

May 15th, 2025

The Honorable David Durfee
Chair, Vermont House Committee on Agriculture, Food Resiliency and Forestry
115 State St., Room 49
Montpelier, VT 05633

Dear Chairman Durfee:

On behalf of Dairy Farmers of America (DFA) and the Cooperative's more than 250 farmer-owners in the state of Vermont, I write in support of S. 45, an act relating to protection from nuisance suits for agricultural activities. Over the past several years, we have seen legislation introduced that would protect farms from nuisance suits and am encouraged by the support that S. 45 has garnered.

DFA is a leading global dairy cooperative, owned by 9,500 farmer-owners on 5,000 farms across the United States — in Vermont alone, we have 263 farms. Those family farmers are invested in 80 processing facilities that produce a wide range of dairy products including fluid milk, cheese, butter, ice cream, dairy ingredients and more. Dairy farmers raise their families and their herds on the same land. As thoughtful stewards of the land, they understand the value of protecting and improving the resources on their farm to ensure that the agricultural heritage of our local communities is preserved for many future generations to come.

I am a sixth generation dairy farmer and currently work alongside my two brothers, Lawrence and Michael, and our sons and nephews. Our dairies are located in Sheldon, Fairfax, Fletcher and Fairfield. I am extremely proud of my industry and am delighted that there will be a seventh generation who will continue our long and proud history of dairy farming. I also serve as vice chair of DFA's Northeast Area Council, as well as on the DFA Board of Directors. As a dairy farmer and member of several industry boards and councils, I want to ensure our next generation has the tools they will need to be successful in the face of the many challenges that are before dairy farmers around the country.

As dairy farming practices in Vermont evolve, the laws and policies that govern our industry should as well. S. 45 provides assurances for farms who are already following the complex and costly myriad of all local, state and federal regulations to enjoy a rebuttable presumption of not being a nuisance in the event of a complaint. The burden of proof is on the plaintiff to prove that the nuisance has injured them, not the farm, and will help our industry focus on our work, not frivolous and costly lawsuits.

Dairy farmers also appreciate the inclusion of the mediation language, setting forth that requirement may help resolve issues before they reach lawyers, saving time and money for all involved. This is what I would describe as being "the Vermont way" and a logical, neighborly step to take toward resolution.

For centuries, dairy farming has been part of the fabric of Vermont and every step taken to preserve it will hopefully help the next generation succeed in future years. Other states have right-to-farm laws that offer the same protection to farms and I urge our legislature to support passage of this bill.



If I can provide more information about the impact of this legislation or more about DFA's footprint in Vermont, please do not hesitate to contact me.

Sincerely,



Harold Howrigan
Vermont dairy farmer

CC: Members of the Vermont House Committee on Agriculture, Food Resiliency and Forestry

