

House Bill 576

By: Representatives Loudermilk of the 14<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 7 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated,  
2 relating to milk and milk products, so as to change certain provisions relating to definitions;  
3 to change certain provisions relating to standards and requirements as to sale of milk and  
4 milk products generally, labeling, and sale of ungraded milk, raw whole milk, and condensed  
5 or evaporated milk; to provide for sales of raw milk on farms directly to consumers under  
6 certain circumstances; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 7 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to milk  
10 and milk products, is amended in Code Section 26-2-231, relating to definitions, by striking  
11 paragraphs (12) through (14) and inserting in lieu thereof the following:

12 "(12) 'Raw whole milk for human consumption' means fluid whole milk in its natural state  
13 from healthy cows or goats, which milk although not pasteurized has been produced and  
14 handled in compliance with the requirements for Grade A milk to the extent otherwise  
15 required by this article.

16 (13) ~~Reserved.~~ 'Raw whole milk for manufacturing purposes' means fluid whole milk in  
17 its natural state from healthy cows, which milk has not been produced and handled in  
18 compliance with the requirements for Grade A milk.

19 (14) 'Ungraded milk' means all fluid whole milk in its natural state, which milk fails to  
20 meet the requirements of Grade A milk, raw whole milk for human consumption, or raw  
21 whole milk for manufacturing purposes as defined in this article."

22 **SECTION 2.**

23 Said article is further amended in Code Section 26-2-242, relating to standards and  
24 requirements as to sale of milk and milk products generally, labeling, and sales of ungraded

1 milk, raw whole milk, and condensed or evaporated milk, by adding a new subsection to read  
2 as follows:

3 "(c.1)(1) The sale of raw whole milk for human consumption to consumers is prohibited  
4 unless:

5 (A) The producer holds a permit issued by the department for such purposes;

6 (B) The sale and delivery of the milk to the consumer is made upon the premises where  
7 the milk is produced;

8 (C) The sale is to consumers for household use and not for resale;

9 (D) The milk is bottled or otherwise contained on the premises where the milk is  
10 produced in sanitary containers furnished by the producer under sanitary conditions,  
11 labeled 'raw cow's milk' or 'raw goat's milk' as applicable, and meets the other labeling  
12 requirements;

13 (E) The milk is cooled to 50 degrees or lower Fahrenheit within one hour after being  
14 drawn from the dairy animal and maintained at such temperature until delivered to the  
15 consumer;

16 (F) The bacterial plate count of the milk does not exceed 20,000 per c.c. or the direct  
17 microscopic count of which does not exceed 20,000 per c.c. if individual colonies are  
18 counted or 80,000 per c.c. if individual organisms are counted and meets the coliform  
19 count and bacterial and coliform enforcement standards for grade A pasteurized milk;

20 (G) The production of the milk conforms in all other particulars to state law and  
21 departmental regulations for the production of grade A milk;

22 (H) All dairy animals on the premises are identified by a mark or breed registration  
23 papers and are free of tuberculosis, brucellosis, and other diseases carried through milk;  
24 and

25 (I) All persons on the premises performing any work in connection with the  
26 production, bottling, handling, or sale of the raw milk are free from communicable  
27 disease.

28 (2) If the department finds that the production, handling, or sale of raw milk or the  
29 bacteria counts violate those allowed by this subsection or that the health of any person  
30 or dairy animal is in violation of this subsection, then the permit of such raw milk  
31 producer shall be suspended until such time as compliance is had with this subsection."

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.