

2026 Regular Session

HOUSE BILL NO. 783

BY REPRESENTATIVE COATES

HEALTH/LDH: Provides relative to the regulation of food and food safety

1 AN ACT

2 To amend and reenact R.S. 3:4102(1) and (10)(b), R.S. 38:2251.1, and R.S. 40:881(A) and
3 to enact R.S. 3:4102(19) and 4109(H), relative to the regulation of food and food
4 safety; to provide relative to the Dairy Stabilization Law; to provide for definitions;
5 to prohibit state agencies from purchasing or serving any non-lactational dairy
6 protein product; to prohibit certain entities from manufacturing, processing,
7 packaging, storing, or distributing non-lactational dairy protein products; to provide
8 for labeling requirements; to prohibit certain products from being labeled as milk;
9 and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 3:4102(1) and (10)(b) are hereby amended and reenacted and R.S.
12 3:4102(19) and 4109(H) are hereby enacted to read as follows:

13 §4102. Definitions

14 As used in this Subpart, unless the context otherwise requires:

15 (1) "Milk" means the lacteal secretion, practically free from colostrum,
16 obtained by the complete milking of one or more healthy cows (including such
17 secretions when raw, cooled, pasteurized, standardized, homogenized, recombined,
18 or concentrated) which meets applicable requirements of the state health officer. The
19 word "milk" shall be interpreted to include goat, sheep, water buffalo, camel milk
20 and the milk from other hooved animals.

21 * * *

1 (10) "Dairy product" means any of the following:

2 * * *

3 (b) Any product which contains milk solids not fat, butterfat, or a milk
4 derivative, and which is manufactured in the semblance of one of the products listed
5 in the preceding subparagraph, provided, however, that the term "dairy products"
6 shall not include butter, cheese (other than cottage cheese or creole cream cheese),
7 nonfat dry milk, skim condensed milk, whole condensed milk, ~~or~~ sweetened
8 condensed milk, and non-lactational dairy protein products.

9 * * *

10 (19) "Non-lactational dairy protein product" means a food product not
11 containing dairy-identical or dairy-derived proteins produced through microbial
12 fermentation or other manufacturing processes and not derived from the natural
13 lactation of a mammal.

14 * * *

15 §4109. Licenses; prohibitions

16 * * *

17 H. It shall be unlawful for a licensed processor, distributor, supplier, or
18 retailer to manufacture, process, package, store, or distribute a non-lactational dairy
19 protein product.

20 Section 2. R.S. 38:2251.1 is hereby amended and reenacted to read as follows:

21 §2251.1. Preference for milk and dairy products produced or processed in this state

22 A. Every person acting as a purchasing agent for any agency, board,
23 commission, department, or other instrumentality of the state or of a parish,
24 municipality, or other unit of local government, including a levee board, drainage
25 district, school board, or special district, shall purchase milk and dairy products
26 produced or processed in this state which are equal in quality to milk and dairy
27 products produced or processed outside the state, provided the cost of the milk or
28 dairy products produced or processed in this state does not exceed by more than ten

Present law (R.S. 3:4102(1)) defines "milk" as the lacteal secretion from one or more cows, including milk that is raw, cooled, pasteurized, standardized, homogenized, recombined, or concentrated, and that meets the requirements of the state health officer.

Proposed law modifies present law by clarifying that "milk" is the lacteal secretion that is practically free from colostrum and is obtained by the complete milking of one or more healthy cows. Further requires that "milk" be interpreted to include the milk of goats, sheep, water buffalo, camels, and other hooved animals.

Present law (R.S. 3:4102(10)(b)) defines "dairy product" to include any product that contains milk solids not fat, butterfat, or a milk derivative, and that is manufactured to resemble a dairy product listed in the preceding subparagraph. Clarifies that the term "dairy product" does not include butter; cheese (except cottage cheese or Creole cream cheese); nonfat dry milk; skim condensed milk; whole condensed milk; or sweetened condensed milk.

Proposed law retains present law and adds that non-lactational dairy protein products are not considered "milk".

Present law (R.S. 3:4102) provides for definitions under the Dairy Stabilization Law.

Proposed law retains present law and adds a definition of "non-lactational dairy protein product" to mean a food product not containing dairy-identical or dairy-derived proteins produced through microbial fermentation or other manufacturing processes and not derived from the natural lactation of a mammal.

Present law (R.S. 3:4109) provides licensing requirements for processors.

Proposed law retains present law but adds a prohibition for any licensed processor, distributor, supplier, or retailer to manufacture, process, package, store, or distribute a non-lactational dairy protein product.

Present law (R.S. 38:2251.1) provides for the preference of milk and dairy products produced or processed in the state over out-of-state products for state and local government purchases, provided that the in-state products are of equal quality and reasonably priced.

Proposed law retains present law but prohibits a state agency, including a public school, university, correctional facility, or other publicly funded institution, from purchasing or serving any non-lactational dairy protein product, as defined in present law (R.S. 3:4102).

Present law (R.S. 40:881(A)) requires the La. Dept. of Health to enforce the U.S. Food and Drug Administration's standard of identity for milk (21 CFR 131.110), the Pasteurized Milk Ordinance, and the provisions of present law to prohibit the sale of plant-based products that are mislabeled as milk.

Proposed law modifies present law by also prohibiting the sale of non-lactational dairy protein products that are mislabeled as milk. Further requires that any non-lactational dairy protein product offered for sale bear a clear and conspicuous disclosure statement that complies with the required formatting of proposed law.

(Amends R.S. 3:4102(1) and (10)(b), R.S. 38:2251.1, and R.S. 40:881(A); Adds R.S. 3:4102(19) and 4109(H))