

JAN 20 2017

A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

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

4 "§157- Raw milk; pet use. (a) The acquisition of raw
5 milk or raw milk products by a consumer shall not be prohibited
6 if the following conditions are met:

7 (1) The consumer is an owner of a pet animal and acquires
8 raw milk or raw milk products directly from a farm or
9 dairy that is registered pursuant to subsection (b);

10 (2) A prominent disclaimer that the raw milk or raw milk
11 products are intended solely for consumption by pet
12 animals and not for human consumption is displayed on
13 a label affixed to the container; and

14 (3) A prominent warning statement that the raw milk or raw
15 milk products are not pasteurized is delivered to the
16 consumer with the raw milk or raw milk products or is
17 displayed on a label affixed to the container.



1 (b) Farms or dairies that provide raw milk or raw milk
2 products to consumers shall register with the State by
3 delivering to the department of health a written statement
4 containing:

- 5 (1) The name of the farm or dairy;
6 (2) A valid, current address of the farm or dairy; and
7 (3) A statement that raw milk or raw milk products are
8 being produced at the farm or dairy.

9 (c) No person who, as a consumer, acquires raw milk or raw
10 milk products, in accordance with this section, shall be
11 entitled to sell or redistribute raw milk or raw milk products.

12 (d) No producer of raw milk or raw milk products shall
13 publish any statement that implies approval or endorsement of
14 raw milk or raw milk products by the department of health.

15 (e) For the purposes of this section, unless the context
16 clearly indicates otherwise:

17 "Pet animal" means any animal that has commonly been kept
18 as a pet in family households such as dogs, cats, guinea pigs,
19 rabbits, and hamsters. "Pet animal" does not include exotic
20 animals or wild animals.



1 "Raw milk" means the lacteal secretion that comes straight
2 out of a mammal and has not been pasteurized or homogenized.

3 "Raw milk products" means any food that contains raw milk
4 and shall include but not be limited to butter, cheese, cottage
5 cheese, cream, and kefir."

6 SECTION 2. Section 157-21, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "§157-21 Licensing. [~~It~~] Except as provided in section
9 157- , it shall be unlawful for any producer, producer-
10 distributor, or distributor to produce, sell, process, or
11 distribute milk in a milk shed unless the person is duly
12 licensed as provided by this chapter. It shall be unlawful for
13 any such person to sell, buy, process, or distribute milk which
14 the person knows or has reason to believe has been produced or
15 handled in violation of this chapter."

16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

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

19

INTRODUCED BY:









S.B. NO. 162

Will Egan



S.B. NO. 162

Report Title:

Raw Milk; Raw Milk Products; Pet Animal; Agriculture

Description:

Permits the acquisition of raw milk and raw milk products by consumers if certain conditions are met, including a label indicating that raw milk and raw milk products are not pasteurized and are only intended for consumption by pet animals. Requires farms and dairies that produce raw milk or raw milk products to register with the department of health.

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