

2024 Regular Session

HOUSE BILL NO. 467

BY REPRESENTATIVE COATES

AGRICULTURE/MILK: Provides relative to the sale of raw milk

1 AN ACT

2 To enact Subpart C of Part VII of Chapter 4 of Title 40 of the Louisiana Revised Statutes of  
3 1950, to be comprised of R.S. 40:931 through 938, relative to the sale of raw milk;  
4 to authorize incidental sales of raw milk for human consumption; to provide for  
5 definitions; to authorize the sale of raw cow milk; to authorize the sale of raw goat  
6 milk; to authorize the sale of cheeses made from raw milk; to provide for labeling  
7 and inspection; to provide for sanitation, bottling, and packaging standards; to  
8 provide for animal health; to provide for chemical and temperature standards; to  
9 provide for product recall; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Subpart C of Part VII of Chapter 4 of Title 40 of the Louisiana Revised  
12 Statutes of 1950, comprised of R.S. 40:931 through 938 is hereby enacted to read as follows:

13 SUBPART C. SALE OF RAW MILK PRODUCTS

14 §931. Definitions

15 In this Subpart, unless the context otherwise requires, the following  
16 definitions shall apply:

17 (1) "Incidental sales of goat milk and whole milk that has not been  
18 pasteurized" means those sales where the average monthly number of gallons sold  
19 does not exceed five hundred gallons.

1           (2) "Raw milk" means goat milk and whole milk that has not been  
2           pasteurized.

3           (3) "Whole milk" means the lacteal secretion obtained by the complete  
4           milking of one or more healthy cows, properly fed and kept, that when offered for  
5           sale contains at least three and one-fourth percent of butterfat and eight and  
6           one-fourth percent solids not fat. The term "whole milk" shall not include lacteal  
7           secretion obtained within fifteen days before or five days after calving or a longer  
8           period if necessary to render the milk practically colostrum free.

9           §932. Incidental sales of raw milk for human consumption; location; disclosure of  
10           information

11           A. Notwithstanding any provision of law to the contrary, incidental sales on  
12           a farm of raw goat milk or whole milk produced on such farm for human  
13           consumption may be made, provided such sales are made pursuant to the provisions  
14           of this Subpart.

15           B. Information describing the standards used by the farm or dairy with  
16           respect to the production of raw goat milk or whole milk shall be provided to the  
17           consumer by the farmer, together with the results of tests performed on the milk and  
18           the animals that produced the milk, and an explanation of the tests and test results.

19           §932.1. Sale of whole milk or goat milk that has not been pasteurized; labeling

20           With respect to whole milk or goat milk that has not been pasteurized, the  
21           seller shall affix a label to the front of the bottle or package that includes the  
22           following information in bold typed print of not less than fourteen-point font:

23           (1) The name and address of the farm or dairy, with the seller's contact  
24           information.

25           (2) The following statement for whole milk: "WARNING Raw Milk: This  
26           product is fresh whole milk that has NOT been pasteurized and therefore may  
27           contain harmful bacteria that can cause serious illness in children, the elderly, and  
28           persons with weakened immune systems."

1           (3) The following statement for goat milk: "WARNING Raw Milk: This  
2           product is fresh goat milk that has NOT been pasteurized and therefore may contain  
3           harmful bacteria that can cause serious illness in children, the elderly, and persons  
4           with weakened immune systems."

5           §932.2. Sale of whole milk or goat milk that has not been pasteurized; inspection

6           A. A farmer who sells fresh unpasteurized goat milk or whole milk shall  
7           permit inspection of his cows or goats and barns by any customer, upon request, with  
8           reasonable notice.

9           B. A farmer shall permit the Louisiana Department of Health to inspect the  
10          farm's cows or goats and barns quarterly and upon request of a customer. The farm  
11          shall post on the premises the date of the inspection and provide any findings made  
12          by the department to customers upon request.

13          §932.3. Sale of cheese made from raw milk; location; labeling

14          A. Notwithstanding any other provision of law to the contrary, cheese made  
15          from goat milk or whole milk that has not been pasteurized may be sold or offered  
16          for sale for human consumption if all of the following conditions are met:

17                 (1) The cheese is cured at a temperature of not less than thirty-five degrees  
18                 Fahrenheit for not less than sixty days.

19                 (2) The cheese is offered for sale by the cheese producer directly to the  
20                 consumer only on the premises of the farm where the cheese is produced.

21                 (3) A sign is posted at the point of sale that is no smaller than two feet by  
22                 four feet that includes all of the following information in large, clear text:

23                         (a) The name and address of the farm with the seller's contact information.

24                         (b) The following statement: "This product, sold for personal use and not  
25                         for resale, is cheese made from goat milk or whole milk that has NOT been  
26                         pasteurized. Neither this farm nor the milk sold by this farm has been inspected by  
27                         the state of Louisiana. The consumer assumes all liability for health issues that may  
28                         result from the consumption of this product".

1           (4) The cheese producer has clearly labeled each container of cheese made  
2           from goat milk or whole milk that has not been pasteurized with the following  
3           information:

4           (a) The name and address of the farm with the seller's contact information.

5           (b) The following statement: "This product, sold for personal use and not  
6           for resale, is cheese made from goat milk or whole milk that has NOT been  
7           pasteurized. Neither this farm nor the cheese sold by this farm has been inspected  
8           by the state of Louisiana. The consumer assumes all liability for health issues that  
9           may result from the consumption of this product".

10           B. A farmer who sells cheese made from goat milk or whole milk that has  
11           not been pasteurized shall permit inspection of his cows or goats and barns by any  
12           customer upon request.

13           §933. Sanitation

14           All raw milk produced for human consumption pursuant to this Subpart shall  
15           conform with all of the following sanitation requirements:

16           (1) Milk with abnormalities.

17           (a) Lactating animals which show evidence of the secretion of milk with  
18           abnormalities in one or more quarters, based upon bacteriological, chemical, or  
19           physical examination, shall be milked last or with separate equipment, and the milk  
20           shall be discarded.

21           (b) Lactating animals that have been treated with, or have consumed,  
22           chemical, medicinal, or radioactive agents, which are capable of being secreted in  
23           the milk and which may be deleterious to human health, shall be milked last or with  
24           separate equipment, and the milk shall be discarded.

25           (c) Milk from lactating animals being treated with medicinal agents which  
26           are capable of being secreted in the milk shall not be offered for sale for such time  
27           period as is recommended by the attending veterinarian or as indicated on the  
28           package label of the medicinal agent.

1           (d) Milk from lactating animals treated with or exposed to insecticides not  
2           approved for use on dairy animals by the United States Environmental Protection  
3           Agency shall not be offered for sale.

4           (e) Bloody, stringy, off-colored milk or milk that is abnormal to sight or that  
5           has an odor, shall be handled and disposed of in a manner that precludes the infection  
6           of other lactating animals and the contamination of milk utensils.

7           (f)(i) Lactating animals secreting milk with abnormalities shall be milked  
8           last or with separate equipment which effectively prevents the contamination of the  
9           wholesome supply.

10           (ii) Milking equipment used on animals with abnormalities in their milk shall  
11           be maintained clean to reduce the possibility of reinfection or cross infection of other  
12           dairy animals.

13           (g) Equipment, utensils, and containers used to handle milk with  
14           abnormalities shall not be used for the handling of milk to be distributed, unless they  
15           are first cleaned and effectively sanitized.

16           (h)(i) Processed animal waste derivatives used as a feed ingredient for any  
17           portion of the total ration of the lactating dairy animal shall be properly processed  
18           in accordance with at least those requirements contained in the model regulations for  
19           Processed Animal Waste Products developed by the Association of American Feed  
20           Control Officials and shall not contain levels of deleterious substances, harmful  
21           pathogenic organisms, or other toxic substances which are secreted in the milk at any  
22           level that may be deleterious to human health.

23           (ii) Unprocessed poultry litter and unprocessed recycled animal body  
24           discharges shall not be fed to lactating dairy animals.

25           (2) Milking barn or parlor construction.

26           (a) A milking barn or parlor shall be provided on all farms or dairies in  
27           which the milking herd shall be housed during milking time operations.

28           (b) All floors shall be maintained in good repair and free of excessive breaks  
29           or low areas that may create pools.

1           (c)(i) Walls and ceilings shall be smooth, painted, or finished in an approved  
2           manner, and in good repair.

3           (ii) Approved materials include wood, tile, smooth-surfaced concrete,  
4           cement plaster, brick, or other equivalent materials with light colored surfaces.

5           (iii) Walls, partitions, doors, shelves, windows, and ceilings shall be kept in  
6           good repair. Surfaces shall be refinished whenever wear or discoloration is evident.

7           (iv) If feed is stored overhead, ceilings shall be constructed to prevent the  
8           sifting of chaff and dust into the milking barn, stable, or parlor. If a hay opening is  
9           provided from the loft into the milking portion of the barn, the opening shall be  
10          provided with a dust-tight door which shall be kept closed during milking operations.

11          (d) Separate stalls or pens for horses, calves, and bulls shall be provided.  
12          The portions of the barn that are not separated by tight partitions shall comply with  
13          all requirements of this Subpart.

14          (e) Natural or artificial light well distributed for day or night milking shall  
15          be provided to ensure that all surfaces, particularly the working areas, will be plainly  
16          visible. The equivalent of at least ten foot-candles, or one hundred ten lux, of light  
17          in all working areas shall be provided.

18          (f) Sufficient air space and air circulation to prevent condensation and  
19          excessive odors shall be provided.

20          (3) Milking barn, stable, or parlor cleanliness.

21          (a) The interior of the milking barn, stable, or parlor shall be kept clean.  
22          Floors, walls, ceilings, windows, pipelines, and equipment shall be free of filth and  
23          litter and shall be kept clean. Outside surfaces of pipeline systems located in the  
24          milking barn, stable, or parlor shall be kept reasonably clean.

25          (b) Gutter cleaners shall be kept reasonably clean.

26          (c) Swine and fowl shall be kept out of the milking barn.

27          (d) All pens, calf stalls, and bull pens, if not separated from the milking barn,  
28          stable, or parlor, shall be kept clean.

1           (e) Feed shall be stored in a manner that will not increase the dust content  
2           of the air or interfere with the cleaning of the floor, such as in covered, dust-tight  
3           boxes or bins. Open feed dollies or carts may be used for distributing the feed, but  
4           not for storing food, in the milking area.

5           (f) Milk stools, surcingles, and antikickers shall be kept clean and stored in  
6           a clean place in the milking barn, stable, parlor, or milkhouse, when not in use.

7           (g) Food mangers shall be kept clean so as not to attract flies. Leftover feed  
8           in feed mangers shall appear fresh and not be wet or soggy.

9           (4) Cowyard.

10          (a) The cowyard, which is interpreted to be the enclosed or unenclosed area  
11          approximately adjacent to the milking barn in which the lactating animals may  
12          congregate, including animal-housing areas and feed lots, shall be graded and  
13          drained and shall have no standing pools of water or accumulations of organic  
14          wastes.

15          (b) Wastes from the barn or milkhouse shall not be allowed to pool in the  
16          cowyard. Depressions and soggy areas shall be filled and lactating animal lanes kept  
17          reasonably dry. Cowyards which are muddy due to recent rains shall not be  
18          considered a violation of this Paragraph.

19          (c) Manure, soiled bedding, and waste feed shall not be stored or permitted  
20          to accumulate in such a manner as to permit the soiling of the udders and flanks of  
21          lactating animals. Animal housing areas including stables without stanchions, such  
22          as loose-housing stables, pen stables, resting barns, holding barns, loafing sheds,  
23          wandering sheds, or free-stall housing, shall be considered part of the cowyard.  
24          Manure packs shall be solid to the footing of the animal.

25          (d) In loafing or lactating animal housing areas, lactating animal droppings  
26          and soiled bedding shall be removed, or clean bedding added, at sufficiently frequent  
27          intervals to prevent the soiling of the udders and flanks of lactating animals.

1           (e) Cooling ponds shall be allowed, provided they are constructed and  
2           maintained in a manner that does not result in the visible soiling of flanks, udders,  
3           bellies, and tails of lactating animals exiting the pond.

4           (f) Waste feed shall not be allowed to accumulate.

5           (g) Swine shall be kept out of the cowyard.

6           (5) Milkhouse or room construction and facilities.

7           (a) A separate milkhouse or room of sufficient size shall be provided, in  
8           which the cooling, handling, and storing of milk and the washing, sanitizing, and  
9           storing of milk containers and utensils shall be conducted, except as provided for in  
10          Paragraph (12) of this Section.

11          (b) The milkhouse shall be provided with a smooth floor constructed of  
12          concrete or equally impervious material and maintained in good repair.

13          (c) The walls and ceilings shall be constructed of smooth material, in good  
14          repair, well painted, or finished in an equally suitable manner. Surfaces up to splash  
15          height shall be nonabsorbent and easily cleanable.

16          (d) The milkhouse shall be adequately ventilated to minimize odors and  
17          condensation on floors, walls, ceilings, and clean utensils.

18          (e) Each milkhouse shall be provided with facilities for heating water in  
19          sufficient quantity and to such temperatures as necessary for the effective cleaning  
20          of all equipment and utensils.

21          (6) Milkhouse or room cleanliness.

22          (a) The floors, walls, ceilings, windows, tables, shelves, cabinets, wash vats,  
23          nonproduct contact surfaces of milk containers, utensils, and equipment, and other  
24          milkhouse equipment shall be kept clean. Vestibules, if provided, shall be kept  
25          clean.

26          (b) The milkhouse shall be kept free of trash, animals, and fowl.

27          (c) Incidental articles such as desks, refrigerators, and storage cabinets may  
28          be in the milkhouse provided they are kept clean, ample space is available to conduct



1 the normal operations in the milkhouse, and they will not cause contamination of the  
2 milk.

3 (7) Toilet facilities.

4 (a) Every farm or dairy shall be provided with one or more toilets,  
5 conveniently located and properly constructed, operated, maintained, and utilized in  
6 a sanitary manner. There shall be at least one flush toilet connected to a public sewer  
7 system or to an individual sewage-disposal system or a chemical toilet, earth pit  
8 privy, or other type of privy.

9 (b) The waste shall be inaccessible to flies and shall not pollute the soil  
10 surface or contaminate any water supply. Vents of earth pits shall be screened.

11 (c) The toilet room, including all fixtures and facilities, shall be kept clean  
12 and free of insects and odors.

13 (d) Where flush toilets are used, doors to toilet rooms shall be tight and  
14 self-closing. All outer openings in toilet rooms shall be screened or otherwise  
15 protected against the entrance of insects.

16 (8) Water supply.

17 (a) Water for milkhouse and milking operations shall be from an approved  
18 supply which is properly located, protected, and operated and shall be easily  
19 accessible, adequate, and of a safe, sanitary quality.

20 (b) No cross connection shall exist between a safe water supply and any  
21 unsafe or questionable water supply or any other source of pollution.

22 (c) There shall be no submerged inlets through which a safe water supply  
23 may be contaminated.

24 (d) The well or other source of water shall be located and constructed in such  
25 a manner that neither underground nor surface contamination from any sewerage  
26 systems, privy, or other source of pollution can reach the water supply.

27 (e) New individual water supplies and water supply systems that have been  
28 repaired or have otherwise become contaminated shall be thoroughly disinfected  
29 before being placed into use.

1           (9) Utensils and equipment construction.

2           (a) All multiuse containers, equipment, and utensils that are exposed to milk  
3           or milk products, or from which liquids may drip, drain, or be drawn into milk or  
4           milk products, and used in the handling, storage, or transportation of milk shall be  
5           made of smooth, nonabsorbent, corrosion-resistant, nontoxic materials, and shall be  
6           constructed to be easily cleaned. Acceptable materials include:

7           (i) Stainless steel of the American Iron and Steel Institute 300 series or  
8           equally corrosion-resistant, nontoxic metal.

9           (ii) Heat-resistant glass.

10          (iii) Plastic or rubber and rubber-like materials which are relatively inert,  
11          resistant to scratching, scoring, decomposition, crazing, chipping, and distortion,  
12          under normal use conditions, are nontoxic, fat-resistant, relatively nonabsorbent,  
13          relatively insoluble, do not release component chemicals or impart flavor or odor to  
14          the product, and which maintain their original properties under repeated use  
15          conditions.

16          (b) All containers, utensils, and equipment shall be in good repair and shall  
17          be free of breaks, corrosion, pits, cracks, or inclusions.

18          (c) Strainers, if used, shall be constructed of perforated metal design or  
19          single-service strainer media should be utilized. Multiple-use woven material shall  
20          not be used for straining milk.

21          (d) All single-service articles shall be manufactured, packaged, transported,  
22          stored, and handled in a sanitary manner. Articles intended for single-service use  
23          shall not be reused.

24          (e) Mechanically cleaned milk pipelines and return-solution lines shall be  
25          self-draining. If gaskets are used, they shall be self-positioning and shall be of such  
26          design, finish, and application as to form a smooth, flush interior surface. If gaskets  
27          are not used, all fittings shall have self-positioning faces designed to form a smooth,  
28          flush interior surface. All interior surfaces of welded joints in pipelines shall be  
29          smooth and free of pits, cracks, and inclusions.

1           (f) Hoses shall be drainable, be as short as practical, have sanitary fittings,  
2           and be supported to maintain uniform slope and alignment.

3           (g) The end fittings of hoses shall be permanently attached in such a manner  
4           that will assure a crevice-free joint between the hose and the fitting that can be  
5           cleaned by mechanical means. The hoses shall be included as part of a mechanical  
6           cleaning system.

7           (h) Short lengths of flexible plastic tubing eight feet or less may be inspected  
8           for cleanliness by sight or by use of a rod. The transparency or opacity of the tubing  
9           under this condition shall not be a factor in determining cleanliness.

10          (i) Whenever air under pressure is used for the agitation or movement of  
11          milk or is directed at a milk-contact surface, it shall be free of oil, dust, rust,  
12          excessive moisture, extraneous materials, and odor.

13          (10) Utensils and equipment cleaning.

14          The product-contact surfaces of all multiuse containers, equipment, and  
15          utensils used in the handling, storage, or transportation of milk shall be cleaned after  
16          each milking or once every twenty-four hours for continuous operations.

17          (11) Utensils and equipment sanitization.

18          The product-contact surfaces of all multiuse containers, equipment, and  
19          utensils used in the handling, storage, or transportation of milk shall be sanitized  
20          before each use.

21          (12) Utensils and equipment storage.

22          (a) All containers, utensils, and equipment used in the handling, storage, or  
23          transportation of milk, unless stored in sanitizing solutions, shall be stored to assure  
24          complete drainage and shall be protected from contamination prior to use, except that  
25          pipeline milking equipment such as milker claws, inflations, weigh jars, meters, milk  
26          hoses, milk receivers, tubular coolers, plate coolers, and milk pumps which are  
27          designed for mechanical cleaning and other equipment, as accepted by the United  
28          States Food and Drug Administration, which meet these criteria, may be stored in the

1 milking barn or parlor, provided this equipment is designed, installed, and operated  
2 to protect the product and solution-contact surfaces from contamination at all times.

3 (b) Strainer pads, parchment papers, gaskets, and similar single-service  
4 articles shall be stored in a suitable container or cabinet and protected against  
5 contamination.

6 (13) Utensils and equipment handling.

7 (a) After sanitization, all containers, utensils, and equipment shall be handled  
8 in a manner that prevents contamination of any product-contact surface.

9 (b) Sanitized product-contact surfaces, including farm cooling holding tank  
10 openings and outlets, shall be protected against contact with unsanitized equipment  
11 and utensils, hands, clothing, splash, condensation, and other sources of  
12 contamination.

13 (c) Any sanitized product-contact surface which has been otherwise exposed  
14 to contamination shall be cleaned and sanitized before being used.

15 (14) Milking, flanks, udders, and teats.

16 (a) Milking shall be done in the milking barn or parlor.

17 (b) The flanks, udders, bellies, and tails of all milking cows shall be free  
18 from visible dirt. All brushing shall be completed prior to milking.

19 (c) The udders and teats shall be cleaned and treated with a sanitizing  
20 solution just prior to the time of milking, and shall be relatively dry before milking.  
21 Sanitizing solutions shall be used in accordance with manufacturer specifications and  
22 recommendations.

23 (d) Wet hand milking is prohibited.

24 (e) Flanks, bellies, tails, and udders shall be clipped as often as necessary to  
25 facilitate cleaning of these areas.

26 (15) Transfer and protection of milk.

27 (a) Each pail or container of milk shall be taken immediately from the  
28 milking barn or parlor to the milkhouse. No milk shall be strained, poured,  
29 transferred, or stored outside the milkhouse.

1           (b) The milk receiving receptacle shall be raised above the floor.

2           (16) Personnel.

3           (a) Hands shall be washed clean and dried with an individual sanitary towel  
4           or other approved hand-drying device immediately before milking, before  
5           performing any milkhouse function, and immediately after the interruption of any  
6           of these activities. Milkers shall wear clean outer garments while milking or  
7           handling milk, milk containers, utensils, or equipment.

8           (b) No person who, by medical examination or supervisory observation, is  
9           shown to have or appears to have an illness, open lesion including boils, sores, or  
10          infected wounds, or any other abnormal source of microbial contamination shall  
11          perform work in any capacity that brings them into contact with the production,  
12          handling, storage, or transportation of milk, containers, equipment, or utensils.

13          (17) Cooling.

14          (a) Raw milk shall be cooled and maintained as provided in R.S. 40:936.

15          (b) Recirculated cold water that is used in plate or tubular coolers or heat  
16          exchangers shall be from a safe source and protected from contamination.

17          (c) All farm bulk milk tanks shall be equipped with an approved  
18          temperature-recording device.

19          (18) Vehicles.

20          Vehicles used to transport raw milk prior to distribution to the consumer shall  
21          be constructed and operated to protect their contents from heat from the sun,  
22          freezing, and contamination. The vehicles shall be kept clean, inside and out, and  
23          no substance capable of contaminating the milk shall be transported with the milk.

24          (19) Insect and rodent control.

25          (a) Effective measures shall be taken to prevent the contamination of raw  
26          milk, containers, equipment, and utensils by insects and rodents and by chemicals  
27          used to control such vermin.

28          (b) Milkrooms shall be free of insects and rodents.

1        §934. Bottling, packaging, and container filling

2                A.(1) Bottling, packaging, and container filling of raw milk shall be done at  
3        the place of production in a sanitary manner. Bottling, packaging, and container  
4        filling of milk may be conducted in the milkhouse or room.

5                (2) Containers shall be closed immediately after being filled.

6                B.(1) All container caps, sealers, and closures shall be stored in a clean, dry  
7        place protected from insects, rodents, dust, splash, or other contamination.

8                (2) All container closure or sealing shall be done at the place of production  
9        in a sanitary manner by approved mechanical equipment.

10        §935. Animal health

11                A. All raw milk for human consumption sold pursuant to this Subpart shall  
12        be from healthy animals. Milk from unhealthy animals shall not be sold or combined  
13        with other milk for human consumption.

14                B.(1) All animals producing milk for human consumption shall be tested for  
15        tuberculosis and brucellosis every twelve months.

16                (2) If an animal shows positive, for one of the diseases referenced in this  
17        Subsection, by lesions or a positive test, all of the following shall apply:

18                (a) The animal shall be reported to the Louisiana Department of Health and  
19        shall be separated, and kept separate, from the remainder of the herd.

20                (b) A certificate identifying the animal, signed by a licensed veterinarian and  
21        the director of the laboratory making the test, shall be filed with the Louisiana  
22        Department of Health.

23                (c) The animal shall be retested by a licensed veterinarian at a frequency  
24        specified by the United States Department of Agriculture and test results shall be  
25        filed with the Louisiana Department of Health.

26                (d) Disposition of diseased animals shall be conducted in accordance with  
27        guidelines published by the United States Department of Agriculture and shall be  
28        reported to the Louisiana Department of Health.

29                C. Animals to be shipped into Louisiana for addition to herds shall be tested

1       for tuberculosis and brucellosis within thirty days prior to being brought into the  
2       state. However, the provisions of this Subsection shall not apply, with regard to  
3       brucellosis, to those cattle that have been vaccinated for brucellosis and are between  
4       four and twelve months of age.

5               D. Records supporting the tests required pursuant to this Section shall be  
6       validated with the signature of a licensed veterinarian and shall be made available  
7       for inspection upon request of any interested person.

8       §936. Chemical, bacteriological, and temperature standards

9               All raw milk produced for human consumption pursuant to this Subpart shall  
10       conform with all of the following chemical, bacteriological, and temperature  
11       standards:

12               (1) No process or manipulation other than appropriate straining and  
13       refrigeration shall be applied to the milk for the purpose of removing or deactivating  
14       microorganisms.

15               (2) The milk shall be temperature cooled to forty degrees Fahrenheit or  
16       lower immediately after being drawn at the first milking. The milk shall be  
17       maintained at that temperature until purchased by the customer.

18               (3) Drug residue tests on the milk shall be conducted at least two times  
19       during any consecutive twelve months. There shall be no positive test results on  
20       drug residue detection methods.

21               (4) Raw milk shall not contain zoonotic pathogens including: Salmonella  
22       spp., Escherichia coli 0157:H7, Campylobacter spp., and Listeria monocytogenes.

23               (5) Raw milk testing for coliform bacteria shall result in a rolling  
24       three-month average of less than twenty-five coliforms per milliliter of raw milk.

25               (6) Raw milk testing for Standard Plate Count (SPC) shall result in less than  
26       fifteen thousand per milliliter of raw milk.

27               (7) Documentation and assurance that herds are tuberculosis free and tested  
28       one time per year or meet local tuberculosis requirements shall be provided.

29               (8) Documentation or assurance that herds are brucellosis free shall be

1           provided.

2                   (9) All test results, including testing type and date of last test, shall be logged  
3                   and provided to the Louisiana Department of Health and customers upon request.

4                   (10) Commingling of raw milk from other dairies is not permitted.

5           §937. Product recall

6                   Each producer of raw milk for human consumption pursuant to this Subpart  
7                   shall develop and maintain procedures for the notification of regulatory officials,  
8                   consumer notification, and product recall. Such procedures shall be implemented as  
9                   necessary with respect to any product for which the producer knows, or has reason  
10                   to believe, that circumstances exist that may adversely affect its safety for the  
11                   consumer. The producer shall be responsible for disseminating the notice in a  
12                   manner designed to inform customers who may be affected by the problem.

13           §938. Rules and regulations

14                   The Louisiana Department of Health may promulgate, in accordance with the  
15                   Administrative Procedure Act, any rules and regulations necessary for the  
16                   administration of this Subpart.

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 467 Original

2024 Regular Session

Coates

**Abstract:** Authorizes the sale of whole milk or goat milk that has not been pasteurized by the producer to the consumer and authorizes the sale of cheese made from raw milk.

Proposed law defines "incidental sales of goat milk and whole milk for human consumption that has not been pasteurized" as those sales where the average monthly number of gallons does not exceed 500 gallons.

Proposed law defines "raw milk" as goat milk and whole milk that has not been pasteurized.

Proposed law defines "whole milk" as the lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, that when offered for sale contains at least 3-1/4% of butterfat and 8-1/4% solids that are not fat. Further provides that the term "whole milk" shall not include lacteal secretion obtained within 15 days before or five days after calving, or a longer period if necessary, to render the milk practically colostrum free.

Proposed law authorizes the incidental sales on the farm of raw goat milk or whole milk produced on such farm for human consumption, provided such sales are made pursuant to



the provisions of proposed law.

Proposed law requires that information describing the standards used by the farm or dairy with respect to the production of raw milk be provided to the consumer by the farmer, together with the results of tests performed on the animals that produced the milk, tests performed on the milk, and an explanation of the tests and test results.

Proposed law requires the seller of goat milk or whole milk that has not been pasteurized to affix a label to the bottle or package that includes the following information in bold typed print of not less than fourteen-point font:

- (1) The name and address of the farm or dairy with the seller's contact information.
- (2) The following statement: "WARNING Raw Milk: This product is fresh whole milk that has NOT been pasteurized and therefore may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems."
- (3) The following statement: "WARNING Raw Milk: This product is fresh goat milk that has NOT been pasteurized and therefore may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems."

Proposed law requires a farmer who sells fresh unpasteurized goat milk or whole milk to permit inspection of his cows or goats and barns quarterly by the La. Dept. of Health (LDH) and by any customer upon request, with reasonable notice.

Proposed law requires a farmer to permit the LDH to inspect the farm's cows or goats and barns quarterly and upon request of a customer. Further requires the farm to post on the premises the date of the inspection and provide any findings made by the dept. to customers, upon request.

Proposed law authorizes the sale of cheese made from goat milk or whole milk that has not been pasteurized for the purpose of human consumption if all of the following conditions are met:

- (1) The cheese is cured at a temperature of not less than 35 degrees Fahrenheit for not less than 60 days.
- (2) The cheese is offered for sale by the cheese producer directly to the consumer only on the premises of the farm where the cheese is produced.
- (3) There is a sign posted at the point of sale that is no smaller than two feet by four feet that includes all of the following information in large, clear text:
  - (a) The name and address of the farm with seller's contact information.
  - (b) The following statement: "This product, sold for personal use and not for resale, is cheese made from goat milk or whole milk that has NOT been pasteurized. Neither this farm nor the milk sold by this farm has been inspected by the state of La. The consumer assumes all liability for health issues that may result from the consumption of this product."
- (4) The cheese producer has clearly labeled each container of cheese made from goat milk or whole milk that has not been pasteurized with the following information:
  - (a) The name and address of the farm with the seller's contact information.

- (b) The following statement: "This product, sold for personal use and not for resale, is cheese made from goat milk or whole milk that has NOT been pasteurized. Neither this farm nor the cheese sold by this farm has been inspected by the state of La. The consumer assumes all liability for health issues that may result from the consumption of this product."

Proposed law establishes chemical, bacteriological, and temperature standards for raw milk sold pursuant to proposed law, including drug tests, and prohibits the presence of certain pathogens in raw milk. Proposed law requires test results to be provided to the LDH.

Proposed law establishes sanitation standards for raw milk sold pursuant to proposed law including standards for milk with abnormalities; equipment, milking barn or parlor construction and cleanliness; the cowyard; milkhouse or room construction, facilities, and cleanliness; toilet facilities; water supply; utensils and equipment construction, cleaning, storage, and handling; milking procedures; transfer of milk; personnel; cooling; transport of milk; and insect and rodent control.

Proposed law requires that bottling, packaging, and container filling of raw milk shall be done at the place of production in a sanitary manner. Further requires that containers be closed immediately after being filled and specifies the method of closure.

Proposed law requires that all raw milk for human consumption sold pursuant to proposed law be from healthy animals and additionally provides that milk from unhealthy animals shall not be sold or combined with other milk for human consumption.

Proposed law requires that all animals producing milk for human consumption pursuant to proposed law be tested for tuberculosis and brucellosis every 12 months and requires that any animal tested positive for such diseases shall be reported to the LDH and kept separated from the remainder of the herd. Further provides for the treatment and retesting of diseased animals and the disposition of diseased animals.

Proposed law requires that animals shipped into the state for addition to herds be tested for tuberculosis and brucellosis within 30 days prior to being brought into the state. Exempts cattle that have been vaccinated for brucellosis and are between four and twelve months of age from such testing.

Proposed law requires each producer of raw milk for human consumption pursuant to proposed law to develop and maintain procedures for the notification of regulatory officials, consumer notification, and product recall, and to implement any of these procedures as necessary with respect to any product for which the producer knows, or has reason to believe, that circumstances exist that may adversely affect its safety for the consumer.

Proposed law requires each producer of raw milk for human consumption pursuant to proposed law to develop and maintain procedures for the notification of regulatory officials, consumer notification, and product recall, and to implement any of these procedures as necessary with respect to any product for which the producer knows, or has reason to believe, that circumstances exist that may adversely affect its safety for the consumer.

Proposed law prohibits a producer of raw milk from publishing any statement that implies approval or endorsement by the LDH.

(Adds R.S. 40:931-938)