
HOUSE BILL 1490

State of Washington

68th Legislature

2023 Regular Session

By Representative Orcutt

1 AN ACT Relating to direct sales of milk; and adding a new section
2 to chapter 15.36 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 15.36
5 RCW to read as follows:

6 (1) This chapter does not apply to milk sold directly to the
7 consumer at the premises where it is produced if:

8 (a) The milk is produced on a small-scale farm;

9 (b) The milk is not advertised for sale; and

10 (c) The milk and milk-producing animals meet the sanitary
11 requirements in subsection (2) of this section.

12 (2)(a) The producer shall ensure that milk is tested at least
13 four separate months during any six-month period. Milk quality tests
14 and drug tests must be conducted using testing methods approved by
15 the department. Each batch of milk must test negative for drugs. Milk
16 or milk products may not contain more than:

17 (i) Fifteen thousand bacteria per milliliter;

18 (ii) Twenty-five coliform per milliliter; and

19 (iii) Five hundred thousand somatic cells per milliliter of raw
20 milk from a cow, or more than 750,000 somatic cells per milliliter of
21 raw milk from a sheep or goat.

1 (b) Whenever three of the last five consecutive bacteria,
2 coliform, or somatic cell tests exceed any of the milk quality
3 standards listed in this section, the producer may not sell any milk
4 for human consumption until subsequent testing shows that it meets
5 the standard.

6 (c) All animals kept by the producer must be tuberculosis and
7 brucellosis free as established by annual testing.

8 (3) For the purposes of this section, "small-scale farm" means a
9 location where there are no more than two producing dairy cows or
10 nine producing small animals, such as sheep or goats, on the premises
11 where milk is produced.

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