

---

---

## A BILL FOR AN ACT

RELATING TO RAW MILK.

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

1           SECTION 1. The legislature finds that many people wish to  
2 consume unpasteurized raw milk and raw milk products for various  
3 reasons, including its taste and potential health benefits.  
4 According to the National Conference of State Legislatures,  
5 Arizona, California, Connecticut, Idaho, Maine, New Hampshire,  
6 New Mexico, Nevada, Pennsylvania, South Carolina, Utah, and  
7 Washington all permit the sale of raw milk in retail stores,  
8 while Arkansas, Illinois, Kansas, Kentucky, Massachusetts,  
9 Minnesota, Nebraska, New York, Oklahoma, Rhode Island, Texas,  
10 and Wisconsin all allow the sale of raw milk on farms.

11           The legislature also finds that when properly produced, raw  
12 milk remains as safe as pasteurized milk, however, raw milk has  
13 taste and health benefits that may otherwise be destroyed in the  
14 double pasteurization process. Additionally, raw milk contains  
15 certain bacteria that are essential flavor components of many  
16 cheese varieties.



1           Accordingly, the purpose of this Act is to allow milk  
2 producers to sell raw milk and raw milk products directly from a  
3 farm to consumers.

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

7           "§157-       Raw milk and raw-milk products; labeling. (a)  
8 Notwithstanding any provision to the contrary, a producer may  
9 sell raw milk and raw milk products directly to consumers,  
10 subject to rules adopted by the board pursuant to subsection  
11 (b); provided that the farm or facility from which the raw milk  
12 or raw milk product originated contains no more than two milk-  
13 bearing cows.

14           (b) The board shall adopt rules concerning the direct sale  
15 to consumers of raw milk and raw milk products no later than  
16 July 1, 2020, in accordance with chapter 91; provided that any  
17 rules adopted pursuant to this section shall:

18           (1) Include conditions similar to those found in the  
19 administrative rules of other states that allow the  
20 sale of raw milk and raw milk products;



1        (2) Ensure the non-contamination of raw milk in the  
2        production and sale of raw milk and raw milk products;

3        and

4        (3) Regulate the sharing of cows in the production of raw  
5        milk.

6        (c) Each container of raw milk or raw milk products  
7        intended for sale shall display the following:

8        (1) A label that reads, "RAW MILK", "RAW MILK PRODUCT", or  
9        "CONTAINS RAW MILK PRODUCTS", as applicable; and

10       (2) A precautionary statement that reads, "Contains  
11       pathogens that may be unsafe to consume".

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

15       "Raw milk" means milk that has not been pasteurized or  
16       otherwise treated with heat.

17       "Raw milk product" means any product produced from raw  
18       milk, including but not limited to cheese, kefir, and yogurt."

19       SECTION 4. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

2

INTRODUCED BY: *Hyalunime*

JAN 18 2019



# H.B. NO. 536

**Report Title:**

Raw Milk; Agriculture; Health; Offer for Sale

**Description:**

Authorizes the sale of raw milk and raw milk products with restrictions.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

