



Support HB 91, Small Farms and Consumer Access to Raw Milk

HB 91 would legalize the sale of raw milk by licensed farmers directly to consumers at farmers markets, and allow farmers and consumers to agree to delivery arrangements. Representative Dan Flynn filed a similar bill last session, HB 46, which was approved by the Public Health Committee.

Background

- Licensed farmers can legally sell raw milk in Texas directly to consumers, but sales are limited to on the farm. This marketing restriction burdens both farmers and consumers. Farmers who invest significant resources to become licensed face unfair limitations. Consumers who want unprocessed food must expend significant time, gas, and money on long weekly drives.
- Texas raw milk farmers have an excellent safety record. From 1998-2012, only two illnesses were reported to the CDC as being attributed to raw milk in Texas. In 2011, four additional illnesses were allegedly linked to raw milk, for a total of six illnesses over a period of 17 years.
- Texas Grade A Raw for Retail dairies are subject to regulations that meet or exceed all regulatory standards for pasteurized milk.
- In contrast to the six raw milk illnesses between 1998 and 2012, over 19,500 foodborne illnesses were reported in Texas in that same time period, traced to such foods as mangos, cantaloupes, cake, beans, lettuce salads, salsa, pot pie, chicken salad, hot dogs, deli meats, and beef brisket.
- Raw milk has a better safety record in Texas than many foods, including strawberries (29 illnesses), chicken soup (47 illnesses), and turkey (1122 illnesses).

The Impact of HB 91

- The bill does only one thing: removes the on-farm restriction on the sale of Grade A raw milk.
- The bill makes no other change to the existing regulatory requirements for licensed raw milk producers that have been successful in protecting the public's health in Texas.
- Sales will continue to be limited to direct-to-consumer transactions, as they are currently.
- The bill will not allow sales of raw milk in grocery stores.

Advantages

- Improves the safety of raw dairy by allowing producers to transport it to consumers under safe conditions, rather than relying on consumers to remember to take coolers and ice.
- By allowing a producer to make a single trip to serve multiple customers, rather than having each customer drive to the farm, the bill reduces vehicle miles, benefiting air quality, traffic congestion, and public safety.
- Benefits rural economies because direct farm-to-consumer sales of raw milk can mean the difference between a net loss on the farm and a reasonable income for the farm family.
- Improves legal access to raw milk, thereby reducing the likelihood that consumers will buy from unregulated and illegal sources, as is currently happening.
- No negative impact on conventional grocery store sales. (Supporting data available)

HB 91 is supported by the Farm and Ranch Freedom Alliance, Texas Certified Farmers Market Association, Farm-to-Consumer Legal Defense Fund, Sustainable Food Center, Slow Food Austin, Farm and Food Coalition (East Texas Community Food Coalition), and Weston A. Price Foundation.

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