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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO FOOD AND DRUGS - RAW MILK

Introduced By: Senators Kettle, Sosnowski, Morgan, P Fogarty, and Pagliarini

Date Introduced: January 21, 2016

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 21 of the General Laws entitled "FOOD AND DRUGS" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 4.2

4 RAW MILK ACT

5 **21-4.2-1. Short title.** -- This chapter shall be known and may be cited as the "Raw Milk
6 Act".

7 **21-4.2-2. Authority of milk commission.** -- The milk commission shall establish, amend
8 or repeal rules and regulations for the handling and sale of raw milk within the state, provided
9 such rules and regulations are consistent with those established in chapter 4.1 of title 21.

10 **21-4.2-3. Rules for handling and sale.** -- Notwithstanding any provision of the general
11 or public laws or rule or regulation to the contrary, the standards and sanitation requirements for
12 Grade A raw milk shall include the following:

13 (1) The date on the container of retail raw milk shall indicate the last date on which the
14 container may be offered for sale. There shall be a five (5) day maximum period for the sale of
15 retail raw milk which shall commence from the time of filling. The five (5) day maximum period
16 may be shortened by the milk commission if the commission deems such modification to be in
17 the best interest of the consumer.

18 (2) The name of the product is "raw cow's milk" or "raw goat's milk" and shall be so
19 plainly labeled. The label shall contain the name, address and zip code of the producing farm.

1 (3) All retail containers of raw cow's or goat's milk shall be conspicuously labeled with
2 the following statement: "Raw milk is not pasteurized. Pasteurization destroys organisms that
3 may be harmful to human health." The minimum size of the printed words shall not be less than
4 one-eighth inch (1/8") in height or twice the height of any other lettering in the label, whichever
5 is greater.

6 (4) A sign must be posted in the area where the raw milk is sold and placed in a location
7 where it can be easily observed by anyone entering therein. Such sign shall not be less than eight
8 by eleven inches (8" x 11") in total dimension and shall display the following statement: "Raw
9 milk is not pasteurized. Pasteurization destroys organisms that may be harmful to human health."
10 The minimum size of the printed words shall not be less than one-half inch (1/2") in height, with
11 the words "not pasteurized" being not less than one inch (1") in height.

12 **21-4.2-4. License to sell raw milk. --** No person, except a producer or dealer selling milk
13 to other than consumers, selling not more than twenty (20) quarts per day to consumers, shall
14 deliver, exchange, expose for sale or sell or have in their custody or possession with intent to do
15 so, any milk or cream, without first obtaining a permit in accordance with §21-2-7.

16 **21-4.2-5. Penalties for violations. --** Any person violating the provisions of this chapter
17 shall be punished by a fine of one hundred dollars (\$100) for the first offense; a fine of two
18 hundred dollars (\$200) for a second offense; and a fine not exceeding five hundred dollars (\$500)
19 for a third or subsequent offense.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would establish procedures and standards promulgated by the milk commission
- 2 for the handling and sale of raw milk in the state and would provide civil fines for violations.
- 3 This act would take effect upon passage.

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