

# Bill as Introduced

HB 1278-FN - AS INTRODUCED

2010 SESSION

10-2291  
08/03

HOUSE BILL            **1278-FN**

AN ACT                relative to milk producer-distributors.

SPONSORS:            Rep. Groen, Straf 1; Rep. Palmer, Hills 6; Rep. Tucker, Rock 17; Rep. S. Smith,  
Graf 7; Rep. Haefner, Hills 27; Sen. Gallus, Dist 1; Sen. Carson, Dist 14

COMMITTEE:          Environment and Agriculture

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ANALYSIS

This bill raises the number of quarts sold in the definition of a milk producer-distributor.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT           relative to milk producer-distributors.

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

- 1           1 Definitions; Producer-Distributor. Amend RSA 184:79, XI to read as follows:
- 2           XI. The term "producer-distributor" is a milk producer who is also a milk distributor and
- 3 sells more than an average of [20] 80 quarts of milk a day.
- 4           2 Effective Date. This act shall take effect 60 days after its passage.

LBAO  
10-2291  
11/04/09

**HB 1278-FN - FISCAL NOTE**

**AN ACT** relative to milk producer-distributors.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2010 through 2014.

# Speakers



# Hearing Minutes

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB 1278-FN

**BILL TITLE:** relative to milk producer-distributors.  
**DATE:** January 28, 2010  
**LOB ROOM:** 308      **Time Public Hearing Called to Order:** 10:00 a.m.  
**Time Adjourned:** 11:30 a.m.

(please circle if present)

**Committee Members:** Reps. Sad, Beaulieu, Owen, P. Allen, Webb, Beauchamp, Lindsey, Poznanski, S. Smith, Wiley, Haefner, Messier, B. Williams, Knox, Gandia, Groen, Palmer, and Tucker.

**Bill Sponsors:** Rep. Groen, Straf 1; Rep. Palmer, Hills 6; Rep. Tucker, Rock 17; Rep. S. Smith, Graf 7; Rep. Haefner, Hills 27; Sen. Gallus, Dist 1; Sen. Carson, Dist 14

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. Warren Groen** – Prime sponsor. Speaks to benefit of raw milk. Raw milk can keep for 2-3 weeks. Farmers can get 4.00 gal. or more by selling raw milk from the farm. Increase income for state? Not necessarily... only 5 licensed producer-distributors. FISCAL NOTE \$10,000? That is number that Dept. of Ag. Uses but actual number now is \$1,600. 3 cows – 20 gallons a day approximately. About 50 farmers sell only raw milk. If not licensed, farmer does not test milk. If not licensed not possible to sell at farmer markets or stores.

**Christopher Connolly, Connolly Bros. Dairy Farm** – Opposes bill. Licensed raw milk retailer. Sell 75-100 gallon raw milk per day from the farm. Licensing fee is \$100.00 they can bottle up to 1,000 gallon per day with this license. Requirements for raw milk license – if use own bottles must wash and sanitize. If customer owns bottle it is their responsibility. State checks their milk once a month. Also tests milk in bottle. His milk is tested every other day by Hood when they pick up milk for processing. We need minimum standards for raw milk sales. One bad apple gives the whole raw milk industry a bad name. He has seen farms that are NOT clean and he worries about them selling more raw milk. Milk inspector inspects equipment – has to be up to standards, wear gloves when filling bottles, refrigerator commercial. Milk has to have a warning label. City health departments can disallow raw milk sales.

**Walker Fetch** – Supports the bill. Fetch Family Dairy Farm – Should be person's right to choose. If people come to your farm and it is dirty, they aren't going to buy your milk. The bacteria issue applies to any raw food i.e. tomatoes. Wants to be able to sell more raw milk at his farm stand. He is a commercial dairy farm and he has all the high tech equipment and the raw milk is a way to supplement their income. Buys sterile bottles and puts label on it.



**Ruth Holmes** – opposes bill. She and husband have raw milk license only. Milk 19 cows. They sell 140-150 gallons a week. The state tests our milk and looks over the farm once a month and it costs \$25.00 and they are there when we have a problem. With local movement, we have people jumping in to be a dairy farmer and they don't know how to do it properly and without licensing we are all in jeopardy. If you only have one or two cows, easy to keep careful watch over your cows but with 19 cows difficult to keep track.

**Chance Anderson** – Supports the bill. I drink raw milk and want to make it possible for farmers to still sell raw milk.

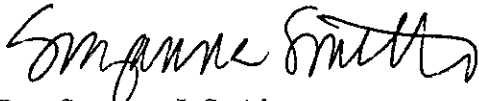
**Alan Bartlett** – Supports bill. Discusses how healthy raw milk is for children and babies in his experience with his kids and friends. He sees no value in putting a number on the amount gallons of milk sold.

**Steve Almond, Hidden Wonders Farm in Canterbury** – Supports bill. They have always been under 5 gallon limit so are not inspected. They had inspector come up and go through information to decide whether worth growing farm and getting licensed and they did not choose to do it.

**Sheldon Sawyer, Former representative, Dairy farmer.** Supports the bill. Nothing wrong with raw milk the question is 20 quarts or 80 quarts. Are we increasing risk when we go from 20 to 80 quarts? 20 quarts is one Jersey cow's milk.

**Rob Johnson** from Farm Bureau doesn't testify but he states that farm bureau supports bill.

Respectfully submitted,



Rep. Suzanne J. Smith  
Clerk

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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HB 1278 – FN relative to milk producer-distributers.

Public hearing 1/28/2010

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Environment & Agriculture Committee

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100-license

So what big deal  
\$100

license?

It's the inspection

1 x month

How difficult to get a license to sell raw milk?

VT Raw Milk?

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# Testimony



Complete Document

Can Be Viewed

In Bill Folder

# RAW-MILK-FACTS.COM

## The Health Benefits of Raw Milk

Home

Raw Milk FAQ

About Raw Milk

Milk History

Raw Milk Safety

Health Benefits

What's in Raw Milk?

Raw Medicine

About Cows

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Selected Books

In The News...

Site Contents

There's little mention in the mainstream media these days, of traditional foods having healing properties. Sure, there's a ton of hype touting unfermented soy products, vegetable oils and supplements as modern saviors, but in reality, these items have risk-to-benefit ratios like many drugs do (1).



Few people are aware that clean, raw milk from grass-fed cows was actually used as a medicine in the early part of the last century (2)(3). That's right. Milk straight from the udder, a sort of "stem cell" of foods, was used as medicine to treat, and frequently *cure* some serious chronic diseases (4). From the time of Hippocrates to until just after World War II, this "white blood" nourished and healed uncounted millions.

Clean raw milk from pastured cows is a complete and properly balanced food. You could live on it exclusively if you had to. Indeed, published accounts exist of people who have done just that (5)(6). What's in it that makes it so great? Let's look at the ingredients to see what makes it such a powerful food (7).

### Proteins

Our bodies use amino acids as building blocks for protein. Depending on who you ask, we need 20-22 of them for this task. Eight of them are considered *essential*, in that we have to get them from our food. The remaining 12-14 we can make from the first eight via complex metabolic pathways in our cells.

Raw cow's milk has all 8 essential amino acids in varying amounts, depending on stage of lactation (8). About 80% of the proteins in milk are caseins- reasonably heat stable and, for most, easy to digest. The remaining 20% or so are classed as whey proteins, many of which have important physiological effects (bioactivity) (9). Also easy to digest, but very heat-sensitive (10), these include key enzymes (11) (specialized proteins) and enzyme inhibitors, immunoglobulins (antibodies) (12), metal-binding proteins, vitamin binding proteins and several growth factors.

Current research is now focusing on fragments of protein (peptide segments) hidden in casein molecules that exhibit anti-microbial activity (13).

*Lactoferrin* (14), an iron-binding protein, has numerous beneficial properties including (as you might guess) improved absorption and assimilation of iron, anti-cancer properties and anti-microbial action against several species of bacteria responsible for dental cavities (15). Recent studies also reveal that it has powerful antiviral properties as well (16).

Two other players in raw milk's antibiotic protein/enzyme arsenal are *lysozyme* and

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Site last updated January 24, 2010

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717-768-0101



Ronks, PA 17572

# Raw Pet Milk

(for cats & dogs)

**Guaranteed Analysis :**

min. protein 2%, max. fiber 0%

min. fat 2%, max. moisture 96%

**Ingredients :** raw milk

Reg. # 004QKB **one gallon.**

# Voting Sheets

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 1278-FN

**BILL TITLE:** relative to milk producer-distributors.

**DATE:** February 4, 2010

**LOB ROOM:** 308

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Tucker

Seconded by Rep. Owen

Vote: 12-1 (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

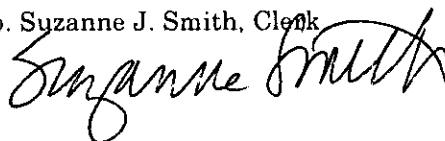
**CONSENT CALENDAR VOTE: 12-1**

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Suzanne J. Smith, Clerk



HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 1278-FN

BILL TITLE: relative to milk producer-distributors.

DATE: 12/4/2010

LOB ROOM: 308

Amendments:

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Seconded by Rep. Owen

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Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

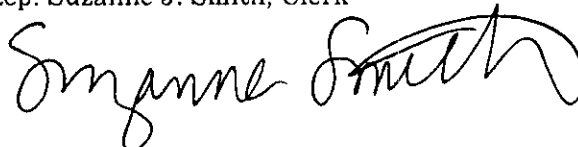
CONSENT CALENDAR VOTE: NO 12/1

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Suzanne J. Smith, Clerk



ENVIRONMENT AND AGRICULTURE

Bill #: 1278 Title: MILK producer-distributors

PH Date: Jan 28 2010

Exec Session Date: Feb 4 2010

Motion: OTP

Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Sad, Tara A, Chairman	✓	
Beaulieu, Jane E, V Chairman	—	
Owen, Derek	✓	
Allen, Peter H	—	
Webb, Leigh A		✓
Beauchamp, Roger R	✓	
Lindsey, Steven W	—	
Poznanski, Brian D	✓	
Smith, Suzanne J, Clerk	✓	
Wiley, Susan E	✓	
Haefner, Robert H	✓	
Messier, Irene M	—	
Williams, Burton W	✓	
Knox, J. David	✓	
Gandia, Laura J	—	
Groen, Warren J	✓	
Palmer, Stephen J	✓	
Tucker, Pamela Z	✓	
	12	1
TOTAL VOTE:		



# Committee Report

**REGULAR CALENDAR**

**February 8, 2010**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Majority of the Committee on ENVIRONMENT AND AGRICULTURE to which was referred HB1278-FN,**

**AN ACT relative to milk producer-distributors. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.**

**Rep. Pamela Z Tucker**

**FOR THE MAJORITY OF THE COMMITTEE**

**MAJORITY  
COMMITTEE REPORT**

Committee: **ENVIRONMENT AND AGRICULTURE**  
Bill Number: **HB1278-FN**  
Title: **relative to milk producer-distributors.**  
Date: **February 8, 2010**  
Consent Calendar: **NO**  
Recommendation: **OUGHT TO PASS**

**STATEMENT OF INTENT**

This bill allows NH farmers to increase the amount of raw milk sold from 20 quarts a day to 80 quarts a day. Raw milk generally sells in the range of \$5 - \$9 a gallon versus \$1.50 a gallon when sold to a processor. Farmers will now have the ability to sell more milk at a higher price, helping them in these difficult economic times. This bill also gives the consumer more choice and supports local businesses and NH made products. There have been no reported cases of bad milk in NH under the current conditions. If one was to arise, the source would be identified immediately.

Vote 12-1

Rep. Pamela Z Tucker  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

REGULAR CALENDAR

ENVIRONMENT AND AGRICULTURE

**HB1278-FN**, relative to milk producer-distributors. **OUGHT TO PASS.**

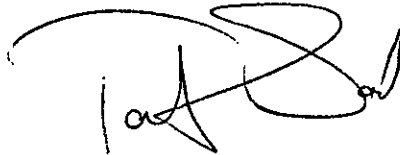
Rep. Pamela Z Tucker for the **Majority** of ENVIRONMENT AND AGRICULTURE. This bill allows NH farmers to increase the amount of raw milk sold from 20 quarts a day to 80 quarts a day. Raw milk generally sells in the range of \$5 - \$9 a gallon versus \$1.50 a gallon when sold to a processor. Farmers will now have the ability to sell more milk at a higher price, helping them in these difficult economic times. This bill also gives the consumer more choice and supports local businesses and NH made products. There have been no reported cases of bad milk in NH under the current conditions. If one was to arise, the source would be identified immediately. **Vote 12-1.**

Original: House Clerk  
Cc: Committee Bill File

HB 1278

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Pamela Tucker

A handwritten signature in black ink, appearing to read 'Pamela Tucker', written in a cursive style.

HB 1278-FN  
Majority report

- Pamela Tucker

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There have been no reported cases of bad milk in N.H under the current conditions. If one was to arise, the source would be identified immediately.

**REGULAR CALENDAR**

**February 8, 2010**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on ENVIRONMENT AND AGRICULTURE to which was referred HB1278-FN,**

**AN ACT relative to milk producer-distributors. Having considered the same, and being unable to agree with the Majority, report with the following Resolution:**

**RESOLVED, That it is INEXPEDIENT TO LEGISLATE.**

**Rep. Leigh A Webb**

**FOR THE MINORITY OF THE COMMITTEE**

**MINORITY  
COMMITTEE REPORT**

Committee: **ENVIRONMENT AND AGRICULTURE**  
Bill Number: **HB1278-FN**  
Title: **relative to milk producer-distributors.**  
Date: **February 8, 2010**  
Consent Calendar: **NO**  
Recommendation: **INEXPEDIENT TO LEGISLATE**

**STATEMENT OF INTENT**

As much as the minority of the committee agrees with the majority in providing more opportunities to our dairy farmers, the minority is concerned that raising the number of quarts of raw milk to be sold without being licensed, and thus without being subjected to either inspections of the facility and herd, or testing of the milk to be sold, raises the risk of tainted raw milk entering the marketplace and thus potentially negatively affecting the entire industry. The minority could not comfortably support this bill without some provision to address at least voluntary registration (at no cost) of the farms involved and random inspections and periodic testing of the product (at minimal cost).

Rep. Leigh A Webb  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File



REGULAR CALENDAR

ENVIRONMENT AND AGRICULTURE

**HB1278-FN**, relative to milk producer-distributors. **INEXPEDIENT TO LEGISLATE.**

Rep. Leigh A Webb for the **Minority** of ENVIRONMENT AND AGRICULTURE. As much as the minority of the committee agrees with the majority in providing more opportunities to our dairy farmers, the minority is concerned that raising the number of quarts of raw milk to be sold without being licensed, and thus without being subjected to either inspections of the facility and herd, or testing of the milk to be sold, raises the risk of tainted raw milk entering the marketplace and thus potentially negatively affecting the entire industry. The minority could not comfortably support this bill without some provision to address at least voluntary registration (at no cost) of the farms involved and random inspections and periodic testing of the product (at minimal cost).

Original: House Clerk

Cc: Committee Bill File

**Ebbs, Heather**

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**From:** Webb, Leigh  
**Sent:** Thursday, February 04, 2010 4:29 PM  
**To:** Ebbs, Heather  
**Subject:** Minority blurb for HB 1278

ITL

RE: HB 1278-FN

Rep. Leigh A. Webb for the **Minority** of Environment and Agriculture: As much as the minority of the committee agrees with the majority in providing more opportunities to our dairy farmers, the minority is concerned that raising the number of quarts of raw milk to be sold without being licensed, and thus without being subjected to either inspections of the facility and herd, or testing of the milk to be sold, raises the risk of tainted raw milk entering the marketplace and thus potentially negatively affecting the entire industry. The minority could not comfortably support this bill without some provision to address at least voluntary registration (at no cost) of the farms involved and random inspections and periodic testing of the product (at minimal cost).

Respectfully,  
Rep. Leigh A. Webb  
Merrimack County, District 2  
Franklin and Hill  
(603) 934-8222  
*House Environment and Agriculture Committee*  
*E & A Animal Issues Sub-committee, Chair*  
*Oil Fund Disbursement Board*  
*State Film Commission*  
*State Parks Advisory Council*  
*Council of State Governments (CSG) Energy and Environment Committee*

