



REGULATORY REQUIREMENTS FOR DISTRIBUTION OF MILK FOR RAW CONSUMPTION IN CALIFORNIA

Californians are increasingly interested in locally produced foods and agricultural commodities. The California Department of Food and Agriculture (CDFA) has received a growing number of questions from people interested in distributing or obtaining raw milk produced within their local community. CDFA has prepared this summary of the regulatory requirements for the production and distribution of raw market milk to give both consumers and those interested in distributing raw milk key information about state permitting, licensing, sanitation and livestock health standards in the California Food and Agricultural Code (FAC) and the California Code of Regulations (CCR).

It is unlawful for any person to sell, give away, deliver, or knowingly purchase or receive any milk or product of milk that does not conform to the standards established by Division 15 of the Food and Agricultural Code (FAC § 32901). Such milk and milk products include raw milk and raw milk products that are sold for cash, given away for free, or offered to consumers in the form of shares, exchange, trade or other distribution. Some of the important regulatory food safety requirements and standards applicable to raw milk and raw milk products include the following:

- Raw milk must be produced on a dairy farm that holds a market milk permit issued by either CDFA or a County Approved Milk Inspection Service (FAC § 33222), and scores not less than 90 percent on the market milk dairy farm sanitation scorecard (FAC § 35891).
- All dairy livestock producing milk to be used as raw milk must be tested and found negative for brucellosis (FAC § 35601), and found nonreactive at least once annually for tuberculosis by a CDFA veterinarian, a USDA veterinarian or a veterinarian approved by CDFA and accredited by the United States Department of Agriculture (FAC § 32903).
- Raw milk shall not contain more than 15,000 bacteria per milliliter or more than 10 coliform bacteria per milliliter (FAC § § 35781, 35891). Nor shall it contain more than 600,000 somatic cells per milliliter for cow's milk or 1,500,000 somatic cells per milliliter for goat's milk (FAC § 35781; 3 CCR § 625).
- Raw milk must be cooled to and maintained at 45 degrees Fahrenheit or below within specified timeframes relative to the onset and completion of milking, and remain at this temperature until purchased by the consumer (FAC § 35782; 3 CCR § 626).
- A bottling or packaging facility for raw milk must meet the sanitary requirements of a milk products plant (FAC § 32513; FAC § § 33701-33782). Any such facility must score a minimum of 80 percent on the official scorecard for milk products plants. (FAC § 33701)
- Raw milk and raw milk products shall bear the following label, *"WARNING Raw (unpasteurized) milk and raw milk dairy products may contain disease-causing micro-organisms. Persons at highest risk of disease from these organisms include newborns and infants; the elderly; pregnant women; those taking corticosteroids, antibiotics or antacids; and those having chronic illnesses or other conditions that weaken their immunity"* (17 CCR § 11380).
- All persons who come in contact with raw milk shall exercise scrupulous cleanliness and shall not be afflicted with any communicable disease or be in a condition to disseminate the germs of any communicable disease which is liable to be conveyed by milk (FAC § 35892).

Conformity with these requirements minimizes the risk of foodborne illness for California consumers, and promotes a clean and stable supply of raw milk for the public. Conformance is also essential for maintaining a fair and equitable business environment. Anyone who violates provisions governing the production and distribution of raw milk is subject to misdemeanor prosecution, with fines of \$50 to \$1000 dollars, or imprisonment in county jail for 10 to 90 days, or both (FAC § 35281). Anyone who intentionally manufactures or processes milk or milk products for purposes of resale in a milk products plant not licensed by CDFA is subject to felony prosecution, with a fine not less than \$1,000 and not more than \$10,000, or imprisonment for not less than 6 months and not more than one year, or both (FAC § 35283). (Continued on back)

The Milk and Dairy Food Safety Branch (MDFSB) of CDFA is charged with ensuring that California's milk, milk products, and products resembling milk products are safe and wholesome, meet applicable microbiological and compositional standards and are properly labeled. MDFSB maintains four regional offices to assist persons that may be interested in starting an approved raw milk dairy farm and the legal packaging and distribution of raw market milk to consumers. Locations and contact information for MDFSB regional offices are shown next to the map below. The MDFSB also has guidelines available via the CDFA web site that specify requirements applicable to the design and construction of dairy farms and milk products plants:

Guidelines for the Sanitary Design and Construction of Market Milk Dairy Farms can be found at http://www.cdfa.ca.gov/ahfss/Milk_and_Dairy_Food_Safety/pdfs/DairyFarmGuidelines.pdf

Guidelines for the Sanitary Design and Construction of Milk Products Plants can be found at http://www.cdfa.ca.gov/ahfss/Milk_and_Dairy_Food_Safety/pdfs/MilkPlantGuidelines.pdf

Contacts for the MDFS Regional Offices can be found at https://www.cdfa.ca.gov/AHFSS/Milk_and_Dairy_Food_Safety/pdfs/RegionalOfficesContacts.pdf