

STATUS OF RAW MILK REGULATION IN THE UNITED STATES – 2002 and 2003

Despite pronouncements from the federal government and certain medical associations, raw milk is available to consumers in a majority of the states. The two listings which follow of survey results from 2002 and 2003 were both obtained from a website at www.NaturalMilk.org (a website for an organization promoting legalization of raw milk in Ontario Province, Canada). Independent verification and reliance on information from the Weston A. Price Foundation which conducted the original survey on which most of the information is based indicates the information is accurate. It should be noted that there are differences between the 2002 and 2003 information. The differences indicate availability of raw milk had expanded somewhat from 2002 to 2003. The 2002 information, however, demonstrates that in most states where raw milk is available it is under regulatory supervision. Except for highlighting with italics in the first listing those States where raw milk is available to consumers in some form, the information has not been edited. Where raw milk is available only for consumption by pets, the first listing has *not* been marked to indicate it is available for human consumption.

**RAW MILK SURVEY RESULTS (WDATEP)
July 2002**

Name of State	Legal selling raw milk?	Does sale occur?	Define "incidental sales"
Alabama	No		
Alaska	No		
Arizona	Yes	?? Required to be produced under permit. Same requirements as pasteurized milk, including microbiology. Labels must carry a warning about health risks.	
Arkansas	No, w/ exception of raw goats milk	Yes: "Incidental sales of goat milk not prohibited" Sale of goats milk must be directly to consumers at the farm where the milk is produced; does not preclude advertising.	Yes: "those sales where the average monthly number of gallons sold does not exceed one hundred (100) gallons."
California	Yes	Yes: Numerous requirements	
Colorado	No		
Connecticut	Yes	?? Grade A Milk and Cream Unpasteurized - numerous requirements for herd health, personnel health, dairy farm score, cooling, bacteria count, labeling, bottling and capping; also for production, handling and distribution of goats' milk; also for the production of retail raw milk. Receptacle in which unpasteurized milk or cream is contained must be labeled "raw."	
Delaware	No		
Florida	No	Yes-illegally-usually goats milk	
Georgia	No		
Hawaii	No		
Idaho	Yes	No. Must obtain retail raw	No

		milk license. Numerous legal requirements to sell retail raw milk and retail raw milk products.	
Illinois	No, w/ exception	Yes: Pasteurization requirement shall not be applicable to milk produced in accordance with Dept rules and regulations if sold or distributed on the premises of the dairy farm. Must hold permit to sell raw milk. Other requirements apply.	No
Indiana	No		
Iowa	No	Yes-illegally, those found are prosecuted	
Kansas	Yes	Yes: Sale of raw milk and raw milk products shall be retail sale to final consumer and shall take place at farm where produced. Advertisement of raw milk is limited to sign upon farm premises and shall state milk or milk products are raw. Sign, containers and/or packaging must clearly state milk and milk products are raw, unpasteurized, ungraded.	No
Kentucky	No		
Louisiana	No		
Maine	Yes	??	
Maryland	No	No	
Massachusetts	Yes	Yes: Allows Grade A Raw Milk for Retail sale; numerous requirements for storage, containers, bottling, date, labeling, consumer warning statement, sales and storage. Dept. of Public Health does not allow sale at retail food establishments	No
Michigan	No		
Minnesota	No, with	Yes-"Pasteurization shall	Statutory language

	exception	not apply to milk, cream, skim milk, goat milk, or sheep milk occasionally secured or purchased for personal use by any consumer at the place or farm where the milk is produced. No pre-packaged raw milk. No advertising.	allows "occasional" sale, but no definition for occasional
Missouri	Yes	One goat producer bottling raw milk. Producer must follow PMO requirements for bottling milk - additional testing requirements; Sales from farm bulk tank to consumer not legal	
Mississippi	No, with exception incidental sales of raw goat milk	??Raw goat milk shall be sold directly to consumer on premises where milk is produced; shall not advertise; numerous requirements for environment;	Sales from a farm where not more than 9 goats are producing milk.
Montana	No	Yes-rarely. (all licensing of retail raw dairies was suspended in 1996; existing raw dairies are being grandfathered)	
Nebraska	No, with exception	Yes-Raw Milk and milk products produced by farmers exclusively for sale at the farm directly to consumers for consumption and not for resale are exempt from Nebraska law.	No
Nevada	No	No	
New Hampshire	No, with exception of direct sale of raw milk	Yes: The direct sale of raw milk or cream from the producer directly from the farm to the consumer or from a milk plant to the final consumer is not prohibited. Producers who sell less than an average of 20 quarts of milk per day are not licensed or inspected	No-if producer sells more than an average of 20 quarts of milk per day they are required to be licensed as a producer-distributor.

		unless they also sell to a milk plant.	
New Jersey	No		
New Mexico	Yes	No: Retail sales of raw milk and raw milk products allowed. Must have permit. Raw Milk can be sold in retail establishments, in processed products and to the public. Numerous requirements for labeling, inspections, examination, chemical, bacteriological temperature standards and sanitation standards.	No
New York	Yes	Yes. Permit to sell raw milk needed. May only sell directly to a consumer on the farm where the raw milk is produced. Other requirements apply. Sign posted must state "Notice: Raw milk sold here. Raw milk does not provide the protection of pasteurization."	
North Carolina	No		
North Dakota	No		
Ohio	Yes	Yes-must be "raw milk retailer" prior to Oct. 31, 1965 - only one raw milk retailer in business prior to 10/65 that remains active. (See www.youngsdairy.com .)	No
Oklahoma	No, w/ exception of incidental sales	Yes-Incidental sales of raw milk directly to consumers at the farm where the milk is produced; advertising of the incidental sale of goat milk allowed; producer not prohibited from making raw milk cheese on the farm where the milk is produced.	Yes: "Incidental sales of goat milk are those sales where the average monthly number of gallons sold does not exceed one hundred (100)"
Oregon	Yes	Yes-raw goats milk allowed to be sold retail. Dairies w/ fewer than 3 milking cows	No

		are not required to be licensed. A person may purchase raw cows milk on one of these farms; raw cows milk cannot be offered for sale in retail stores.	
Pennsylvania	Yes	Yes- permit issued to producer to sell raw milk to consumers (usually sold at farm; currently have 24 permits issued - 12 cow/12 goats milk) or to purchase milk for resale as raw milk. Small # of producers bottle raw milk and sell to health food stores. Numerous requirements re: quality standards, water tests, inspections, herd tests	?? "May sell the milk from not more than one cow."
Rhode Island	No, w/ exception of prescription from physician for goat milk	Yes: "all milk sold within the state of Rhode Island shall be pasteurized by a recognized method of pasteurization . . . However, a physician may authorize an individual sale of goat milk directly from producer to consumer by written, signed prescription."	No
South Carolina	Yes	Four goat producers licensed for raw milk	
South Dakota	Yes	No. Raw milk sales are legal on the farm	
Tennessee	No		
Texas	Yes	Yes: Raw milk may be sold by the milk producer directly to the consumer at the farm provided the producer has been issued a Grade A Raw for Retail Milk Permit and complies with all requirements for Grade A Raw for Retail Milk and Milk Products rules regarding production, handling, sampling, examination,	No

		grading, labeling and retail sale at the dairy farm and inspection of dairy herds and dairy farms.	
Utah	Yes	Yes; must be produced, packaged and sold on site. Producer may advertise.	
Vermont	No, with exception	Yes; may sell or offer for sale less than 25 qts/ day. No license or inspection required. Point of sale restricted to farm where milk was produced. No advertising allowed. Home delivery and all retail sales prohibited. Limited to raw whole milk. May not process or manufacture.	Limited to less than 25 qts. of milk/day.
Virginia	No		
Washington	Yes	Yes. Raw milk retail sales & bottling allowed. Warning label required.	
West Virginia	No		
Wyoming	No		

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EUROPE

In a 1995 report, the World Health Organization states:

"Sale of raw milk is permitted by national regulations in most European countries. Two types of raw milk are available:

1. Certified raw milk, which is monitored for pathogenic microorganisms by the national authorities. This makes the generation of statistics potentially possible.
2. Milk which is produced and sold to the consumer on the farm directly without microbiological monitoring.

Sale of raw and pasteurized milk from the farm is becoming very popular in some countries such as Austria, France and the UK." (From: WHO/EMC/ZOO/96.7)

Of note, both of Canada's founding nations, France and the UK, permit the retail sale of raw milk. (We also understand the British Royal Family regularly consumes "Green Top" milk, green being the colour-coded bottle cap denoting raw milk.)

US STATES SURVEY

Below is a raw milk survey of all the US states. The list was first compiled by the Weston A. Price Foundation and contained the results for 36 states. It was posted on the Internet at www.realmilk.com/happening.html. We contacted the remaining 14 states and reconfirmed the status of 15 others. We are therefore relying on their work for the correct reporting of the remaining 21 states.

In addition to our original survey presented below, we subsequently received another one prepared by the Wisconsin Department of Agriculture, Trade & Consumer Protection. Although this survey indicates there are no raw milk sales in Colorado, Michigan, Virginia, and Alaska, it is our understanding they do permit cow sharing. And although this survey reports no raw milk sales for Nevada, Nevada state legislation permits certified raw milk sales (see Nevada Revised Statutes, Chapter 584). [Click here](#) for survey.

The state results are as follows:

- 29 - permit the sale of raw milk for human consumption or endorse stewardship programs.
- 2 - permit the sale of raw goat milk with a medical prescription.
- 15 - prohibit the sale of raw milk.
- 4 - prohibit the sale of raw milk for human consumption, but permit the sale of raw milk for animal consumption with no added food dye, implying human consumption is feasible.

Therefore, all tolled, raw milk is perfectly legal in 31 out of 50 US states, and if you include the states which permit the sale of unadulterated raw milk for animal consumption, then the total is 35 out of 50 states, which is more than two-thirds.

AK State regulations are presently being interpreted to permit raw milk distribution by "condo cow", i.e. a stewardship program.

AL Raw milk sales for animal consumption only.

AR Small unlicensed goat farmers may sell up to 100 gallons of raw milk per month.

AZ Raw milk sales are permitted by state licensing.

CA Certified raw milk may be sold in stores.

CO Illegal to sell raw milk.

CT Raw milk may be purchased at the farm and is available in some stores by special order.

DE Illegal to sell raw milk.

FL Illegal to sell raw milk.

GA Raw milk is only available from farms licensed under animal feed laws, for animal consumption only.

HI Illegal to sell raw milk.

ID Raw milk may be sold by either a farmer or a dairy provided they obtain a raw milk license.

IL Illegal to sell raw milk.

IN Raw milk available from the farm for pet consumption only.

IA Illegal to sell raw milk.

KS Raw milk may be purchased from the farm.

KY You may purchase raw goat milk with a written prescription from a licensed medical doctor.

LA Illegal to sell raw milk.

ME Raw milk sales are permitted.

MD Raw milk may be purchased at the farm.

MA Raw milk sales are permitted subject to the approval of the local board of health. There are 351 towns in the state of which 155 permit raw milk sales.

MI Raw milk may be purchased or delivered from a farm to an individual for his own use.

MN Raw milk sales permitted at the farm.

MS Raw milk sales permitted at the farm.

MO Illegal to sell raw milk.

MT Illegal to sell raw milk.

NE Raw milk sales are permitted provided it is for personal use and not resold.

NV Raw milk sales are permitted.

NH Raw milk may be purchased from the farm.

NJ Illegal to sell raw milk.

NM Milk is regulated on a county-by-county basis, and raw milk is available in some.

NY Raw milk sales are permitted at the farm provided it has a permit.

NC Raw milk available from the farm for animal use only.

ND Illegal to sell raw milk.

OH Raw milk is sold by Young's Dairy in Yellow Springs, which apparently has a grandfathered permit to sell raw milk. Our information is that no new licenses for raw milk sales have been issued.

OK Raw milk sales allowed at the farm.

OR Raw milk may be sold from small farms exempt from state licensing, i.e. having 3 cows or 9 goats or less.

PA Raw milk may be purchased at the farm.

RI You may purchase raw goat milk with a written prescription from a licensed medical doctor.

SC Raw milk sales permitted by in-state producers and distributors.

SD Illegal to sell raw milk.

TN Illegal to sell raw milk.

TX Raw milk sales permitted from farms having a state permit.

UT Raw milk may be purchased from the farm, and there is still one dairy selling raw milk.

VT Small quantities of raw milk may be sold on the farm.

VA Illegal to sell raw milk.

WA Raw milk can be legally sold in stores provided it carries a mandatory warning label.

WV Illegal to sell raw milk.

WI Raw milk may be purchased from the farm directly by consumers.

WY Illegal to sell raw milk.