

### 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 Missouri and Wyoming permit the sale of raw milk at farmers
- 9 markets; and Arkansas, Illinois, Kansas, Massachusetts,
- 10 Minnesota, Nebraska, New York, Oklahoma, Oregon, South Dakota,
- 11 Texas, and Wisconsin all allow the sale of raw milk on farms.
- 12 The legislature also finds that when properly produced, raw
- 13 milk remains as safe as pasteurized milk; however, raw milk has
- 14 taste and health benefits that may otherwise be destroyed in the
- 15 double pasteurization process. Additionally, raw milk contains
- 16 certain bacteria that are essential flavor components of many
- 17 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; direct sales;
8	labeling. (a) Notwithstanding any provision to the contrary, a
9	producer may sell raw milk and raw milk products directly to
10	consumers, subject to rules adopted by the board pursuant to
11	subsection (b); provided that the farm or facility from which
12	the raw milk or raw milk product originated contains no more
13	than two milk-bearing cows.
14	(b) The board shall adopt rules in accordance with chapter
15	91 concerning the direct sale to consumers of raw milk and raw
16	milk products no later than July 1, 2022; 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;

ı	(2)	Ensure the non-contamination of raw milk in the	
2		production and sale of raw milk and raw milk products;	
3		<u>and</u>	
4	(3)	Regulate the sharing of cows in the production of raw	
5		milk.	
6	<u>(c)</u>	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	SECT	ION 3. Section 157-1, Hawaii Revised Statutes, is	
13	amended b	y adding two new definitions to be appropriately	
14	inserted and to read as follows:		
15	" <u>"</u> Ra	w 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, inc	eluding but not limited to cheese, kefir, and yogurt."	
19	SECT	'ION 4. New statutory material is underscored.	

1 SECTION 5. This Act shall take effect on July 1, 2021.

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INTRODUCED BY: Heleshima

JAN 2 2 2021

### Report Title:

Raw Milk; Raw Milk Products; Direct Sales; Labeling Requirements

### Description:

Authorizes the direct sale of raw milk and raw milk products to consumers, with certain restrictions. Specifies labeling requirements for raw milk and raw milk products.

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