commodities Act licenses.

(3) May 2008; **\$5,000 grant from the American Bar Association Janet D. Steiger** Fellowship to the Office of the Attorney General to fund a law student intern for a minimum of 8 weeks this summer dedicated to consumer protection/anti-trust matters.

(4) September 2008; **\$4,999 grant from the U.S. Department of Agriculture to the** Agency of Agriculture, Food and Markets to participate in a Foot and Mouth Disease Test Exercise in November.

(5) September 2008; **\$1,999 grant from the Vermont Humanities Council to the** Agency of Commerce and Community Development, Division for Historic Preservation to fund a leading expert in New France in the Champlain Valley to create content for the upcoming "Lake Champlain Voyages of Discovery: Bringing History Home" web site and publication.

(6) October 2008; gift of a treadmill (valued at \$350) from Pat Melesco to the Department of Corrections to supplement existing physical fitness equipment at the Southern State Correctional Facility in Springfield.

\*Sec. 394. 32 V.S.A. § 5(a)(3) is amended to read:

(3) This section shall not apply to the acceptance of grants, gifts, donations, loans, or other thing things of value by the division for historic preservation for use in establishing and maintaining displays and exhibits at any historic site or restoring any historic site maintained and developed under section 723 of Title 22; nor to grants, gifts, donations, loans, or other things of value with a value of \$1,000.00 \$5,000.00 or less, provided that such acceptance will not incur additional expense to the state or create an ongoing requirement for funds, services, of facilities. The secretary of administration and joint fiscal office shall be promptly notified of the source, value and purpose of any items received under this subdivision. The joint fiscal office shall report all such items to the joint fiscal committee quarterly.

Sec. 406. EFFECTIVE DATES

\* \* \*

(c) Sec. 394 shall sunset on June 30, 2009 and revert to prior legislative language, unless otherwise recommended by joint fiscal committee vote and subsequent legislative action.



STATE OF VERMONT JOINT FISCAL OFFICE

#### MEMORANDUM

To: Joint Fiscal Committee Members

From: Nathan Lavery, Fiscal Analyst

Date: May 15, 2009

Subject: Grant Request

Enclosed please find one (1) request that the Joint Fiscal Office has received from the administration:

JFO #2380 — \$15,200 grant from the US Department of Agriculture to the Agency of Agriculture, Food and Markets. These grant funds be used to conduct surveillance audits at retail facilities to ensure compliance with federal country of origin labeling provisions. Funds for this activity have been previously accepted without the Joint Fiscal Committee action because the amount of the grant was below the statutory threshold of \$5,000 (see 32 V.S.A. §5(a)(3)). Because the amount is now above \$5,000, this grant is being submitted to the Joint Fiscal Committee. A Small Grant & Gift Request summary report indicating past notification to the Joint Fiscal Office of this grant has been included. [JFO received 5/14/09]

The Joint Fiscal Office has reviewed this submission and determined that all appropriate forms bearing the necessary approvals are in order.

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Nathan Lavery at (802) 828-1488; <u>nlavery@leg.state.vt.us</u>) if you have questions or would like this item held for Joint Fiscal Committee review. Unless we hear from you to the contrary by <u>May 29</u> we will assume that you agree to consider as final the Governor's acceptance of this request.

cc: James Reardon, Commissioner Roger Allbee, Secretary



JFO 2380

Agency of Administration

State of Vermont Department of Finance & Management 109 State Street, Pavilion Building Montpelier, VT 05620-0401

[phone] 802-828-2376 [fax] 802-828-2428

### **STATE OF VERMONT FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:		This grant is to conduct surveillance audits at covered retail facilities to ensure compliance with the country of origin labeling provisions of the 2002 and 2008 Farm bills as amended in the Agricultural Marketing Act of 1946.					
Date:		5/4/2009					
Department:	Agriculture Food and Markets						
Legal Title of Gra	Country o	Country of Origin Labeling					
Federal Catalog #	10.163						
Grant/Donor Nam		-	artment of Agr 20250-0254	iculture, 1400 Ind	ependence Avenue, SW		
Grant Period:	4/27/2009	To:	9/30/09		· · · · · · · · · · · · · · · · · · ·		
Grant/Donation		\$15,200					
	SFY 1	SFY	2	SFY 3	Total	Comments	
Grant Amount:	\$2,600	\$12,60	00	\$	\$15,200		

	# Positions	Explanation/Comments
<b>Position Information:</b>	0	
Additional Comments:		USDA has awarded them funding for this in the past. However, the amount was small enough that Agriculture could send a letter of notification of the grant to JFO and to the Secretary of Administration. This year's grant is over that limit and so must go through the regular approval process with JFC. Also because there is some required training which has to happen before grant process completed, Agriculture has submitted a grant spending pre-notice to JFC ( a copy is attached.)

Department of Finance & Management		Sau	(Initial)
Secretary of Administration	mda P Mex	RAM	(Initial)
Sent To Joint Fiscal Office		5/#/8	CEIVER
Department of Finance & Management Version 1.1 - 10/15/08	Page 1 of 2		MAY 1 4 2009
		JOINT	FISCAL OFFICE

## STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

	TION	· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·
1. Agency:	Agency of Agriculture	, Food & Markets		
2. Department:				
3. Program:	<u></u>	· · · · · · · · · · · · · · · · · · ·		
5. I Togram.				<u></u>
4. Legal Title of Grant:	Country of Origin Lab	eling	·····	
5. Federal Catalog #:	10.163			
6. Grant/Donor Name and A United States Departs				a de la companya de la compa
1400 Independence A	<b>Q</b>			
Washington, DC 202				
7. Grant Period: Fro		<b>To:</b> 9/	30/2009	
		· ·		
8. Purpose of Grant:				
To conduct surveillar	ice audits at covered ret	ail facilities as determine	ed by the Federal A	Agency to ensure
compliance with the o	country of origin labelir	ng provisions of the 2002	and 2008 Farm B	ills as amended in the
Agricultural Marketin	ng Act of 1946.			
9. Impact on existing progra	am if grant is not Acce	pted:		
Audits will not be pe	erformed.			
10. BUDGET INFORMATI	ON			
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	<b>FY</b> 2009	<b>FY</b> 2010	FY	
Personal Services	\$	\$10,290	\$	
Operating Expenses	\$2,600	\$2,310	\$	
Grants	\$	\$	\$	
		Ψ [	Ψ	
Tota	1 \$2,600	\$12,600	\$	····
	1 \$2,600	+		· ·
	1 \$2,600 \$	+		
Revenues:		\$12,600 \$	\$	· · · · · · · · · · · · · · · · · · ·
Revenues: State Funds:	\$	\$12,600	\$	
Revenues: State Funds: Cash	\$ \$ \$	\$12,600 \$ \$ \$	\$ \$ \$	
Revenues: State Funds: Cash In-Kind	\$ \$ \$ \$	\$12,600 \$ \$ \$ \$	\$ \$ \$ \$	
Revenues: State Funds: Cash In-Kind Federal Funds:	\$ \$ \$ \$	\$12,600 \$ \$ \$ \$ \$	\$ \$ \$ \$ \$	
Revenues: State Funds: Cash In-Kind Federal Funds: (Direct Costs)	\$ \$ \$ \$ \$2,600	\$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$	
Revenues: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect)	\$ \$ \$ \$ \$2,600 \$	\$12,600 \$ \$ \$ \$ \$ \$ \$12,600 \$	\$ \$ \$ \$ \$ \$ \$ \$	
Revenues: State Funds: Cash In-Kind Federal Funds: (Direct Costs)	\$ \$ \$ \$ \$2,600	\$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$	· · · · · · · · · · · · · · · · · · ·
Revenues: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect)	\$ \$ \$ \$ \$2,600 \$ \$	\$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$	
Revenues: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Departmental Indirect)	\$ \$ \$ \$ \$2,600 \$	\$12,600 \$ \$ \$ \$ \$ \$ \$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
Revenues: State Funds: Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds:	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$	
Revenues:         State Funds:         Cash         In-Kind         Federal Funds:         (Direct Costs)         (Statewide Indirect)         (Departmental Indirect)         Other Funds:         Grant (source )         Tota	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
Revenues:         State Funds:         Cash         In-Kind         Federal Funds:         (Direct Costs)         (Statewide Indirect)         (Departmental Indirect)         Other Funds:         Grant (source )         Tota	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
Revenues:         State Funds:         Cash         In-Kind         Federal Funds:         (Direct Costs)         (Statewide Indirect)         (Departmental Indirect)         Other Funds:         Grant (source )         Tota	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
Revenues:         State Funds:         Cash         In-Kind         Federal Funds:         (Direct Costs)         (Statewide Indirect)         (Departmental Indirect)         Other Funds:         Grant (source )         Tota	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
Revenues:         State Funds:         Cash         In-Kind         Federal Funds:         (Direct Costs)         (Statewide Indirect)         (Departmental Indirect)         Other Funds:         Grant (source )         Tota	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	

RECT APR 2 3 2009

# STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

		· · · · · · · · · · · · · · · · · · ·	\$				
			\$				
· · · · · · · · · · · · · · · · · · ·			\$				
		1 Otur	<u>L</u>				
PERSONAL SERVICE IN	PERSONAL SERVICE INFORMATION						
11. Will monies from this grant be used to fund one or more Personal Service Contracts? 🗌 Yes 🛛 No							
If "Yes", appointing authorit	ty must initial here to indi	cate intent to follow current co	ompetitive bidding	process/policy.			
Appointing Authority Name: Agreed by:(initial)							
12. Limited Service							
<b>Position Information:</b>	# Positions	Title					
	· · · · · · · · · · · · · · · · · · ·						
	• 						
Total Positions		· · · · · · · · · · · · · · · · · · ·	<u></u>				
	for these	presently available.	be obtained with	available funde			
12a. Equipment and space positions:			i be obtained with	available fullus.			
13. AUTHORIZATION A	GENCY/DEPARTMEN	T.					
I/we certify that no funds	Signature	60		Date:			
beyond basic application	Vau	e Kare		4/21/09			
preparation and filing costs	Title:	1					
have been expended or committed in anticipation of	Deputy	Secretary					
Joint Fiscal Committee	Signature:			Date:			
approval of this grant, unless	·						
previous notification was	Title:						
made on Form AA-1PN (if applicable):							
14. ACTION BY GOVER	NOR		<u> </u>				
/ Check One Box:		1					
Accepted	(must )	$\mathcal{L}$		5/8/09			
	(Governor's signature)			Date:			
Rejected				·			
15. SECRETARY OF AD	MINISTRATION						
Check One Box:	$\mathbf{F}$	PM /	5/6/09				
Request to JFO	(Secretary's signature	<u> </u>	10/01	Date:			
Information to JFO							
16. DOCUMENTATION	REQUIRED						
	Required (	GRANT Documentation					
Request Memo		Notice of Donation (if any					
Dept. project approval (i	if applicable)	Grant (Project) Timeline (					
Notice of Award		Request for Extension (if a					
Grant Agreement		Form AA-1PN attached (i	r applicable)				
Grant Budget							
	<u> </u>	nd Form AA-1					

# STATE OF VERMONT GRANT SPENDING PRE-NOTICE

PURPOSE & INSTRUCTIC			· · · · · · · · · · · · · · · · · · ·				· · · · · · · · · · · · · · · · · · ·
This form is intended solely as in advance of Joint Fiscal Com funded grant award. Pre-notifi preparation and filing costs. E State of Vermont, or that a futu subsequently received, a comp	nmittee ication xpendi ure gra pleted	approval of g is required for iture of these s nt award will b <b>Form AA-1</b> R	rant requests expenditure state funds d e accepted l equest for G	s and with s of state oes not gi by the Joil G <b>rant Acc</b>	the intent of securir funds beyond basic larantee that a gran nt Fiscal Committee <b>eptance</b> must be su	ng a fede grant ap nt will be . If a gra	erally or privately oplication awarded to the ant award is
Committee for review and appl		efore spending	g or obligatin	g addition	al funds.		<u> </u>
BASIC GRANT INFORMAT	<u>FION</u>						
1. Agency:		Agriculture,	Food and Ma	arkets	·	<u> </u>	· .
2. Department:						·	
	· .	·····		·····	· · · · · · · · · · · · · · · · · · ·		
3. Program:					·		
······································		····		•			
4. Legal Title of Grant:		Country of C	rigin Labelin	ng .			· · · · · · · · · · · · · · · · · · ·
5. Federal Catalog #:		10.163	•	•	· · · · · · · · · · · · · · · · · · ·		
		•					
6. Grant/Donor Name and Ad							
United State Departme			·	· · · ·			
7. Grant Period: From	1: 4	/27/2009	·	To:	9/30/2009	• <u>•••</u> ••	· · ·
8. Purpose of Grant:			· · · · · · · · · · · · · · · · · · ·		······································	<u> </u>	
To conduct surveillanc the country of origin la Marketing Act of 1946	beling	provisions of	the 2002 and	l 2008 Fai	m Bills that amend	ed the Ag	griucltural
9. STATE FUNDS TO BE SP	<u>ENT I</u>					NT FIS	CAL:
Expenditures:		<b>FY 9</b>	Required	Explanati	on/Comments		
Personal Services		\$	etc;)	r expenditures	to be incurred, i.e. training	g, planning,	proposal development,
Operating Expenses		\$2,600.00	There are t	wo require	ed days of training f	or two V	ermont Agency
Grants		\$			e employees related		
Total		\$2,600.00		ce May 🖉	7, 2009.		
<b>10. AUTHORIZATION AGE</b>	NCY/	DEPARTME	NT )				
I/We certify that spending these		Signature		THI			Date: 5/1/2009
State funds in advance of Joint	Ĺ	(		HI V	<u> </u>		
Fiscal Approval of a Grant is	· .	Title: Secreta	ry <b>A</b> gricu	lture Foo	d and Markets		
unavoidable, and that a complete	d		$\mathcal{A}$	A			
Form AA-1 Request for Grant		Signature:	1	H.	<u></u>		Date:
Acceptance will be submitted for		De		ARA	1		
Joint Fiscal Committee approval	l if a 占	Title:	XI-				· · · · · · · · · · · · · · · · · · ·
grant award is received for this		1110.	/ /		-		
program:			/	<u> </u>	····		
<b>11. ATTACHMENTS:</b> Attach funding opportunity guidelines				onstrates	the necessity of this	expendi	ture. (example:
Distribution:				·····			
Original - Joint Fiscal Office;	1997 - 1997 1997 - 1997					• •	
Copy 1 – Department Grant File					· · · · · · ·		
Copy 2 - Attach to Form AA-1 (i	f grant	is subsequentl	y received).				
<u> </u>	(Fnd)	Form AA-1PN - G	Frant Snanding 1	Pra Notica	Form A A_1PN)		
	(Lind)	· ·· ·· ·· ··· ·· · · · · · · · · · ·	ant opending I	I C-ITURICE -			



United States Department of Agriculture

Agricultural Marketing Service 1400 Independence Avenue, SW. Room 3054-S, STOP 0254 Washington, DC 20250-0254

April 6, 2009

Henry Marckres Chief, Consumer Protection Vermont Department of Agriculture, Food and Markets 116 State Street Montpelier, Vermont 05620-2901

Dear Mr. Marckres:

In accordance with the terms of the cooperative agreement for Country of Origin Labeling (COOL) retail surveillance activities established between the Department of Agriculture (USDA) and the Vermont Department of Agriculture (VTDA), USDA is obligating \$15,200 for the 2009 fiscal year. The allocation is inclusive of performance of 21 retail reviews and travel expenses for COOL training in Chicago, Illinois May 6-7, 2009.

The travel allowance was determined for 2 VTDA employees using an average price for roundtrip airfare, lodging for 3 nights at the conference hotel, and the domestic per diem rate (2 days at \$64 per day and 2 days at \$48 per day) for meals and incidental expenses. If driving, mileage will be reimbursed at \$0.55 per mile. VTDA will be required to submit supporting documentation for actual airfare costs and mileage when requesting reimbursement.

The COOL retail surveillance training workshop will be held Wednesday and Thursday, May 6-7, 2009 from 8:00AM to 5:00PM both days at the Chicago Marriott O'Hare Airport in Chicago, Illinois. This training will provide necessary information to conduct surveillance reviews of covered facilities to ensure compliance with COOL provisions of the 2008 Farm Bill. All necessary materials, such as copy of the presentation and the COOL final rule will be provided for you on the day of the training. Please RSVP to the training by contacting Julie Lewis at (202) 205-9356 or Julie lewis@ams.usda.gov.

To make hotel reservations, please contact the Chicago Marriott O'Hare Airport, \$535 West Higgins Road, Chicago, Illinois 60631 via phone at (773) 693-4444 or (800) 228-9290. Room rates are \$99.00 per night. A block of rooms has been reserved under "USDA". Reservations must be made by *April 27, 2009* to ensure government rate. Also, the hotel has a complimentary 24-hour shuttle service to and from the airport.

If you have any questions regarding the material to be covered at the training or other related questions, please contact Julie Lewis at (202) 205-9356. We look forward to seeing you in Chicago.

Sincerely,

Kenneth Becker, Acting Chief Standards, Analysis and Technology Branch



United States Department of Agriculture Agricultural Marketing Service 1400 Independence Avenue, SW. Room 26071-S, STOP 0254 Washington, DC 20250-0254

April 13, 2009

Henry Marckres Chief Consumer Protection Vermont Department of Agriculture, Food, and Markets 116 State Street Montpelier, Vermont 05620-2901

Dear Mr. Marckres:

This letter forwards the Cooperative Agreement between the U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS) and the Vermont Department of Agriculture. The enclosed amendment to cooperative agreement, No. 12-25-A-4891, has been approved by AMS' Associate Administrator. This copy is for your records.

We appreciate your cooperation in this process.

Sincerely,

Martin E. O'Connor Chief Standards, Analysis and Technology Branch Livestock and Seed Program

Enclosure

Agreement No. 12-25-A-4891 Amendment No.1

#### AMENDMENT TO COOPERATIVE AGREEMENT between the AGRICULTURAL MARKETING SERVICE UNITED STATES DEPARTMENT OF AGRICULTURE WASHINGTON, D. C. 20250 (hereinafter called the Federal Agency) and the Vermont Agency of Agriculture, Food, and Markets (hereinafter called the State Agency)

1. Provision for Amendment: It is agreed that the Cooperative Agreement providing for Country of Origin Labeling Retail Surveillance in the State of Vermont, effective April 27, 2009, is amended as follows:

Page 1 of 4 of cooperative agreement:

2. Objective: To conduct surveillance audits (reviews) at covered retail facilities as determined by the Federal Agency to ensure compliance with the country of origin labeling provisions of the 2002 and 2008 Farm Bills as amended in the Agricultural Marketing Act of 1946.

Page 2 of 4 of cooperative agreement:

II Responsibilities
 A. The Federal Agency will:

2. Pay for travel expenses for the maximum of two State employees to attend training seminars as deemed necessary by the Federal Agency.

5. Reimburse the State Agency a maximum of \$600 for each retail review contingent upon submission of properly completed review documentation.

Page 3 of 4 of cooperative agreement:

C. It is mutually understood and agreed that:

7. This agreement shall continue in force until terminated, subject to annual confirmation by an authorized officer of the Federal Agency. It may be amended or supplemented at any time by mutual agreement of the parties in writing. It may be terminated at any time by mutual consent or by either party hereto by giving 30 days written notice to the other party and specifying the date of termination. Supplemental agreements between the Agricultural Marketing Service and the cooperating State Agency made under this agreement shall be limited to the fiscal year in the work is performed.

- 2. Effective date of Amendment: April 27, 2009
- 3. Approvals: This Amendment is hereby approved for the State Agency.

Done at <u>Montpelier</u>, Vermont (City and State) on 4/2/00 (Date) ure Roger N. Allbee Printed Name

Secretary, VT Agency of Agriculture IIIIe

This Amendment is hereby approved for the Federal Agency.

(Date)

Done at Washington, D. C. on  $-\frac{4999}{209}$ 

Associate Administrator Agricultural Marketing Service

Form AMS-20-3 (4/2/73)



.



PHONE: (802) 828-2295 FAX: (802) 828-2483 WEBSITE: www.leg.state.vt.us/jfo/

STATE OF VERMONT LEGISLATIVE JOINT FISCAL OFFICE

# **MEMORANDUM**

**To:** Joint Fiscal Committee Members

From: Rebecca Buck, Staff Associate

**Date:** October 15, 2008

Subject: Small Grant & Gift Requests—Summary Report

In accordance with the provisions of 32 V.S.A. § 5(a)(3) (as amended in Secs. 394 and 406 of Act No. 65 of 2007\*), the Joint Fiscal Office is required to submit quarterly reports for small grant and gift requests with a value of \$5,000 or less. In the past sixteen months 6 items have been submitted. The following is a summary, to date, of the items submitted:

(1) July/December 2007; **\$5,000 grant from the National Alcohol Beverage Control** Association to the Department of Liquor Control for distribution of training video.

(2) April 2008; **\$4,800 grant from the U.S. Department of Agriculture to the Agency** of Agriculture, Food and Markets to perform Country of Origin labeling audits at specified locations with Perishable Agriculture Commodities Act licenses.

(3) May 2008; **\$5,000 grant from the American Bar Association Janet D. Steiger** Fellowship to the Office of the Attorney General to fund a law student intern for a minimum of 8 weeks this summer dedicated to consumer protection/anti-trust matters.

(4) September 2008; **\$4,999 grant from the U.S. Department of Agriculture to the** Agency of Agriculture, Food and Markets to participate in a Foot and Mouth Disease Test Exercise in November.

(5) September 2008; **\$1,999 grant from the Vermont Humanities Council to the** Agency of Commerce and Community Development, Division for Historic Preservation to fund a leading expert in New France in the Champlain Valley to create content for the upcoming "Lake Champlain Voyages of Discovery: Bringing History Home" web site and publication.

(6) October 2008; gift of a treadmill (valued at \$350) from Pat Melesco to the Department of Corrections to supplement existing physical fitness equipment at the Southern State Correctional Facility in Springfield.

\*Sec. 394. 32 V.S.A. § 5(a)(3) is amended to read:

(3) This section shall not apply to the acceptance of grants, gifts, donations, loans, or other thing things of value by the division for historic preservation for use in establishing and maintaining displays and exhibits at any historic site or restoring any historic site maintained and developed under section 723 of Title 22; nor to grants, gifts, donations, loans, or other things of value with a value of \$1,000.00 \$5,000.00 or less, provided that such acceptance will not incur additional expense to the state or create an ongoing requirement for funds, services, of facilities. The secretary of administration and joint fiscal office shall be promptly notified of the source, value and purpose of any items received under this subdivision. The joint fiscal office shall report all such items to the joint fiscal committee quarterly.

Sec. 406. EFFECTIVE DATES

\* \* \*

(c) Sec. 394 shall sunset on June 30, 2009 and revert to prior legislative language, unless otherwise recommended by joint fiscal committee vote and subsequent legislative action.



STATE OF VERMONT JOINT FISCAL OFFICE

### MEMORANDUM

To: Joint Fiscal Committee Members

From: Nathan Lavery, Fiscal Analyst

Date: May 15, 2009

Subject: Grant Request

Enclosed please find one (1) request that the Joint Fiscal Office has received from the administration:

JFO #2380 — \$15,200 grant from the US Department of Agriculture to the Agency of Agriculture, Food and Markets. These grant funds be used to conduct surveillance audits at retail facilities to ensure compliance with federal country of origin labeling provisions. Funds for this activity have been previously accepted without the Joint Fiscal Committee action because the amount of the grant was below the statutory threshold of \$5,000 (see 32 V.S.A. §5(a)(3)). Because the amount is now above \$5,000, this grant is being submitted to the Joint Fiscal Committee. A Small Grant & Gift Request summary report indicating past notification to the Joint Fiscal Office of this grant has been included. [JFO received 5/14/09]

The Joint Fiscal Office has reviewed this submission and determined that all appropriate forms bearing the necessary approvals are in order.

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Nathan Lavery at (802) 828-1488; <u>nlavery@leg.state.vt.us</u>) if you have questions or would like this item held for Joint Fiscal Committee review. Unless we hear from you to the contrary by <u>May 29</u> we will assume that you agree to consider as final the Governor's acceptance of this request.

cc: James Reardon, Commissioner Roger Allbee, Secretary





State of Vermont

Department of Finance & Management 109 State Street, Pavilion Building Montpelier, VT 05620-0401 Agency of Administration

[phone] 802-828-2376 [fax] 802-828-2428

### **STATE OF VERMONT FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:		This grant is to conduct surveillance audits at covered retail facilities to ensur compliance with the country of origin labeling provisions of the 2002 and 2008 Farm bills as amended in the Agricultural Marketing Act of 1946.				
Date:		5/4/2009				
Department:		Agriculture Food and Markets				
Legal Title of Grant:		Country of Origin Labeling				
Federal Catalog #:		10.163				
Grant/Donor Name and Address:		United States Department of Agriculture, 1400 Independence Avenue, SW Washington D.C. 20250-0254				
Grant Period: From:		4/27/2009	To:	9/30/09	9/30/09	
Grant/Donation		\$15,200				
	SFY 1	SFY	2	SFY 3	Total	Comments
Grant Amount:	\$2,600	\$12,60	00	\$	\$15,200	

	<b># Positions</b>	Explanation/Comments
<b>Position Information:</b>	0	
Additional Comments:		USDA has awarded them funding for this in the past. However, the amount was small enough that Agriculture could send a letter of notification of the grant to JFO and to the Secretary of Administration. This year's grant is over that limit and so must go through the regular approval process with JFC. Also because there is some required training which has to happen before grant process completed, Agriculture has submitted a grant spending pre-notice to JFC ( a copy is attached.)

Department of Finance & Management		Sar	(Initial)
Secretary of Administration	mda P Max	RAM	(Initial)
Sent To Joint Fiscal Office		5/#/A	CEIVED
Department of Finance & Management Version 1.1 - 10/15/08	Page 1 of 2		MAY 1 4 2009
		JOIN	FISCAL OFFICE

## STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE (Form AA-1)

Agonov	A genery of A grigulture	Food & Markata			
1. Agency: 2. Department:	Agency of Agriculture, Food & Markets				
2. Department:	1.4				
3. Program:					
4. Legal Title of Grant:	Country of Origin Labeling				
5. Federal Catalog #:	10.163				
6. Grant/Donor Name and A United States Departu 1400 Independence A Washington, DC 202	ment of Agriculture Avenue, SW 50-0254				
7. Grant Period: Fro	<b>m:</b> 4/27/2009	<b>To:</b> 9/30	)/2009		
Agricultural Marketin 9. Impact on existing progra Audits will not be pe 10. BUDGET INFORMATI	am if grant is not Acce erformed.	epted:			
	SFY 1	SFY 2	SFY 3	Comments	
Expenditures:	FY 2009	FY 2010	FY		
Personal Services	\$	\$10,290	\$		
Operating Expenses	\$2,600	\$2,310	\$		
Grants	\$	\$	\$		
Tota	1 \$2,600	\$12,600	\$		
Revenues:	\$	\$	\$		
State Funds:					
Cash	\$	\$	\$		
Cash	\$	\$	\$		
Cash In-Kind	\$ \$	\$ \$	\$ \$		
Cash In-Kind Federal Funds:	\$ \$ \$ \$2,600 \$	\$ \$ \$ \$12,600 \$	\$ \$ \$ \$ \$		
Cash In-Kind Federal Funds: (Direct Costs)	\$ \$ \$ \$2,600	\$ \$ \$ \$12,600	\$ \$ \$ \$		
Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect)	\$ \$ \$ \$2,600 \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$12,600 \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$		
Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds: Grant (source )	\$ \$ \$ \$2,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$12,600 \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$		
Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds:	\$ \$ \$ \$2,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$12,600 \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$		
Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds: Grant (source ) Tota	\$ \$ \$ \$2,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$		
Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds: Grant (source ) Tota	\$ \$ \$2,600 \$ \$ \$ \$ \$ 1 \$2,600	\$ \$ \$ \$12,600 \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$		
Cash In-Kind Federal Funds: (Direct Costs) (Statewide Indirect) (Departmental Indirect) Other Funds: Grant (source ) Tota	\$ \$ \$2,600 \$ \$ \$ \$ \$ 1 \$2,600	\$ \$ \$ \$12,600 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$		
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## **STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE** (Form AA-1)

	Contraction of Station Station		\$		
			\$		
		Total	\$		
PERSONAL SERVICE IN	FORMATION				
	ty must initial here to ind	e or more Personal Service C icate intent to follow current co (initial)			
12. Limited Service Position Information:	# Positions	Title			
<b>Total Positions</b>					
<b>12a. Equipment and space for these</b> Is presently available. Can be obtained with available funds. <b>Descriptions:</b>					
<b>13. AUTHORIZATION A</b>	GENCY/DEPARTMEN	T	The second second		
I/we certify that no funds beyond basic application	Signature: Dau	re Lane		Date: 4/21/09	
have been expended or					
committed in anticipation of Joint Fiscal Committee approval of this grant, unless				Date:	
previous notification was made on Form AA-1PN (if applicable):	Title:				
<b>14. ACTION BY GOVERN</b>	NOR				
Check One Box: Accepted	Amital			5/8/09	
Rejected	(Governor's signature) Date:			Date:	
<b>15. SECRETARY OF ADM</b>	MINISTRATION				
Check One Box: Request to JFO	Ronda P Mark 5/6/09				
Information to JFO	(Secretary's signature		/ /	Date:	
16. DOCUMENTATION F	REQUIRED				
		GRANT Documentation			
Request Memo         Dept. project approval (if applicable)         Notice of Award         Grant Agreement		<ul> <li>Notice of Donation (if any)</li> <li>Grant (Project) Timeline (if</li> <li>Request for Extension (if ap</li> <li>Form AA-1PN attached (if</li> </ul>	oplicable)		
Grant Budget					
	Er	nd Form AA-1			

## STATE OF VERMONT GRANT SPENDING PRE-NOTICE (Form AA-1PN)

PURPOSE & INSTRUCTIO		
This form is intended solely as	s notification to the J	Joint Fiscal Committee of the unavoidable need to spend State funds
in advance of Joint Fiscal Con	mmittee approval of	grant requests and with the intent of securing a federally or privately
funded grant award. Pre-notif	fication is required fo	or expenditures of state funds beyond basic grant application
preparation and filing costs. E	Expenditure of these	state funds does not guarantee that a grant will be awarded to the
State of Vermont, or that a fut	ure grant award will	be accepted by the Joint Fiscal Committee. If a grant award is
subsequently received, a com	pleted Form AA-1 F	Request for Grant Acceptance must be submitted to the Joint Fiscal
		ng or obligating additional funds.
BASIC GRANT INFORMA	TION	
1. Agency:	Agriculture	, Food and Markets
2. Department:		
	· .	
3. Program:		
· · · · · · · · · · · · · · · · · · ·	I	
4. Legal Title of Grant:	Country of	Origin Labeling
5. Federal Catalog #:	10.163	
	·····	
6. Grant/Donor Name and A	ddress:	
United State Departme		
7. Grant Period: From		<b>To:</b> 9/30/2009
	<b>u</b> , <i>u</i>	10: 9/30/2009
8. Purpose of Grant:		
	o audita at aarvanad	
the country of origin la	e audits at covered i	retail facilities as determined by USDA to ensure compliance with
the country of origin la	ibeling provisions of	f the 2002 and 2008 Farm Bills that amended the Agriucltural
Marketing Act of 1946	). ·	
	ENT IN ADVANC	CE OF GRANT ACCEPTANCE BY JOINT FISCAL:
Expenditures:	<b>FY</b> 9	Required Explanation/Comments
Personal Services	\$	(Include type of expenditures to be incurred, i.e. training, planning, proposal development,
Operating Expenses	\$2,600.00	<ul> <li>- tc.)</li> <li>- There are two required days of training for two Vermont Agency</li> </ul>
Grants	\$	of Agriculture employees related to grant that will take
Total	\$2,600.00	place May #-7, 2009.
10. AUTHORIZATION AGE		
I/We certify that spending these	Signature	Date: 5/1/2009
State funds in advance of Joint	Title: Second	
Fiscal Approval of a Grant is		ary Agriculture Food and Markets
unavoidable, and that a complete		the A
Form AA-1 Request for Grant	Signature:	Date:
Acceptance will be submitted for		ARIA IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII
Joint Fiscal Committee approval	I if a Title:	
grant award is received for this	11110.	
program:	-	
11. ATTACHMENTS: Attach	relevant documenta	tion that demonstrates the necessity of this expenditure. (example:
funding opportunity guidelines	require training etc.	)
Distribution:	<u>equite truining, etc.</u>	2
Original - Joint Fiscal Office;		
Copy 1 – Department Grant File;		
Copy 2 – Attach to Form AA-1 (i		He weedwad)
Copy # - Attach to Form AA-1 (I	i gi ant is subsequent	ny receiveu).
	(End Form AA-1PN – C	Grant Spending Pre-Notice – Form AA-1PN)



United States Department of Agriculture Agricultural Marketing Service 1400 Independence Avenue, SW. Room 3054-S, STOP 0254 Washington, DC 20250-0254

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April 6, 2009

Henry Marckres Chief, Consumer Protection Vermont Department of Agriculture, Food and Markets 116 State Street Montpelier, Vermont 05620-2901

Dear Mr. Marckres:

In accordance with the terms of the cooperative agreement for Country of Origin Labeling (COOL) retail surveillance activities established between the Department of Agriculture (USDA) and the Vermont Department of Agriculture (VTDA), USDA is obligating \$15,200 for the 2009 fiscal year. The allocation is inclusive of performance of 21 retail reviews and travel expenses for COOL training in Chicago, Illinois May 6-7, 2009.

The travel allowance was determined for 2 VTDA employees using an average price for roundtrip airfare, lodging for 3 nights at the conference hotel, and the domestic per diem rate (2 days at \$64 per day and 2 days at \$48 per day) for meals and incidental expenses. If driving, mileage will be reimbursed at \$0.55 per mile. VTDA will be required to submit supporting documentation for actual airfare costs and mileage when requesting reimbursement.

The COOL retail surveillance training workshop will be held Wednesday and Thursday, May 6-7, 2009 from 8:00AM to 5:00PM both days at the Chicago Marriott O'Hare Airport in Chicago, Illinois. This training will provide necessary information to conduct surveillance reviews of covered facilities to ensure compliance with COOL provisions of the 2008 Farm Bill. All necessary materials, such as copy of the presentation and the COOL final rule will be provided for you on the day of the training. Please RSVP to the training by contacting Julie Lewis at (202) 205-9356 or Julie lewis@ams.usda.gov.

To make hotel reservations, please contact the Chicago Marriott O'Hare Airport, 8535 West Higgins Road, Chicago, Illinois 60631 via phone at (773) 693-4444 or (800) 228-9290. Room rates are \$99.00 per night. A block of rooms has been reserved under "USDA". Reservations must be made by *April 27, 2009* to ensure government rate. Also, the hotel has a complimentary 24-hour shuttle service to and from the airport.

If you have any questions regarding the material to be covered at the training or other related questions, please contact Julie Lewis at (202) 205-9356. We look forward to seeing you in Chicago.

Sincerely,

Kenneth Becker, Acting Chief Standards, Analysis and Technology Branch



United States Department of Agriculture Agricultural Marketing Service 1400 Independence Avenue, SW. Room 26071-S, STOP 0254 Washington, DC 20250-0254

April 13, 2009

Henry Marckres Chief Consumer Protection Vermont Department of Agriculture, Food, and Markets 116 State Street Montpelier, Vermont 05620-2901

Dear Mr. Marckres:

This letter forwards the Cooperative Agreement between the U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS) and the Vermont Department of Agriculture. The enclosed amendment to cooperative agreement, No. 12-25-A-4891, has been approved by AMS' Associate Administrator. This copy is for your records.

We appreciate your cooperation in this process.

Sincerely,

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Martin E. O'Connor Chief Standards, Analysis and Technology Branch Livestock and Seed Program

Enclosure

Agreement No. 12-25-A-4891 Amendment No.1

#### AMENDMENT TO COOPERATIVE AGREEMENT between the AGRICULTURAL MARKETING SERVICE UNITED STATES DEPARTMENT OF AGRICULTURE WASHINGTON, D. C. 20250 (hereinafter called the Federal Agency) and the Vermont Agency of Agriculture, Food, and Markets (hereinafter called the State Agency)

1. Provision for Amendment: It is agreed that the Cooperative Agreement providing for Country of Origin Labeling Retail Surveillance in the State of Vermont, effective April 27, 2009, is amended as follows:

Page 1 of 4 of cooperative agreement:

2. Objective: To conduct surveillance audits (reviews) at covered retail facilities as determined by the Federal Agency to ensure compliance with the country of origin labeling provisions of the 2002 and 2008 Farm Bills as amended in the Agricultural Marketing Act of 1946.

Page 2 of 4 of cooperative agreement:

II Responsibilities
 A. The Federal Agency will:

2. Pay for travel expenses for the maximum of two State employees to attend training seminars as deemed necessary by the Federal Agency.

5. Reimburse the State Agency a maximum of \$600 for each retail review contingent upon submission of properly completed review documentation.

Page 3 of 4 of cooperative agreement:

C. It is mutually understood and agreed that:

7. This agreement shall continue in force until terminated, subject to annual confirmation by an authorized officer of the Federal Agency. It may be amended or supplemented at any time by mutual agreement of the parties in writing. It may be terminated at any time by mutual consent or by either party hereto by giving 30 days written notice to the other party and specifying the date of termination. Supplemental agreements between the Agricultural Marketing Service and the cooperating State Agency made under this agreement shall be limited to the fiscal year in the work is performed.

- 2. Effective date of Amendment: April 27, 2009
- 3. Approvals: This Amendment is hereby approved for the State Agency.

Done at <u>Montpelier</u>, Vermont (City and State) on 412100 (Date) quature oger N. Allbee Printed Name

Secretary, VT Agency of Agriculture TITLE

This Amendment is hereby approved for the Federal Agency.

Done at Washington, D. C. on  $\frac{4-9-99}{(Date)}$ 

Associate Administrator Agricultural Marketing Service

Form AMS-20-3 (4/2/73)



PHONE: (802) 828-2295 FAX: (802) 828-2483 WEBSITE: www.leg.state.vt.us/jfo/

STATE OF VERMONT LEGISLATIVE JOINT FISCAL OFFICE

# **MEMORANDUM**

To: Joint Fiscal Committee Members

From: Rebecca Buck, Staff Associate

**Date:** October 15, 2008

Subject: Small Grant & Gift Requests—Summary Report

In accordance with the provisions of 32 V.S.A. § 5(a)(3) (as amended in Secs. 394 and 406 of Act No. 65 of 2007\*), the Joint Fiscal Office is required to submit quarterly reports for small grant and gift requests with a value of \$5,000 or less. In the past sixteen months 6 items have been submitted. The following is a summary, to date, of the items submitted:

(1) July/December 2007; **\$5,000 grant from the National Alcohol Beverage Control** Association to the Department of Liquor Control for distribution of training video.

(2) April 2008; **\$4,800 grant from the U.S. Department of Agriculture to the Agency** of Agriculture, Food and Markets to perform Country of Origin labeling audits at specified locations with Perishable Agriculture Commodities Act licenses.

(3) May 2008; **\$5,000 grant from the American Bar Association Janet D. Steiger** Fellowship to the Office of the Attorney General to fund a law student intern for a minimum of 8 weeks this summer dedicated to consumer protection/anti-trust matters.

(4) September 2008; **\$4,999 grant from the U.S. Department of Agriculture to the** Agency of Agriculture, Food and Markets to participate in a Foot and Mouth Disease Test Exercise in November.

(5) September 2008; **\$1,999 grant from the Vermont Humanities Council to the** Agency of Commerce and Community Development, Division for Historic Preservation to fund a leading expert in New France in the Champlain Valley to create content for the upcoming "Lake Champlain Voyages of Discovery: Bringing History Home" web site and publication.

(6) October 2008; gift of a treadmill (valued at \$350) from Pat Melesco to the Department of Corrections to supplement existing physical fitness equipment at the Southern State Correctional Facility in Springfield.

\*Sec. 394. 32 V.S.A. § 5(a)(3) is amended to read:

(3) This section shall not apply to the acceptance of grants, gifts, donations, loans, or other thing things of value by the division for historic preservation for use in establishing and maintaining displays and exhibits at any historic site or restoring any historic site maintained and developed under section 723 of Title 22; nor to grants, gifts, donations, loans, or other things of value with a value of \$1,000.00 \$5,000.00 or less, provided that such acceptance will not incur additional expense to the state or create an ongoing requirement for funds, services, of facilities. The secretary of administration and joint fiscal office shall be promptly notified of the source, value and purpose of any items received under this subdivision. The joint fiscal office shall report all such items to the joint fiscal committee quarterly.

Sec. 406. EFFECTIVE DATES

\* \* \*

(c) Sec. 394 shall sunset on June 30, 2009 and revert to prior legislative language, unless otherwise recommended by joint fiscal committee vote and subsequent legislative action.



STATE OF VERMONT JOINT FISCAL OFFICE

### MEMORANDUM

To: Representative Carolyn Partridge

From: Nathan Lavery, Fiscal Analyst

Date: May 15, 2009

Subject: JFO #2380

Representative Michael Obuchowski asked that I forward to you a copy of the enclosed grant materials and cover memo. He requests your observations regarding the enclosed item.

cc: Rep. Michael Obuchowski Stephen Klein