

HB 348-FN - AS INTRODUCED

2023 SESSION

23-0110

08/05

HOUSE BILL ***348-FN***

AN ACT relative to the sale of raw milk and products made with raw milk.

SPONSORS: Rep. Ankarberg, Straf. 7; Rep. Coulon, Graf. 5; Rep. Cushman, Hills. 28

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill increases the amount of raw milk a producer processor can sell or process without a license and removes the requirement that such ice cream and frozen yogurt produced using raw milk be sold in 6 ounce containers.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the sale of raw milk and products made with raw milk.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Raw Milk Sales; License Exemption. Amend the introductory paragraph of RSA 184:84,V to
2 read as follows:

3 V. A milk producer-distributor who daily produces for sale less than [20] **160** gallons of raw
4 milk or processes less than [20] **160** gallons of raw milk into cheese aged at least 60 days, yogurt,
5 cream, butter, ice cream, frozen yogurt, or kefir shall not require a milk producer-distributor license,
6 provided these products are offered as direct sales from the producer-distributor's own farm, farm
7 stand, or at a farmers' market to the food consumer within the state of New Hampshire only. Ice
8 cream and frozen yogurt produced and sold under this paragraph shall be packaged in containers ~~no~~
9 ~~larger than 6 fluid ounces and shall be~~ marked with an expiration date 30 days from the date of
10 manufacture.

11 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 348-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the sale of raw milk and products made with raw milk.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Public Health Services Special Fund			

METHODOLOGY:

This bill increases the amount of raw milk a producer processor can sell or process without a license and removes the requirement that such ice cream and frozen yogurt produced using raw milk may be sold in 6 ounce containers.

The Department of Health and Human Services indicates it regulates milk producers-distributors that are not exempt from licensure. The licensing and inspection of milk producers-distributors ensures that milking equipment and facilities are sanitary, animals are in good health and condition, and that milk treated with antibiotics does not enter the food supply. The proposed legislation will remove licensing and inspection for certain milk producers-distributors. The bill also expands the amount of raw milk that can be sold without regulatory oversight of the Department. The Department does not know how many milk producers-distributors, currently licensed, would no longer seek a dairy sanitation license should the daily amount of milk produced requiring licensure increase. Therefore, it is unknown how many producer distributors would not require licensure nor pay the annual fee which is deposited to the public health services special fund established in RSA 143:11.

It is assumed that any fiscal impact would occur after FY 2023.

AGENCIES CONTACTED:

Department of Health and Human Services