

CAN I SELL RAW MILK IN FLORIDA?

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Pasteurization is the process of heating raw milk to reduce bacterial pathogens. The heating process requires the milk to be heated to temperatures between 145° and 212° Fahrenheit. The lower the temperature, the longer the milk needs to be treated. Constant agitation is needed to ensure the whole batch is treated uniformly.



The demand for raw (unpasteurized) milk, produced from pastured and grass-fed cow, is increasing in the state of Florida and the United States. You can find sellers of raw milk at farmer's markets, flea markets, and even in grocery stores. Before you jump into this enterprise, you need to know that there are several state and federal laws regulating the sale and movement of raw milk that you need to be aware of before jumping into this enterprise.

WHAT IS RAW MILK?

Raw or unpasteurized milk is milk that comes directly from cows, goats, sheep, or other animals that does not go through a heating process to destroy harmful bacteria or other germs.

BENEFITS AND RISKS OF RAW MILK

Several claims have been made that raw milk taste is better than pasteurized milk, but this is a matter of subjectivity. While medical benefits are still being studied and unclear, the risk associated with raw milk consumption are known with numerous cases of illnesses caused by raw milk consumption. Raw milk itself does not normally hold harmful bacteria. However, in the process of harvesting, milk can easily become contaminated by manure, equipment, or even dirt. The process of pasteurization drastically reduces the number of pathogenic bacteria present in raw milk including mycobacterium tuberculosis, brucella melitensis, salmonella, E. coli O157:H7, staphylococcus and streptococcus. Even when pasteurized, milk needs to be properly cooled and handled to prevent bacterial issues. If milk is not pasteurized, the risks of contracting the above-mentioned bacterial disease and more are increased. The chances of contracting these diseases may not be high when raw milk is handled properly, but the consequences of contracting the above-mentioned disease can be extremely serious or even fatal.

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RAW MILK LAWS

With the exception of New Jersey, every state in the United States has some form of law that allows for the sale of raw milk in some manner. In 10 different states, it is legal to sell raw milk at retail locations. In 16 other states it is legal for farms to sell directly to the consumer.

FLORIDA STATE LAWS

According to Florida Statutes 502-091, it is illegal to sell raw milk for human consumption. Only Grade "A" pasteurized milk and milk products, pasteurized manufactured milk products, ice cream, and frozen desserts, and cheese made from pasteurized milk shall be sold at retail to the final consumer or to food service establishments as defined in chapter 381, food establishments as defined in chapter 500, or public food service establishments as defined in chapter 509.

Currently there are no laws that prevent the consumption of raw milk, only the sale and distribution of raw milk. Raw milk can be sold for 'non-human' consumption as pet or animal food.

The Florida Department of Agriculture and Consumer Services (FDACS) oversees the sale of consumable products marketed and/or distributed for pet or animal feed. Under Chapter 580 Florida Statutes each manufacturer and/or distributor of commercial feed (including pet treats) must register annually with the FDACS, Division of Agricultural Environmental Services (AES). The necessary registration called a 'Feed Master registration' can be obtained through AES. The registration fee is set by the annual tonnage sold and starts at \$40 for 0-25 tons of product sold. Proper labeling of the feed is also necessary. Further information on obtaining the proper registration, labeling, and other requirements can be found at: <https://www.fdacs.gov/Agriculture-Industry/Feed-Distributor-Licensing>.

FEDERAL LAWS

While each state has adopted specific laws on raw milk sales, the federal government through the US Food and Drug Administration (FDA) bans the sale or distribution of raw milk from one state to another. All milk sold across state lines must be pasteurized and meet the standards of the US Pasteurized Milk Ordinance.

FL Statutes: 502-091; FL Admin. Code: 5D-1.001

Retail sale of raw milk is illegal. "Sale" is defined as the transfer of milk or milk products that involves any direct or indirect form of compensation in exchange for the right to acquire such milk or milk product.

FL Statutes: 580.041

Each distributor of commercial feed must annually obtain a master registration before her or his brands are distributed in this state. Upon initial registration, the distributor shall agree to comply with this chapter and applicable rules. All registrations expire on June 30 of each year.

US Federal Regulation (21 CFR § 1240.61)

No person shall cause to be delivered into interstate commerce or shall sell, otherwise distribute, or hold for sale or other distribution after shipment in interstate commerce any milk or milk product in final package form for direct human consumption unless the product has been pasteurized.

For further reading, please go to the following:

RAW MILK FAQs - <https://www.extension.purdue.edu/extmedia/AS/AS-612-W.pdf>

RAW (UNPASTEURIZED) MILK - <https://www.cdc.gov/features/rawmilk/>

RAW MILK NATION - <https://www.farmentoconsumer.org/raw-milk-nation-interactive-map/>

For more info, contact the UF/IFAS Union County Extension office at 386-496-2321 or visit us at:

<http://sfyl.ifas.ufl.edu/union/>