

2026 Regular Session

HOUSE BILL NO. 783

BY REPRESENTATIVE COATES

HEALTH/LDH: Provides relative to the regulation of food and food safety

1 AN ACT

2 To amend and reenact R.S. 3:4102(1) and (10)(b) and R.S. 40:881(A) and (B) and to enact
3 R.S. 3:4102(19) and 4109(H), relative to the regulation of food and food safety; to
4 provide relative to the Dairy Stabilization Law; to provide for definitions; to prohibit
5 certain entities from manufacturing, processing, packaging, storing, or distributing
6 non-lactational dairy protein products; to provide for labeling requirements; to
7 prohibit certain products from being labeled as milk; to provide for effectiveness;
8 and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 3:4102(1) and (10)(b) are hereby amended and reenacted and R.S.
11 3:4102(19) and 4109(H) are hereby enacted to read as follows:

12 §4102. Definitions

13 As used in this Subpart, unless the context otherwise requires:

14 (1) "Milk" means the lacteal secretion, practically free from colostrum,
15 obtained by the complete milking of one or more healthy cows (including such
16 secretions when raw, cooled, pasteurized, standardized, homogenized, recombined,
17 or concentrated) which meets applicable requirements of the state health officer. The
18 word "milk" shall be interpreted to include goat, sheep, water buffalo, and camel
19 milk and the milk from other hooved animals.

20 * * *

1 (10) "Dairy product" means any of the following:

2 * * *

3 (b) Any product which contains milk solids not fat, butterfat, or a milk
4 derivative, and which is manufactured in the semblance of one of the products listed
5 in the preceding subparagraph, provided, however, that the term "dairy products"
6 shall not include butter, cheese (other than cottage cheese or creole cream cheese),
7 nonfat dry milk, skim condensed milk, whole condensed milk, ~~or~~ sweetened
8 condensed milk, and non-lactational dairy protein products.

9 * * *

10 (19) "Non-lactational dairy protein product" means a food product not
11 containing dairy-identical or dairy-derived proteins produced through microbial
12 fermentation or other manufacturing processes and not derived from the natural
13 lactation of a mammal.

14 * * *

15 §4109. Licenses; prohibitions

16 * * *

17 H. It shall be unlawful for a licensed processor, distributor, supplier, or
18 retailer to manufacture, process, package, store, or distribute a non-lactational dairy
19 protein product.

20 Section 2. R.S. 40:881(A) and (B) are hereby amended and reenacted to read as
21 follows:

22 §881. Labeling of milk products; disclosures; prohibition; definition; enforcement

23 A.(1) The Louisiana Department of Health shall enforce the United States
24 Food and Drug Administration's standard of identity for milk, as set forth in 21 CFR
25 131.110, the Pasteurized Milk Ordinance, and the provisions of this Section to
26 prohibit the sale of plant-based or non-lactational dairy protein products mislabeled
27 as milk.

1 Section 4. The provisions of Sections 2 and 3, and this Section of this Act shall
2 become effective upon signature by the governor or, if not signed by the governor, upon
3 expiration of the time for bills to become law without signature by the governor, as provided
4 by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and
5 subsequently approved by the legislature, this Act shall become effective on the day
6 following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 783 Reengrossed

2026 Regular Session

Coates

Abstract: Provides for the regulation and sale of certain dairy and non-lactational dairy products.

Present law (R.S. 3:4102(1)) defines "milk" as the lacteal secretion from one or more cows, including milk that is raw, cooled, pasteurized, standardized, homogenized, recombined, or concentrated, and that meets the requirements of the state health officer.

Proposed law modifies present law by clarifying that "milk" is the lacteal secretion that is practically free from colostrum and is obtained by the complete milking of one or more healthy cows. Further requires that "milk" be interpreted to include the milk of goats, sheep, water buffalo, camels, and other hoofed animals.

Present law (R.S. 3:4102(10)(b)) defines "dairy product" to include any product that contains milk solids not fat, butterfat, or a milk derivative, and that is manufactured to resemble a dairy product listed in the preceding subparagraph. Clarifies that the term "dairy product" does not include butter; cheese (except cottage cheese or Creole cream cheese); nonfat dry milk; skim condensed milk; whole condensed milk; or sweetened condensed milk.

Proposed law retains present law and adds that non-lactational dairy protein products are not considered "milk".

Present law (R.S. 3:4102) provides for definitions under the Dairy Stabilization Law.

Proposed law retains present law and adds a definition of "non-lactational dairy protein product" to mean a food product not containing dairy-identical or dairy-derived proteins produced through microbial fermentation or other manufacturing processes and not derived from the natural lactation of a mammal.

Present law (R.S. 3:4109) provides licensing requirements for processors.

Proposed law retains present law but adds a prohibition for any licensed processor, distributor, supplier, or retailer to manufacture, process, package, store, or distribute a non-lactational dairy protein product.

Present law (R.S. 38:2251.1) provides for the preference of milk and dairy products produced or processed in the state over out-of-state products for state and local government purchases, provided that the in-state products are of equal quality and reasonably priced.

Present law (R.S. 40:881(A)) requires the La. Dept. of Health to enforce the U.S. Food and Drug Administration's standard of identity for milk (21 CFR 131.110), the Pasteurized Milk Ordinance, and the provisions of present law to prohibit the sale of plant-based products that are mislabeled as milk.

Proposed law modifies present law by also prohibiting the sale of non-lactational dairy protein products that are mislabeled as milk. Proposed law further requires that any non-lactational dairy protein product offered for sale bear a clear and conspicuous disclosure statement that complies with the required formatting of proposed law.

Proposed law provides for a contingency effective date, and an emergency effective date.

(Amends R.S. 3:4102(1) and (10)(b) and R.S. 40:881(A) and (B); Adds R.S. 3:4102(19) and 4109(H))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Remove provisions that prohibit state agencies from purchasing or serving any non-lactational dairy protein product.
2. Changes font size of disclosures required by proposed law.
3. Provides for an effective date.