



MARYLAND DEPARTMENT OF AGRICULTURE

LEGISLATIVE COMMENT

DATE: 02/02/2016 BILL NO.: HB 79

SUBJECT: HEALTH – MILK PRODUCTS – RAW MILK—CONSUMER-OWNED LIVESTOCK

COMMITTEE: HEALTH AND GOVERNMENT OPERATIONS

MDA POSITION: LETTER OF CONCERN

EXPLANATION:

HB 79 would exempt from any kind of regulation the distribution of raw milk and raw milk products from milk producers directly to the final consumer, if the consumer has acquired a specified ownership interest in the cow. The bill also requires the consumer and the milk producer to enter into a written contract. The bill does not apply to restaurant, retail, commercial, wholesale or other sales of milk and milk products to a buyer.

COMMENT:

MDA has a number of concerns with HB 79 because of the public health related issues to raw milk as well as the potential negative economic impact that a raw milk illness might have on Maryland dairy farmers. There have been numerous cases of disease outbreaks as a result of raw milk consumption in other states. MDA believes that while this legislation is more narrowly focused than previous legislation, we are concerned that this would potentially expose Maryland dairy farmers to increased financial risk as sales decrease after a disease outbreak attributed to Maryland-produced milk.

MDA notes that the Maryland Dairy Industry Oversight and Advisory Council, charged with improving the economic viability of Maryland's dairy industry and reporting annually to the Governor, opposes this legislation as well. From 1998 through 2011, 148 outbreaks due to consumption of raw milk or raw milk products were reported to U.S. Centers for Disease Control (CDC). These resulted in 2,384 illnesses, 284 hospitalizations, and 2 deaths. Most of these illnesses were caused by *Escherichia coli*, *Campylobacter*, *Salmonella*, or *Listeria*. It is important to note that a substantial proportion of the raw milk-associated disease burden falls on children; among the 104 outbreaks from 1998-2011 with information on the patients' ages available, 82% involved at least one person younger than 20 years old.

Acknowledging these facts as reported by the CDC, in its 2013 report, the Council again recommended opposing any raw milk legislation. The Council, whose membership

includes dairy farmers, milk processors, consumers, the University of Maryland, Department of Health and Mental Hygiene and MDA, strongly believes that the health concerns associated with raw milk sales are well documented by organizations ranging from the CDC to the American Academy of Pediatrics. The Council writes, “Milk that is processed and pasteurized is a healthy, wholesome food product. However, in its raw form there are potential health risks.”