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## NASDA RELEASES RAW MILK SURVEY

**Washington, D.C.** – The National Association of State Departments of Agriculture (NASDA) has released updated results from a Raw Milk Survey.

NASDA conducted a Raw Milk Survey, in cooperation with the National Association of Dairy Regulatory Officials (NADRO), to gather current information about the regulation and sale of raw milk in the United States. Raw milk is defined as milk that has not been pasteurized. The Center for Disease Control (CDC) strongly discourages consumption of raw milk as pathogens from raw milk can result in kidney failure, paralysis and fatality, in some cases.

This survey is NASDA's third collection of data since 2004. In 2008, 50 states participated in the survey and 30 states allowed raw milk sales. NASDA's new data reflects no change in the number of states permitting unpasteurized milk sales both on the farm and in retail markets. The 2011 data shows the same 30 states allowing raw milk sales. Likewise, the same 20 states still prohibit the sale of raw milk to consumers. Five states have adopted stricter quality standards to regulate the sale of raw milk since the 2008 survey.

Of the 30 states where raw milk sales are allowed in some form, 13 states restrict legal sales to occur only on the farm where the milk is produced. The survey shows that 12 other states allow the sale of raw milk at retail stores separate from the farm. The remaining five states restrict the availability of raw milk to special markets or have compound regulations.

NASDA represents the commissioners, secretaries, and directors of the state departments of agriculture in all 50 states and four territories. The information for this survey was received from the NADRO members in each state.

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## Summary of results:

Of the 50 respondents, 30 states authorize the legal sale of raw milk, in some specified manner, for direct human consumption. The remaining 20 states prohibit the sale of raw milk to consumers. The following data represents the 30 states that allow raw milk sales in some form.

### **Sales of raw milk restricted to the farm:**

- 13 states restrict legal sales to occur only on the farm where the milk is produced (AR, IL, KS, KY, MA, MN, MS, NE, NY, OK, RI, TX, WI)
  - Four of these states (MN, WI, OK, IL) further restrict sales to only incidental occurrences (i.e., occasional; not as regular course of business; no advertising)
  - Kansas allows sales directly to the consumer on the farm with minimal on-farm advertising.
  - Four states (AR, KY, MS, RI) restrict sales to goat milk only, with two states (KY, RI) also requiring a prescription from a physician
    - AR allows 100 gallons of raw, liquid goat milk to be sold from the farm each month.
- 5 states have a coliform standard for milk sold only on-farm (ID, MA, NY, OR, TX)

### **Sales of raw milk at retail stores separate from farm:**

- 12 states allow the sale of raw milk at retail stores separate from the farm (AZ, CA, CT, ID, ME, NH, NM, NV, PA, SC, UT, WA)
  - One of the 12 (UT), requires the store to be owned by the producer, even though it can be located off of the farm.
  - Another state (SC) allows the sale of raw milk both on and off the farm and at farmers' markets if a permit is obtained. Further, farmers must provide retail stores with a warning plaque to be displayed in front of the raw milk.
- Of these 12 states, all 12 have a total coliform standard.
  - 9 states have a coliform standard of  $\leq 10/\text{mL}$  (AZ, CA, ME, NH, NV, PA, SC, UT, WA)
  - 1 state has a coliform standard of  $\leq 25/\text{mL}$  (ID)
  - 2 states have a coliform standard of  $\leq 50/\text{mL}$  (CT, NM)

### **Sales of raw milk at farmers' markets and states with compound regulations:**

- 5 states have unique regulations that do not fit in either of the categories above. (CO, MO, OR, SD, VT)
  - One state (OR) allows on-farm sales of raw cow's milk only from farms with no more than two producing cows, nine producing sheep and/or 9 producing goats; Only goat milk is allowed at retail off farm.
  - Of the five states, one state (CO) prohibits all sales of raw milk; however, raw milk may be legally obtained through "share" operations.
  - Another state (VT), allows raw milk to be sold on the farm and if farmers comply with further standards they are also allowed deliver to retail stores. Raw milk sales are prohibited at farmers' markets and advertising is not restricted.
  - Two states (SD, MO,) allow farmers to deliver to farmers' market but not to stores.
  - Of these five states, 4 have minimum standard requirements (MO, OR, SD, VT)
  - 1 state has a coliform standard of  $\leq 10/\text{mL}$  (VT, OR)
  - 1 state has a coliform standard of  $\leq 100/\text{mL}$  (MO)
  - 1 state requires the same standards for raw milk as pasteurized milk (SD)

**The Sale of Raw Milk is prohibited in 20 States:** (AL, AK, DE, FL, GA, HI, IN, IA, LA, MD, MI,

MT, NJ, NC, ND, OH, PA, VA, WV, WY)

States that have added quality standards for raw milk since 2008 are highlighted in red

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**2011 Survey Questions:**

1. Is the sale of raw milk for direct human consumption legal in your state?
2. Do your state laws or regulations expressly prohibit animal share raw milk operations?
3. Do your state laws or regulations authorize raw milk sales only on the farm?
4. Are raw milk sales at retail stores or markets, separate from the farm, legal in your state?
5. Does your state have any microbial standards for raw milk sold to the consumer? If yes, please specify.
6. Is sampling for compliance with the above standard(s) conducted at the farm bulk tank, or at the final package/bottle?
7. Are there any county or local government bans on raw milk sales in your state?
8. Approximately how many producers of milk to be sold raw are operating in your state?
9. What has changed regarding the regulation of raw milk since the 2008 survey?



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