

2010 -- S 2467

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO FOOD AND DRUGS - RAW MILK

Introduced By: Senators Maher, Blais, Sosnowski, Pinga, and Miller

Date Introduced: February 11, 2010

Referred To: Senate Health & Human Services

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 21-4.1.

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

13 (a) 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 filing. 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 (b) 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 (c) 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 (d) 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 so
15 do, any milk or cream, without first obtaining from a permit in accordance with general law
16 section 21-2-7.

17 **21-4.2-5. Penalties for violations. --** Any person violating the provisions of this chapter
18 shall be subject to the penalties prescribed in chapters 1, 2, 17, 23, and 30 of this title for like
19 offenses.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO FOOD AND DRUGS - RAW MILK

- 1 This act would establish procedures and standards for the handling and sale of raw milk
- 2 in Rhode Island.
- 3 This act would take effect upon passage.

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