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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO FOOD AND DRUGS - RAW MILK

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

Date Introduced: January 22, 2015

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. Said 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 be not be less than one-half inch (1/2") in height,  
11 with 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 his/her custody or possession with intent to  
15 do so, any milk or cream, without first obtaining a permit in accordance with general law § 21-2-  
16 7.

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

21           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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