

House Bill 874

By: Representative Franklin of the 43<sup>rd</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 whole milk directly to consumers; to provide  
6 a short title; to provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Dairy Consumer Choice Act."

10 **SECTION 2.**

11 Article 7 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to milk  
12 and milk products, is amended in Code Section 26-2-231, relating to definitions, by revising  
13 paragraphs (12) through (14) of subsection (a) as follows:

14 "(12) 'Raw whole milk for human consumption' means fluid whole milk in its natural  
15 state from healthy cows or goats.

16 ~~(12)~~(13) 'Raw whole milk for manufacturing purposes' means fluid whole milk in its  
17 natural state from healthy cows, which milk has not been produced and handled in  
18 compliance with the requirements for Grade A milk.

19 ~~(13) Reserved.~~

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

23 **SECTION 3.**

24 Said article is further amended in Code Section 26-2-242, relating to standards and  
25 requirements as to sale of milk and milk products generally, labeling, and sales of ungraded  
26 milk, raw whole milk, and condensed or evaporated milk, by revising subsection (b) and  
27 adding a new subsection (c.1) to read as follows:

28 "(b) The sale, offering for sale, or delivery of ungraded milk is prohibited, except as  
29 otherwise provided in subsection (c.1) of this Code section."

30 "(c.1) The sale, offering for sale, or delivery of raw whole milk for human consumption  
31 to consumers shall not be prohibited or regulated."

32 **SECTION 4.**

33 This Act shall become effective upon its approval by the Governor or upon its becoming law  
34 without such approval.

35 **SECTION 5.**

36 All laws and parts of laws in conflict with this Act are repealed.