



## Vote YES on HB 91



Licensed farmers can legally sell raw milk in Texas, but sales are limited to on the farm. This marketing restriction does nothing to increase the safety of the product, but it 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.

### **HB 91 would allow licensed farmers to sell raw milk directly to consumers at farmers' markets, and allow farmers and consumers to agree to delivery arrangements.**

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### **The Facts about Safety**

- Grade A Raw milk dairies must meet or exceed all regulatory standards for pasteurized milk.
- Texas raw milk farmers have an excellent safety record. There have been a total of 6 illnesses connected to raw milk consumption in Texas in the last 17 years.
- Over 19,500 foodborne illnesses were reported in Texas in that same time period, traced to such foods as mangos, cantaloupes, cake, lettuce salad, salsa, pot pie, hot dogs, and deli meats.
- Raw milk has a better safety record in Texas than many common foods consumed by both adults and children, such as strawberries (29 illnesses), chicken soup (47 illnesses), and turkey (1,122 illnesses).

### **What HB 91 Does**

- HB 91 does only one thing: allows licensed farmers to bring the milk to the customer, rather than the customer having to drive to the farm every time.
- The bill makes **no** 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 of HB 91**

- 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 farmer 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)

Supporting organizations: Farm and Ranch Freedom Alliance, Texas Certified Farmers Market Association, Texas Organic Farmers and Gardeners Association, Sustainable Food Center, Food Policy Council of San Antonio, Slow Food Austin, Farm and Food Coalition (East Texas Community Food Coalition), Farm-to-Consumer Legal Defense Fund, and Weston A. Price Foundation.

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Various groups have raised inaccurate claims in opposing HB 91. Here are the facts:

- **Raw milk is, and has always been, legal to sell in Texas.**
  - More than 50 raw milk dairies in Texas are licensed by the Department of State Health Services.
  - Based on a CDC survey, an estimated 3% of the population nationwide drinks raw milk.<sup>1</sup> That means that approximately **three quarters of a million Texans drink raw milk already.**
- **Any food can carry the bacteria that cause foodborne illnesses; they are not unique to raw milk.**
  - These bacteria are especially dangerous for pregnant women, children, the elderly, and people with weakened immune systems **regardless of the source.**
  - For example, three people recently died from consuming Blue Bell ice cream, made with **pasteurized** milk, due to *Listeria* contamination. And in December 2014, seven people died from *Listeria* from candied apples.<sup>2</sup>
  - HB 91 requires that raw milk have a prominent, detailed warning label so that individuals can assess the risk for themselves, just as they do for sushi, raw oysters, and rare meats.
- The numbers of illnesses often quoted are **not** attributable to raw milk, but rather to all raw dairy products.
  - Most of the hospitalizations and **all** of the deaths in TEHA's numbers were due to **raw queso fresco, a soft cheese that is currently illegal to sell and which will remain illegal to sell.** Raw queso fresco is often brought in from Mexico or made in people's bathtubs.
  - HB 91 would **not** legalize the sale of soft raw cheeses such as queso fresco.
  - In Texas, there have been only six illnesses reportedly linked to raw milk since 1998, and **no** deaths in that entire time period.<sup>3</sup>
- **Raw milk is not a high risk food.**
  - Nationwide, there were 1,837 illnesses and zero deaths attributed to raw milk between 1998 and 2012. That's an average of 120 illnesses per year, out of an estimated 10 **million** people who drink raw milk nationwide.
  - Nationwide, there were similar numbers of illnesses attributed to fruit salad (1,665 illnesses), deli meats (1,534 illnesses), and pizza (2,235 illnesses).
  - Many of these illnesses were from illegal or unregulated sources. Texas' licensing and inspection requirements for raw milk dairies provide significant food safety protections, as reflected in the extremely low incidence of illnesses from raw milk in this state.
- **Published, peer-reviewed scientific studies show health benefits from raw milk.** Multiple studies have found that drinking "farm" (raw) milk protects against asthma and allergies.<sup>4</sup> A 2015 study found that raw milk consumption reduced the risk of rhinitis, respiratory tract infections, ear infections, and fever by around 30% compared to the consumption of ultra-heat treated (a method of pasteurization) milk.<sup>5</sup>
  - Pasteurization denatures proteins, inactivates enzymes, and destroys heat-sensitive vitamins.

<sup>1</sup> Foodborne Active Surveillance Network (FoodNet) Population Survey Atlas of Exposures. 2006-2007. [www.cdc.gov/foodnet/surveys/FoodNetExposureAtlas0607\\_508.pdf](http://www.cdc.gov/foodnet/surveys/FoodNetExposureAtlas0607_508.pdf)

<sup>2</sup> <http://foodpoisoningbulletin.com/2015/listeria-in-blue-bell-ice-cream-kills-3-sickens-2-more-at-via-christi-hospital-in-wichita/>; <http://foodpoisoningbulletin.com/2015/caramel-apple-listeria-outbreak-timeline>

<sup>3</sup> CDC data on foodborne illnesses, drawn from <http://www.cdc.gov/foodborneoutbreaks>

<sup>4</sup> See Riedler, J. et al. 2001. Exposure to farming in early life and development of asthma and allergy: a cross-sectional survey. *Lancet* 358:1129-33. Perkin, M.R. and D.P. Strachan. 2006. Which aspects of the farming lifestyle explain the inverse association with childhood allergy? *J Allergy Clin Immunol*. 117(6):1374-8. Waser, M. et al. 2006. Inverse association of farm milk consumption with asthma and allergy in rural and suburban populations across Europe. *Clinical and Experimental Allergy* 37:661-670. Perkin, M.R. 2007. Unpasteurized milk: health or hazard? *Clinical and Experimental Allergy* 37:627-630.

<sup>5</sup> G. Loss et al., Consumption of unprocessed cow's milk protects infants from common respiratory infections, *J. of Allergy and Clinical Immunology* 134: 56-62 (2015).