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Raw Milk Laws State-by-State

(as of Apr. 19, 2016)

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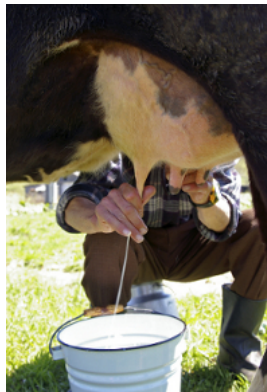
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I. Introduction

States may adopt their own laws on raw milk sales. However, at the federal level, the US Food and Drug Administration (FDA) bans the interstate sale or distribution of raw milk. All milk sold across state lines must be pasteurized and meet the standards of the [US Pasteurized Milk Ordinance](#).





According to [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."


As of Apr. 2016, the sale of raw milk in stores is legal in [13 states](#). [17 states](#) only permit raw milk sales on farms; [8 of the states](#) that prohibit sales allow acquisition of raw milk only through "cow-share" agreements; and in [20 other states](#) all sales of raw milk are prohibited.


Drinking or otherwise consuming raw milk is legal in all 50 states. With the exception of Michigan, no state expressly prohibits the sale of raw milk as animal feed.

II. State Law Summary

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the purchase of raw milk on farms or the acquisition of raw milk through cow-share agreements. Click on each state for more information.

13 states allow the sale of raw milk in retail stores

- 11 states allow raw milk to be sold in any retail store: [Arizona](#), [California](#), [Connecticut](#), [Idaho](#), [Maine](#), [Nevada](#), [New Hampshire](#), [New Mexico](#), [Pennsylvania](#), [South Carolina](#), and [Washington](#)
- 1 state requires that the store be owned by the producer of the milk: [Utah](#)
- 1 state allows raw goat or sheep milk (not cow milk) to be sold in any retail store: [Oregon](#)

17 states allow sales of raw milk only on the farm on which it was produced

- 10 states allow on-farm sales of raw milk: [Arkansas](#), [Illinois](#), [Kansas](#), [Massachusetts](#), [Minnesota](#), [Nebraska](#), [New York](#), [Oklahoma](#), [Texas](#), and [Wisconsin](#)
- 4 states allow on-farm sales of raw milk as well as delivery of raw milk directly from the farm to consumers: [Missouri](#), [South Dakota](#), [Vermont](#), and [Wyoming](#)
- 3 states allow on-farm sales of raw goat milk (not cow milk): [Kentucky](#), [Mississippi](#), and [Rhode Island](#)

8 states allow raw milk to be obtained only through "cow-share" agreements

- 8 states allow people to obtain raw milk only through [cow-share agreements](#): [Alaska](#), [Colorado](#), [Michigan](#), [North Dakota](#), [Ohio](#), [Tennessee](#), [Virginia](#), and [West Virginia](#)

20 states prohibit the sale of raw milk for human consumption

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III. Raw Milk Laws by State



Legal Status and Additional Information

All quoted information in this column is taken from the state government website or from Real Raw Milk Facts, "Raw Milk Facts State by State," realrawmilkfacts.com (accessed Feb. 6, 2013)



Applicable Statutes & Codes

All statute and code abbreviations in this column are taken from the state government website or from Real Raw Milk Facts, "Raw Milk Facts State by State," realrawmilkfacts.com (accessed Feb. 6, 2013)

1. **Alabama** **Sale of raw milk for human consumption is prohibited.** [Ala. Admin. Code r. 420-3-16-12](#) 🇺🇸
2. **Alaska** **Sale of raw milk for human consumption is prohibited.** Raw milk may be legally obtained through ownership of a cow, sheep, or goat, including through [cow-share agreements](#), but only where a legal contract clarifying ownership of the animal is established. [18 AAC 32.020; 18 AAC 32.060](#) 🇺🇸
[Alaska's Department of Environmental Conservation Raw Milk Factsheet](#) 🇺🇸
3. **Arizona** **Retail sale of raw milk in stores is allowed.** "Raw milk for retail sale must be clearly labeled and displayed/offered separately from pasteurized milk; Cattle producing raw milk must be tested for tuberculosis and brucellosis before beginning production and every 12 months." [AZ St §3-606](#) 🇺🇸



cow's milk or raw goat's milk is permitted only on farms (not in retail stores).








5. **California** **Retail sale of raw milk in stores is allowed.** "Raw milk must have warning either on display or, if sold from place of production, may be attached to bottle. 17 CCR § 11380. Raw milk for consumption to have not greater than 10 coliform bacteria/mL and not greater than 15,000 bacteria/mL. CA Food & Ag Code § 35781 (a)(1)." [CA Food & Ag § 35891](#) 
6. **Colorado** **Retail sale of raw milk is prohibited.** Raw milk may be legally obtained through [cow-share agreements](#). [C.R.S.A. § 25-5.5-117](#) 
7. **Connecticut** **Retail sale of raw milk in stores is allowed.** "Retail raw milk only to be sold in its unprocessed form, with no added ingredients or processing. C.G.S.A. § 22-173a. Only pasteurized milk may be served at food service establishments. C.G.S.A. § 22-193. Regulatory standards for retail raw milk found at CT ADC §§ 22-133-124 thru 22-133-132, including bacterial sampling standards at CT ADC § 22-133-129."



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|--------------|--|--|
| 9. Florida | Sale of raw milk for human consumption is prohibited. | E.S.A. § 502.091 |
| 10. Georgia | Sale of raw milk for human consumption is prohibited. “The sale of raw milk cheese properly processed and aged according to Federal requirements is legal. The sale of raw milk for animal consumption is legal if the distributor is licensed under the commercial feed laws. The Georgia Department of Agriculture currently has several distributors of raw goat milk for pet food under license.” | O.C.G.A. 26-2-242 |
| 11. Hawaii | Sale of raw milk for human consumption is prohibited. | Hawaii Admin. Rule §11-15-46 |
| 12. Idaho | Retail sale of raw milk in stores is allowed. Raw milk may also be legally obtained through cow-share agreements . “Producers of raw milk for retail sale must have permit; retailers aside from grocery stores/food retailers must also have permit. Bacterial counts < 15K/mL, coliform < 25/mL, other applicable limits available at ID ADC 02.04.13.060.” | ID ADC 02.04.13.001-999 |
| 13. Illinois | On-farm sale of raw milk is allowed. | 410 ILCS 635/8 |







2016 email to ProCon.org, the Indiana State Board of Public Health confirmed that [cow-share agreements](#) are not recognized as legal by the state of Indiana.

- | | | |
|---------------|---|--|
| 15. Iowa | Sale of raw milk for human consumption is prohibited. | I.C.A. 192.103  |
| 16. Kansas | On-farm sale of raw milk is allowed. "Raw milk bacterial count < 100K/mL. Kan. Admin. Regs. 4-7-6. Farm sales of raw milk may not be promoted beyond sign on premises, which must identify milk as raw." | K.S.A. 65-771  |
| 17. Kentucky | Sale of raw cow milk for human consumption is prohibited. On-farm sale of raw goat milk is allowed with doctor's recommendation. | 902 KAR 50:110 
902 KAR 50:120  |
| 18. Louisiana | Sale of raw milk for human consumption is prohibited. | La. Admin. Code tit. 51, pt. VII, § 919  |
| 19. Maine | Retail sale of raw milk in stores is allowed. "Must be labeled 'Not pasteurized.' Bacterial limits < 50K/mL. Coliform < 10/mL. Code Me. R. 01-001 Ch. 329, § V." | 7 M.R.S.A. § 2902-B  |
| 20. Maryland | Sale of raw milk for human consumption is prohibited. | MD Code, Health – General, § 21-434  |



< 10/mL. 330 MA ADC
27.06. Containers must be
conspicuously labeled as
raw and carry required
warning text. Containers
must be sold within 5
days of filling. Sign must
be posted conspicuously
in raw milk sale area. 330
MA ADC 27.08.”

22. Michigan **Sale of raw milk for human consumption is prohibited.** Raw milk may be legally obtained through [cow-share agreements](#). [MCLA 288.538](#)  [Policy # 1.40](#) 
23. Minnesota **On-farm sale of raw milk is allowed.** [M.S.A. § 32D.20](#) 
24. Mississippi **Sale of raw cow milk for human consumption is prohibited.** On-farm sale of raw goat milk is allowed. [Miss. Code Ann. § 75-31-65](#) 
25. Missouri **On-farm sale of raw milk is allowed.** Delivery and sale of raw milk directly from farm to consumer is allowed, including at farmers' markets. [MO Code 196.935](#) 
26. Montana **Sale of raw milk for human consumption is prohibited.** [Mont.Admin.R. 32.8.103](#) 
27. Nebraska **On-farm sale of raw milk is allowed.** [Neb.Rev.St. § 2-3969](#) 



must meet standards set by county raw milk commissions (which must be established and set regulations prior to sale being permitted); certified raw milk must have bacteria count < 10K/mL and coliform < 10/mL." As of Apr. 1, 2016 there were no raw milk commissions in Nevada imposing a *de facto* ban on the sale of raw milk.

29. **New Hampshire**

Retail sale of raw milk in stores is allowed. On-farm sale of raw milk is also allowed. "The following requirements do not apply to a producer that sells fewer than 20 quarts/day. Must be clearly labeled as raw and carry specific warning, unless sold at the farm, in which case a sign with warning is sufficient; bacteria count < 20K/mL, coliform < 10/mL."

[N.H. Rev. Stat. § 184:30-a](#)

30. **New Jersey**


Sale of raw milk for human consumption is prohibited.

[N.J.S.A. 24:10-57.17](#)









also allowed. "Bacteria < 20K/mL, coliform < 50/mL. Seller of raw milk must have permit to use grade A labeling/advertising for product. Requires testing of all cows before production of milk and every 12 months thereafter. Must be bottled at farm. Bottles must be conspicuously labeled as raw and carry warning text. Raw milk must be displayed separately from pasteurized milk products."

32. New York

On-farm sale of raw milk is allowed. [1NYCRR Part 2.3](#)  "Milk must be sold directly to consumer from a farm licensed by the NY AGRI & MKTS where produced, sign must be posted warning that milk does not have protection of pasteurization; Bacteria count < 30K/mL; quarterly pathogen testing conducted."





milk for animal feed is permitted. "Any raw milk sold as animal feed must be clearly labeled with the text "NOT FOR HUMAN CONSUMPTION. IT IS NOT LEGAL TO SELL RAW MILK FOR HUMAN CONSUMPTION IN NORTH CAROLINA."

34. North Dakota **Sale of raw milk for human consumption is prohibited.** Raw milk may be legally obtained through [cow-share agreements](#). [N.D. Admin. Code § 33-33-04-12](#)  [S.B. 2072](#) 
35. Ohio **Sale of raw milk for human consumption is prohibited.** Raw milk may be legally obtained through [cow-share agreements](#). [OH ST 917.04](#)  [Schmitmeyer v. Ohio](#) 
36. Oklahoma **On-farm sale of raw milk is allowed.** [OK Stat. T. 2 § 7-406 & OK Stat. T.2 § 7-414](#) 
37. Oregon **Retail sale of raw goat or sheep milk (not cow milk) is allowed.** On-farm sale of raw cow milk is allowed. On-farm sale is prohibited on farms with 3 or more cows. [O.R.S. § 621.012](#) 






also allowed. "Raw milk must come from cows certified by department as in good physical health and disease free; cows must be tested for brucellosis and tuberculosis at least once a year; bacterial limits < 20K/mL, coliform < 10/mL."

39. Rhode Island **Sale of raw cow milk for human consumption is prohibited.** The sale of raw goat milk directly from producer to consumer is permitted only with a doctor's prescription. [RI ST § 21-2-2](#) 
40. South Carolina **Retail sale of raw milk in stores is allowed.** On-farm sale of raw milk is also allowed. "Unlawful for anyone without a permit to manufacture, sell, or give away raw milk. Must be clearly labeled as raw with statement indicating milk has not been pasteurized. Farms must be inspected prior to production and every 3 months after production begins. Bacterial count < 10K/mL, coliform < 10/g, zero presence of pathogenic organisms." [SC ADC 61-34](#) 



consumer is also allowed, including at farmers' markets. "Farms making sales direct to consumer or making delivery must still have permit for production of milk. Milk must be clearly labeled as 'raw.'"

42. **Tennessee** **Retail sale of raw milk is prohibited.** Raw milk may be legally obtained through [cow-share agreements](#). [Tenn. Code Ann. § 53-3-119](#) 
43. **Texas** **On-farm sale of raw milk is allowed.** "Bacteria < 20K/mL, coliform < 10/mL, pathogen count zero. 25 TX ADC § 217.28." [25 TX ADC § 217.32](#) 
44. **Utah** **On-farm sale of raw milk is allowed.** Off farm sale of raw milk is allowed if store is owned by the producer. Bottles must be labeled raw and carry warning label. Obtaining raw milk through [cow-share agreements](#) is permitted. [Utah Dairy Act](#) 




consumer is also allowed.

“Raw milk sales are prohibited at farmers markets, but advertising is not restricted. Producers of more than 12.5 gallons/day must meet bacteriological stds: bacteria < 15K/mL, coliform < 10/mL. Must be clearly labeled as raw and carry required warning.”





46. Virginia

Sale of raw milk for human consumption is prohibited. In an Apr. 19, 2016 phone call with ProCon.org, the Virginia Department of Agriculture confirmed that [cow-share agreements](#) are legal and are authorized on a case-by-case basis.

[2 VAC 5-490-70 through 75](#) 



obtained through [cow-share agreements](#). "Must have warning label with required text. If sold at food establishment, sign with warning text must be posted nearby. Herd must have tested negative for brucellosis, Q fever, and tuberculosis within previous 12 months. Monthly retail testing: bacterial count < 20K/mL, coliform < 10/mL; somatic cell <750k/ml (cow & sheep) or <1 million/ml (goat)."

48. West Virginia **Sale of raw milk for human consumption is prohibited.** Raw milk may be legally obtained through [cow-share agreements](#). [W. Va. Code St. R. § 64-34](#)  [S.B. 387](#) 
49. Wisconsin **On-farm sale of raw milk is allowed.** "The sale or distribution of raw or unpasteurized milk is illegal. The law exempts the 'incidental sale' of raw milk directly to a consumer at the dairy farm where the milk is produced, for consumption by that consumer (or the consumer's family or nonpaying guests). But those sales are also illegal if done as a regular business, or if they involve advertising of any kind." [WI St 97.24](#)  [WDATCP Raw Milk Q&A](#) 



consumer is also allowed, [Freedom Act](#)
including at farmers'
markets. Raw milk may be
legally obtained through
[cow-share agreements](#).

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For more information about the debate surrounding raw milk, please read our pro and con question "[Is raw milk more healthful than pasteurized milk?](#)"



Top Pro & Con
Quotes



Top 10 Pro &
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Historical
Timeline



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