

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 792

Short Title: Allow Human Consumption Of Raw Milk. (Public)

Sponsors: Representatives Riddell, Harrison, Starnes, and Queen (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Agriculture, if favorable, Health and Human Services.

April 11, 2013

1 A BILL TO BE ENTITLED
2 AN ACT ALLOWING THE DISPENSING OF RAW MILK AND RAW MILK PRODUCTS
3 TO INDEPENDENT OR PARTIAL OWNERS OF LACTATING ANIMALS FOR
4 PERSONAL USE OR CONSUMPTION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 106-266.35 reads as rewritten:

7 **"§ 106-266.35. Sale or dispensing of milk.**

8 (a) Except as provided in subsection (d) of this section:

9 (1) Only milk that is Grade "A" pasteurized milk may be sold or dispensed
10 directly to consumers for human consumption.

11 (2) Raw milk and raw milk products shall be sold or dispensed only to a
12 permitted milk hauler or to a processing facility at which the processing of
13 milk is permitted, graded, or regulated by a local, State, or federal agency.

14 (b) The Board of Agriculture may adopt rules to provide exceptions for dispensing raw
15 milk and raw milk products for nonhuman consumption. Any raw milk or raw milk product
16 dispensed as animal feed shall include on its label the statement "NOT FOR HUMAN
17 CONSUMPTION" in letters at least one-half inch in height. Any raw milk or raw milk product
18 dispensed as animal feed shall also include on its label the statement "IT IS NOT LEGAL TO
19 SELL RAW MILK FOR HUMAN CONSUMPTION IN NORTH CAROLINA." This labeling
20 requirement does not apply to raw milk or raw milk products dispensed for personal use or
21 consumption to the independent or partial owner of a cow, goat, or other lactating animal.
22 "Sale"

23 (c) As used in this section, the term "sale" or "sold" shall mean means any transaction
24 that involves the transfer or dispensing of milk and milk products or the right to acquire milk
25 and milk products through barter or contractual arrangement or in exchange for any other form
26 of compensation including, but not limited to, the sale of shares or interest in a cow, goat, or
27 other lactating animal or herd compensation. The terms "sale" or "sold" do not include the
28 transfer or dispensing of raw milk and raw milk products to, or the right to acquire raw milk or
29 raw milk products by, the independent or partial owner of a cow, goat, or other lactating
30 animal.

31 (d) Nothing in this section shall prohibit the dispensing of raw milk or raw milk
32 products for personal use or consumption to, or the acquisition of raw milk or raw milk
33 products for personal use or consumption by, an independent or partial owner of a cow, goat, or
34 other lactating animal."

35 **SECTION 2.** This act becomes effective October 1, 2013.

