



Raw Milk Cow Share Regulations

Issue

Retail sale of unpasteurized milk (also known as raw milk) in Tennessee is illegal, however a consumer can access raw milk through purchasing a portion of the cow/cows in which they intend to consume the raw milk from a “cow share.” There are no state regulations when it comes to these arrangements. After several outbreaks of food borne illnesses relating to raw milk in the state, legislation was filed to address the issue but was not successful in passage in 2019.

Background

In 2009, Public Chapter 285 passed the General Assembly which put into Tennessee law that individuals are allowed to consume milk from hoofed, milk producing animals they own, even when the individual owns only an interest in the animal. However, there was a legal standard that was already in place and this put into statute what was a legally recognized practice. Even with passage of Public Chapter 285, retail sale of raw milk is still illegal in Tennessee. Public Chapter 285 established in the law what is known as cow share.

According to the Centers for Disease Control and Prevention (CDC), many Americans are “getting back to nature” with the foods that we buy and eat. Many people are eating food with minimal processing and some are even choosing to drink raw milk. The CDC says that raw milk and products made from it, however, can pose severe health risks, including death. Raw milk has not undergone a process called pasteurization that kills disease-causing germs. The CDC claims that some people think about drinking raw milk because they want to eat fewer processed foods or they want to support local farmers and sustainable agriculture. Others think about drinking raw milk because they heard claims raw milk is better for their health.

State raw milk laws vary greatly from state to state. Twelve states allow the sale of raw milk in retail stores. Sixteen states allow the sale of raw milk from the farm in which it was produced. Eight states have similar laws to Tennessee that allow a cow share program. Four states allow for the sale of raw milk labeled as “Pet Food.” New Jersey law prohibits the sale or distribution of raw milk of any kind. The remaining states do not have explicit laws pertaining to raw milk.

In the summer of 2018, there was an outbreak of E. coli infection in the Knoxville area which the Knox County Health Department staff linked to the consumption of raw milk from a specific farm. Many people were ill, and some children spent time the intensive care unit at East Tennessee Children’s Hospital in Knoxville. In response to this, some lawmakers brought legislation to place regulations on cow shares. This legislation would have required dairy farms which distribute unpasteurized milk from cows partially owned by patrons to register with the state Department of Agriculture, complete a safe milk handling course, maintain records of all partial cow owners, provide access to the farm by the Department of Health in the event of a contamination, and notification to all partial cow owners in event of contamination. Farm Bureau was neutral on the legislation.

According to a CDC study, from 2007 through 2012 26 states reported 81 outbreaks linked to raw milk. The outbreaks caused 979 illnesses and 73 hospitalizations. From 2007 through 2009, 30 outbreaks were linked to raw milk. This increased to 51 outbreaks from 2010 through 2012. The average number of outbreaks linked to raw milk each year was four times higher from 2007 through 2012 than from 1993 through 2006. The CDC reports that children are at the highest risk for illness from raw milk as 59% of outbreaks involved at least one child younger than 5.

Questions

1. Should farm’s that participate in cow share programs have some regulations placed on them for the safety of the public?
2. Farm Bureau policy is opposed to retail sale of raw milk, is this still the correct policy?

3. Farm Bureau policy does not address cow-shares, should it?

Farm Bureau Policy

Food Safety (Partial)

We oppose the legalized retail sale of raw milk of any kind in Tennessee.

*Produced in 2019 by the Tennessee Farm Bureau Federation
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