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## DIGEST

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Ortego

HB No. 247

**Abstract:** Authorizes the sale of goat milk or whole milk that has not been pasteurized by the producer to the consumer on the premises where the raw milk is produced.

Present law requires all fluid milk, cream, buttermilk, and milk beverages sold, offered for sale, or delivered for the purpose of human consumption to be Grade A according to specifications in the rules and regulations promulgated by the Dept. of Health and Hospitals (DHH).

Proposed law retains present law but adds an exception for raw milk sold pursuant to proposed law.

Present law authorizes DHH to promulgate rules and regulations prescribing the sanitary standard requirements of all milk sold or offered for sale in this state, provided that no rules and regulations shall be promulgated setting up standards lower than those as set forth in the U.S. Public Health Service Milk Ordinance and Code.

Proposed law retains present law but adds an exception for raw milk sold pursuant to proposed law.

Proposed law defines "incidental sales of goat milk and whole milk that has not been pasteurized" as those sales where the average monthly number of gallons sold does not exceed 500 gallons.

Proposed law defines "raw milk" as goat milk and whole milk that has not been pasteurized.

Proposed law defines "whole milk" as the lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, that when offered for sale contains at least 3-1/4% of butterfat and 8-1/4% solids not fat.

Proposed law provides that the term "whole milk" shall not include lacteal secretion obtained within 15 days before or five days after calving or a longer period if necessary to render the milk practically colostrum free.

Proposed law provides that nothing in proposed law shall be construed to prohibit incidental sales of goat milk or whole milk that has not been pasteurized directly to consumers at the farm where the milk is produced or preclude the advertising of incidental sales of goat milk or whole milk that has not been pasteurized.

Proposed law requires the seller of whole milk that has not been pasteurized to do all of the following:

- (1) Post at the point of sale a sign that is no smaller than two feet by four feet that includes all of the following information in large, clear text:
  - (a) The name and address of the farm with seller's contact information.
  - (b) The following statement: "This product, sold for personal use and not for resale, is fresh whole milk that has NOT been pasteurized. Neither this farm nor the milk sold by this farm has been inspected by the state of La. The consumer assumes all liability for health issues that may result from the consumption of this product."
- (2) Affix a label to the bottle or package that includes all of the following information:
  - (a) The name and address of the farm with the seller's contact information.
  - (b) The following statement: "This product, sold for personal use and not for resale, is fresh whole milk that has NOT been pasteurized. Neither this farm nor the milk sold by this farm has been inspected by the state of La. The consumer assumes all liability for health issues that may result from the consumption of this product."

Proposed law requires a farmer who sells fresh unpasteurized whole milk to permit inspection of the farmer's cows and barns by any customer upon request.

Proposed law authorizes the incidental sales of goat milk that has not been pasteurized if all of the following conditions are met:

- (1) The milk is sold directly to the consumer on the premises where the milk is produced.
- (2) No more than nine producing goats are located on the premises where the milk is produced.
- (3) All of the following conditions, which apply to the milking of goats involved in legal incidental sales of raw goat milk, are satisfied:
  - (a) The milking takes place in a clean environment on a cement or comparable floor.
  - (b) The milking place is enclosed by a wall or screen to prevent insects from entering the milking area.
  - (c) A fly strap is located in the milking area.
  - (d) Sterile containers are used in the milking process and for storage.

- (4) A sign is posted at the point of sale that is no smaller than two feet by four feet that includes all of the following information in large, clear text:
  - (a) The name and address of the farm with seller's contact information.
  - (b) The following statement: "This product, sold for personal use and not for resale, is fresh goat milk that has NOT been pasteurized. Neither this farm nor the milk sold by this farm has been inspected by the state of La. The consumer assumes all liability for health issues that may result from the consumption of this product."
- (2) There is a label affixed to the bottle or package that includes all of the following information:
  - (a) The name and address of the farm with the seller's contact information.
  - (b) The following statement: "This product, sold for personal use and not for resale, is fresh goat milk that has NOT been pasteurized. Neither this farm nor the milk sold by this farm has been inspected by the state of La. The consumer assumes all liability for health issues that may result from the consumption of this product."

Proposed law authorizes raw goat milk to be stored in a separate sterile place from pasteurized goat milk.

Proposed law requires a farmer who sells fresh unpasteurized goat milk to permit inspection of the farmer's goats and barns by any customer upon request.

Proposed law authorizes the sale of cheese made from goat milk or whole milk that has not been pasteurized for the purpose of human consumption if all of the following conditions are met:

- (1) The cheese is cured at a temperature of not less than 35 degrees Fahrenheit for not less than 60 days.
- (2) The cheese is offered for sale by the cheese producer directly to the consumer only on the premises of the farm where the cheese is produced.
- (3) There is a sign posted at the point of sale a sign that is no smaller than two feet by four feet that includes all of the following information in large, clear text:
  - (a) The name and address of the farm with seller's contact information.
  - (b) The following statement: "This product, sold for personal use and not for resale, is cheese made from goat milk or whole milk that has NOT been pasteurized. Neither this farm nor the milk sold by this farm has been inspected by the state of La. The consumer assumes all liability for health issues that may result from the consumption of this product."

- (4) The cheese producer has clearly labeled each container of cheese made from goat milk or whole milk that has not been pasteurized with the following information:
- (a) The name and address of the farm with the seller's contact information.
  - (b) The following statement: "This product, sold for personal use and not for resale, is cheese made from goat milk or whole milk that has NOT been pasteurized. Neither this farm nor the cheese sold by this farm has been inspected by the state of La. The consumer assumes all liability for health issues that may result from the consumption of this product."

Proposed law requires a farmer who sells cheese made from goat milk or whole milk that has not been pasteurized to permit inspection of the farmer's cows or goats and barns by any customer upon request.

Proposed law authorizes DHH to promulgate any administrative rules and regulations necessary for the administration of proposed law.

(Amends R.S. 40:921(A) and 922(A); Adds R.S. 40:931-936)