



# Raw Milk Legal Issues and Public Health Protection

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# Raw Milk Sales in the U.S.

- Federal Law prohibits interstate transport & sale of raw milk for consumer use.
- Some states prohibit intrastate sales of raw milk for consumer use.
- Some states allow for raw milk sales for consumer use.
  - Regulatory requirements
  - No Regulatory requirements

# Raw Milk Sales in the U.S.

Circumventing state and federal public health laws:

- share programs
- animal or pet food labeling
- Colostrum sold as a dietary supplement



# Weston A. Price

## CAMPAIGNING FOR RAW MILK

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- Many chapter leaders are putting much effort into helping make raw milk available and legal. In some cases, this is a formidable task. Chapter leaders in many states have organized milk groups to pick up raw milk at farms some distance away, or have it delivered to drop-off points.
- The Ontario leaders met with Health Canada about legislation to introduce raw milk back into the marketplace.
- Chapter leader efforts to legalize the sale of raw milk are ongoing in Ohio, Florida, Indiana, Kentucky and Tennessee. These efforts include attending meetings, signing petitions, developing educational materials and meeting with elected officials.

[www.Realmilk.com](http://www.Realmilk.com)

## SAFETY OF RAW CHEESE

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My doctor has given me dire warnings about drinking raw milk and eating raw cheese during my pregnancy. Should I be concerned?

Anne Smythe  
San Bernadino, California

*Raw milk produced in clean conditions and raw hard cheeses are safe for pregnant women (we recommend that pregnant women drink 1 quart of whole raw milk per day), but it's best to be careful about all commercial soft cheeses, not because they are "raw," but because they are often improperly pasteurized, that is, the temperature, which kills all the protective components of milk but not the pathogens.*

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This article appeared in [\*Wise Traditions in Food, Farming and the Healing Arts\*](#), the quarterly magazine of the Weston A. Price Foundation, Summer 2005.



# Cow Shares

What is a cow share?

- Cow shares, animal shares, herd shares or farm share agreements are a marketing approach
- Consumer purchases a “share” of an cow (goat or sheep) & in return receives a portion of the milk produced
- WSDA considers this a Sale and licensing is required

# Retail Raw Milk Sales in Washington State

Legal if:

- ✓ Licensed Milk Producer
- ✓ Licensed Milk Processor
- ✓ Warning Label required
- ✓ Brucellosis & Tuberculosis tested
  - ✓ (Q Fever added to Animal Health Criteria 1/2008)
- ✓ Only Fluid Milk & Decanted Cream
- ✓ Raw Milk Cheeses must be aged for 60 days
- ✓ No other raw milk products approved
  - ✓ No Food Service usage
  - ✓ No raw milk lattes
  - ✓ No free samples at farmer markets

# The “Truth” about Raw Milk in Washington State

- Hand milking is allowed
- Separate production and processing facilities required
- Sanitary hand bottling is allowed
- WSDA performs monthly pathogen testing



# The “Truth” about Raw Milk in Washington State



- Increase in small milk operations
- 42 Milk Processors to 75 MP in past five years
- Variety of Processors: pasteurized products, raw aged cheese, raw milk bottling
- 25 Licensed Retail Raw Milk Processors

# WSDA Public Health Concerns & Enforcement Issues

- Pathogen & Illness Investigations
- Illegal Products – milk and cheese products
  - Misinformation about raw milk
  - Traditional ethnic food production
- Limited staff to provide technical assistance to all the new operations entering this business
  - New processors have limited or no food safety training
- Work with & depend upon local health, state health, sister states and FDA to help identify problems and investigate potential problems

# E.coli 0157:H7 case – December 2005 – illegal milk sales



# E. Coli Investigation



# Pathogen Detection and Illness

- 2 children ill due to E coli 0157:H7 drinking raw milk from a legal retail raw cow/goat operation September 2006
- *Listeria monocytogenes* confirmed in Retail Raw Milk from Shaw Island in 12/2006, 5/2007, 4/2008 and 2009
- *Campylobacter jejuni* confirmed in Retail Raw Milk December 2007. WSDA Press Release issued and Health Departments identified 18 people ill due to consumption of raw milk product. 9 were under 13 years of age.

# Illegal Products



- California Raw Milk Product
- Violation of Interstate Transportation
- Use of “Cat or Dog Food” Label Disclaimer
- Unpasteurized nonaged cheeses



# Public Health Collaboration

- Cross jurisdictional collaboration a “must”
- Rapid PH FB illness identification and/or links to suspect/causes lead to:
  - success in preventing further illnesses
  - stopping illegal products
  - educating groups on safe food production which can lead to successful new business ventures



# In Closing

- Raw Milk for Human Consumption is a Potentially Hazardous Food
- Illnesses tied to raw milk consumption need to be shared with public health officials and the media across the country
- Find ways to prevent the illegal interstate transportation of raw milk products takes both federal & state involvement
- Illnesses will continue to occur

# The “Truth” about Raw Milk

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