

JAN 20 2017

S.B. NO. 846

A BILL FOR AN ACT

RELATING TO DAIRY.

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

1 SECTION 1. The legislature finds that consumers' food
2 preferences have shifted toward locally-produced food in recent
3 years. Additionally, many small farms have the capability and
4 desire to offer unpasteurized dairy products to consumers that
5 seek locally-produced dairy products. However, certain
6 regulations make the access to unpasteurized dairy difficult or
7 prohibited.

8 The legislature further finds that thirty states permit
9 some sale or distribution of unpasteurized milk for human
10 consumption, twelve of which permit the sale of unpasteurized
11 milk in retail stores.

12 The purpose of this Act is to increase access to dairy
13 products by expressly permitting:

- 14 (1) The sale of unpasteurized milk; and
15 (2) The establishment of cow share programs.



1 SECTION 2. Chapter 157, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§157-A Unpasteurized milk sales. (a) The offering for
5 sale and sale of unpasteurized milk products in retail stores
6 shall be permitted; provided that a retailer shall not sell
7 unpasteurized milk:

8 (1) Later than one hundred twenty hours after it is
9 milked; or

10 (2) Without a label that warns about the risks of
11 consuming unpasteurized milk, especially to children
12 and the elderly.

13 (b) A producer shall keep a record of the name and address
14 of all persons to which it sells unpasteurized milk.

15 (c) A producer may sell unpasteurized milk for animal
16 consumption.

17 (d) As used in this section, "unpasteurized milk" means
18 milk, cream, butter, or other product that includes milk from a
19 cow, goat, or sheep that has:

20 (1) Not been heated; or

21 (2) Been heated:



- 1 (A) To a temperature; or
- 2 (B) For a time,
- 3 that is less than what is required for pasteurization
- 4 under the definition of "pasteurized milk" in section
- 5 157-1.

6 **§157-B Cow share programs.** Producers may establish cow
 7 share programs in which consumers:

- 8 (1) Purchase a share of a milk-producing cow; and
- 9 (2) Routinely receive from the producer a portion of milk
- 10 that is equivalent to the purchased share of the milk-
- 11 producing cow."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

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S.B. NO. 846

Report Title:

Unpasteurized Milk

Description:

Permits the retail sale of unpasteurized milk under certain conditions. Permits the sale of unpasteurized milk for animal consumption. Defines unpasteurized milk. Permits milk producers to establish cow share programs.

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