

JAN 18 2013

A BILL FOR AN ACT

RELATING TO MILK.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to allow the sale of
2 safe, wholesome raw milk, and raw-milk products to consumers.
3 The legislature finds that many people wish to consume
4 unpasteurized raw milk and raw-milk products for a variety of
5 reasons ranging from taste to health.

6 According to the National Conference of State Legislatures,
7 states that permit the sale of raw milk in retail stores include
8 Arizona, California, Connecticut, Idaho, Maine, New Hampshire,
9 New Mexico, Nevada, Pennsylvania, South Carolina, Utah, and
10 Washington. States that allow the sale of raw milk on the farm
11 include Arkansas, Illinois, Kansas, Kentucky, Massachusetts,
12 Minnesota, Nebraska, New York, Oklahoma, Rhode Island, Texas,
13 and Wisconsin.

14 When produced hygienically, raw milk has health benefits
15 that may be destroyed in the pasteurization process, and can be
16 as hygienic as pasteurized milk. The sale and consumption of
17 raw milk and raw-milk products can be safe and wholesome if



1 properly treated. Additionally, the bacteria found in raw milk
2 are essential to flavors of many cheeses.

3 The purpose of this Act is to allow:

- 4 (1) Retailers, distributors, producers, and producer-
5 distributors to sell raw milk and raw-milk products
6 for purchase or consumption by consumers; and
7 (2) Farmers to sell raw milk and raw-milk products
8 directly from a farm to consumers.

9 SECTION 2. Chapter 157, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§157- Raw milk and raw-milk products; labeling. (a)
13 Retailers, distributors, producers, and producer-distributors
14 may sell raw milk, including cheese, kefir, and yogurt produced
15 from raw milk, and raw-milk products for purchase or consumption
16 by consumers, subject to rules adopted by the board of
17 agriculture for the department of agriculture.

18 (b) Farmers may sell raw milk and raw-milk products
19 directly from a farm to consumers, subject to rules adopted by
20 the board of agriculture for the department of agriculture.

21 (c) No later than July 1, 2014, the board of agriculture
22 shall adopt rules for the department of agriculture in



1 accordance with chapter 91 to implement this section; provided
2 that the rules shall include guidelines similar to
3 administrative rules of other states that allow the sale of raw
4 milk and raw-milk products. The rules shall include:

5 (1) Standards to ensure the non-contamination of raw milk
6 in the production and sale of raw milk and raw-milk
7 products; and

8 (2) Regulation of cow-sharing or animal-sharing to produce
9 raw milk.

10 (d) Each container of raw milk and raw-milk products shall
11 bear:

12 (1) A label which reads, "RAW MILK", "RAW-MILK PRODUCT",
13 or "CONTAINS RAW-MILK PRODUCTS", as applicable; and

14 (2) A precautionary statement which reads, "Contains
15 pathogens which may be unsafe to consume".

16 SECTION 3. Section 157-1, Hawaii Revised Statutes, is
17 amended by adding two new definitions to be appropriately
18 inserted and to read as follows:

19 "Raw milk" is milk that has not been pasteurized or
20 otherwise treated with heat.

21 "Raw-milk products" includes products made from raw milk."

22 SECTION 4. New statutory material is underscored.



1 SECTION 5. This Act shall take effect on July 1, 2013.

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S.B. NO. 364

Report Title:

Dairy Products; Raw Milk

Description:

Allows retailers, distributors, producers, and producer-distributors to sell raw milk and raw-milk products for purchase or consumption by consumers, subject to rules adopted by the board of agriculture for the department of agriculture. Allows farmers to sell raw milk and raw-milk products directly from a farm to consumers, subject to rules adopted by the board of agriculture for the department of agriculture.

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