



## Support HB 503/ SB 80

### Improve Consumers' Access to Raw Milk

Raw milk is, and has always been, legal to sell in Texas. Until the mid-1980s, Texans could buy raw milk anywhere food was sold. But the Department of State Health Services (DSHS) then adopted regulations that limit raw milk sales 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 503/ SB 80 would allow licensed farmers to sell raw milk directly to consumers at farmers' markets, and allow farmers and consumers to agree to delivery arrangements. The House passed a bill with these provisions in 2015 (HB91) by a vote of 103-36 and the Senate passed the bill in 2017 (SB95) by a vote of 27-4.

#### The Facts about Safety

- Grade A Raw milk dairies are licensed by DSHS
  - They are inspected, and the milk tested, typically once a month
  - The regulatory standards that govern both the dairy and the milk testing meet or all regulatory standards for pasteurized milk.
- Texas raw milk farmers have an excellent safety record. Fewer than 30 people have allegedly become ill from raw milk in Texas in the last 20 years – out of an estimated 750,000 Texans who drink it.
- Over 24,000 Texans reportedly became ill from food 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 chicken soup (47 illnesses), guacamole (70 illnesses), and turkey (1,136 illnesses).

#### What HB 503/ SB 80 Does

- HB 503/ SB 80 does only one thing: allow 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 503/ SB 80

- 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 benefits air quality and improves public safety.
- Improves legal access to raw milk, thereby reducing the likelihood that consumers will buy from unregulated and illegal sources, as is currently happening.

HB 503/ SB 80 is supported by the Texas Local Food and Farm Coalition, Texas Organic Farmers & Gardeners Association, Farm & Ranch Freedom Alliance, Food Policy Council of San Antonio, GROW North Texas, and Waller County Farmers & Ranchers Cooperative.

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Various groups have raised inaccurate claims in opposing raw milk bills in the past. Here are the facts:

- **Raw milk is, and has always been, legal to sell in Texas.**
  - DSHS currently licenses over 40 raw milk dairies in Texas.
  - 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.**
- **Grade A raw milk dairies meet or exceed all the standards for pasteurized milk.**
  - For both raw & pasteurized, the milk must be tested at least 4 times in every 6 month period.
  - The regulatory standards for bacteria counts, coliform, and pathogens are the same for Grade A raw milk as for pasteurized milk.
- **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 503/ SB 80 requires that raw milk have a prominent, detailed warning label, including a specific warning for high-risk populations.
- 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 cited by the opposition 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 503/ SB 80 would **not** legalize the sale of soft raw cheeses such as queso fresco.
- **Raw milk is not a high risk food.**
  - Nationwide, there are an average of 134 illnesses per year attributed to raw milk, out of an estimated nine and a half **million** people who drink it. There were similar numbers of illnesses attributed to pizza (104 illnesses/yr avg) and far more to deli sandwiches (243 illnesses/yr avg).
  - Many of the raw milk illnesses nationally were from illegal or unregulated sources in other states. Texas' licensing requirements for raw milk dairies provide significant food safety protections.
  - In Texas, there have been 29 illnesses allegedly linked to raw milk since 1998 and **no** deaths in that entire time period.<sup>3</sup>
- **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-pasteurized 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).