

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT                   relative to milk pasteurization.

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

1           1 License Required; Exemptions. Amend RSA 184:84, V to read as follows:

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

10          2 Effective Date. This act shall take effect 60 days after its passage.

HB 1187 - AS INTRODUCED

2022 SESSION

22-2148

08/11

HOUSE BILL **1187**

AN ACT relative to milk pasteurization.

SPONSORS: Rep. Allard, Merr. 21; Rep. Woodcock, Carr. 2; Rep. Marsh, Carr. 8; Rep. Deshaies, Carr. 6; Rep. Merchant, Sull. 4; Rep. Aron, Sull. 7; Rep. A. Lekas, Hills. 37

COMMITTEE: Environment and Agriculture

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ANALYSIS

This bill allows for the sale of products made with raw milk in certain circumstances.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

Amendment to HB 1187

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 License Required; Exemptions. Amend the introductory paragraph of RSA 184:84, V to read  
4 as follows:

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

13 2 Labeling of Raw Milk Products. Amend RSA 184:84, V(a) to read as follows:

14 (a) Any product containing raw milk from the milk producer-distributor's farm or farm  
15 stand or at farmers' markets shall be clearly labeled. If the product is sold in containers provided by  
16 the producer-distributor, the individual container shall have a label which contains the name,  
17 address, and phone number of the milk producer-distributor's farm; the name of the product; and the  
18 following statement: "This product is made with raw milk and is exempt from New Hampshire  
19 licensing and inspection. ***RAW MILK: consuming raw milk may increase your risk of***  
20 ***foodborne illness.***"

21 3 Effective Date. This act shall take effect 60 days after its passage.

o Ought To Pass

**o Ought To Pass w/Amendment Amendment Number: 2022-0340h**

o Inexpedient To Legislate

o Interim Study (available only in 2nd year of biennium)

Statement of Intent:

This bill updates the current statute (RSA:184:84, V) to include ice cream and frozen yogurt in the products that can be made from raw milk. It also stipulates that ice cream and frozen yogurt made from raw milk must be packaged in containers no larger than six fluid ounces, and must be marked with an expiration date of thirty days from the date of manufacture. The following statement must also be on the package: "This product is made with raw milk and is exempt from New Hampshire licensing and inspection. RAWMILK: consuming raw milk may increase your risk of foodborne illness"

Committee Vote: 17-0

Respectfully submitted: Rep. Judy Aron, Sullivan County D7

Judy Aron  
NH State Representative  
Sullivan County District 7  
(Acworth, Goshen, Langdon, Lempster, Washington)  
Environment and Agriculture Committee, Vice-Chair  
266 Forest Road, South Acworth, NH 03607  
603-843-5908

## CONSENT CALENDAR

Environment and Agriculture

**HB 1187, relative to milk pasteurization. OUGHT TO PASS WITH AMENDMENT.**

Rep. Judy Aron for Environment and Agriculture. This bill updates the current statute to include ice cream and frozen yogurt in the products that can be made from raw milk. It also stipulates that ice cream and frozen yogurt made from raw milk must be packaged in containers no larger than six fluid ounces, and must be marked with an expiration date of thirty days from the date of manufacture. The following statement must also be on the package: "This product is made with raw milk and is exempt from New Hampshire licensing and inspection. RAWMILK: consuming raw milk may increase your risk of food borne illness." **Vote 17-0.**

Original: House Clerk

Cc: Committee Bill File

## COMMITTEE REPORT

Committee:	Environment and Agriculture
Bill Number:	HB 1187
Title:	relative to milk pasteurization.
Date:	February 8, 2022
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2022-0340h

### STATEMENT OF INTENT

This bill updates the current statute to include ice cream and frozen yogurt in the products that can be made from raw milk. It also stipulates that ice cream and frozen yogurt made from raw milk must be packaged in containers no larger than six fluid ounces, and must be marked with an expiration date of thirty days from the date of manufacture. The following statement must also be on the package: "This product is made with raw milk and is exempt from New Hampshire licensing and inspection. RAWMILK: consuming raw milk may increase your risk of food borne illness."

Vote 17-0.

Rep. Judy Aron  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

**CONSENT CALENDAR**

**February 8, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Environment and Agriculture to which was referred HB 1187,**

**AN ACT relative to milk pasteurization. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.**

**Rep. Judy Aron**

**FOR THE COMMITTEE**





**HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

**PUBLIC HEARING ON HB 1187**

**BILL TITLE:** AN ACT relative to milk pasteurization.

**DATE:** January 25, 2022

**ROOM:** 301

**Time Public Hearing Called to Order:** \_10:38a.m.

**Time Adjourned:** \_\_10:48 a.m.

(please circle if present)

**Committee Members:** Reps. Pearl, Aron, Comtois, Davis, Stapleton, Homola, Kennedy, Mason, G. Sanborn, Bixby, Horrigan, Dutzy, M. Murray, Von Plinsky, and Perez

**Bill Sponsors:** Rep. Allard, Merr. 21; Rep. Woodcock, Carr. 2; Rep. Marsh, Carr. 8; Rep. Deshaies, Carr. 6; Rep. Merchant, Sull. 4; Rep. Aron, Sull. 7; Rep. A. Lekas, Hills. 37

**TESTIMONY**

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

Rep. Allard – prime sponsor – introducing – bill died previously as it was put into an Omnibus bill – HB 95 is alive and well, which make this bill superfluous – please retain until HB95 comes back to the house

Rep Howard – we do not have the ability to retain as we are in the second year – would you like us to OTP this bill or should we ITL A. OTP – Q – would it make sense to amend this to match HB95 as it came out of Senate. A. Yes

Rep Woodcock, Carrol 2 – please pass this once again as it passed this committee twice before with no one voting against.

Rob Johnson – NH Farm Bureau – Policy Director – please grab Senate amendment – HB95 has an effective days of 60 days after passage

Colleen Smith – DHHS – Administrator of Food Protection – the department feels strongly that they are against the expansion of raw milk products – last January there was an outbreak across three states

Rep. Comtois – what states? A. NH Farm but because of close proximity to other states it was NH, MA, ME

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HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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**Bill Sponsors:**

Rep. Allard

Rep. Woodcock

Rep. Marsh

Rep. Deshaies

Rep. Merchant

Rep. Aron

Rep. A. Lekas

**TESTIMONY**

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

**Rep. J.C. Allard** – prime sponsor – introducing – bill died previously as it was put into an Omnibus bill – HB 95 is alive and well, which make this bill superfluous – please retain until HB95 comes back to the house

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Respectfully submitted,

Rep. Barbara Comtois  
Clerk

The New Hampshire  
**House of Representatives**

## HOUSE OF REPRESENTATIVES - ONLINE TESTIMONY SUBMISSIONS

House Environment and Agriculture ▼

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HB1187 ▼

**Support: 12 | Oppose: 1 | Neutral: 0**

<u>Name</u>	<u>Town</u>	<u>State</u>	<u>Position</u>	<u>Attachment</u>	<u>Typed</u>
Paul Harvey	North Syracuse	NY	Oppose	<a href="#">View PDF</a>	
Alvin See	Loudon	NH	Support		
Anthony Ferrantello	Keene	NH	Support		
Catherine Peternel	Wolfboro	NH	Support		
Curtis Howland	Manchester	NH	Support		
Erica Layon	Derry	NH	Support		
erick Sawtelle	Lee	NH	Support		
Jason Osborne	Auburn	NH	Support		
Karen Campbell	Epsom	NH	Support		
kevin chapman	marlborough	NH	Support		
Sarah Reed	Concord	NH	Support		
William Domenico	Manchester	NH	Support		
Zephan Wood	Pembroke	NH	Support		

# House Remote Testify

## Environment and Agriculture Committee Testify List for Bill HB1187 on 2022-01-25

Support: 12 Oppose: 1 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Layon, Erica	Derry, NH erica.layon@leg.state.nh.us	An Elected Official	Rockingham 6	Support	No	No	1/23/2022 11:34 AM
Peternel, Catherine	Wolfeboro, NH katypeternel@pm.me	A Member of the Public	Myself	Support	No	No	1/23/2022 6:01 PM
Sawtelle, erick	Lee, NH esawtelles@aol.com	A Member of the Public	Myself	Support	No	No	1/23/2022 6:51 PM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Support	No	No	1/23/2022 9:27 PM
Domenico, William	Manchester, NH bill@resunltd4u.com	A Member of the Public	Myself	Support	No	No	1/24/2022 9:48 AM
Reed, Sarah	Concord, NH stubbs.saraha@gmail.com	A Member of the Public	Myself	Support	No	No	1/24/2022 12:31 PM
chapman, kevin	marlborough, NH denoet103@yahoo.com	A Member of the Public	Myself	Support	No	No	1/24/2022 5:15 PM
Wood, Zephan	Pembroke, NH zephanw@gmail.com	A Member of the Public	Myself	Support	No	No	1/24/2022 10:32 PM
See, Alvin	Loudon, NH absee@4liberty.net	A Member of the Public	Myself	Support	No	No	1/24/2022 10:49 PM
Campbell, Karen	Epsom, NH klynnccampbell50@gmail.com	A Member of the Public	Myself	Support	No	No	1/25/2022 8:28 AM
Osborne, Jason	Auburn, NH houserepoffice@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/25/2022 9:00 AM
Ferrantello, Anthony	Keene, NH ajfnino@gmail.com	A Member of the Public	Myself	Support	No	No	1/25/2022 9:34 AM
Harvey, Paul	North Syracuse, NY ph@nedairyfoods.org	A Lobbyist	Northeast Dairy Foods Association	Oppose	No	No	1/25/2022 12:36 PM



HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 1187

BILL TITLE: relative to milk pasteurization.

DATE: 2-1-22

LOB ROOM: (30)

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # 2022 - 034017  
(if offered)
- Interim Study (2nd year)

Moved by Rep. Caron Arrow Secoded by Rep. Buxby Vote: 17-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # \_\_\_\_\_  
(if offered)
- Interim Study (2nd year)

Moved by Rep. Caron Secoded by Rep. Buxby Vote: 17-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # \_\_\_\_\_  
(if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_ Secoded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # \_\_\_\_\_  
(if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_ Secoded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

CONSENT CALENDAR:  YES  NO

Minority Report?  Yes  No If yes, author, Rep: \_\_\_\_\_ Motion \_\_\_\_\_

Respectfully submitted: [Signature]  
Rep Barbara Comtois, Clerk

**HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

**EXECUTIVE SESSION on HB 1187**

**BILL TITLE:** relative to milk pasteurization.

**DATE:** February 1, 2022

**LOB ROOM:** 301 - 303

**MOTIONS: OUGHT TO PASS WITH AMENDMENT**

Moved by Rep. Aron

Seconded by Rep. Bixby

AM Vote: 17-0

Amendment # 2022-0340h

Moved by Rep. Aron

Seconded by Rep. Bixby

Vote: 17-0

**CONSENT CALENDAR: YES**

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

Respectfully submitted,

Rep Barbara Comtois, Clerk





2022 SESSION

Environment and Agriculture

Bill #: HB 1187 Motion: OTPA AM #: 0340H <sup>2022</sup> Exec Session Date: 2-1-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearl, Howard C. Chairman	✓		
Aron, Judy F. Vice Chairman	✓		
Comtois, Barbara Clerk	✓		
<del>Verville, Kevin G.</del> Johnson, Dawn	✓		
<del>Davis, Arnold G.</del> Lang, Tina	✓		
<del>Stapleton, Walter A.</del> Molfeltz, Mike	✓		
Homola, Susan	✓		
Kennedy, Margaret Anne	✓		
Mason, James L.	✓		
Sanborn, Gail E.	✓		
Bixby, Peter W.	✓		
Sofikitis, Catherine M.			
Bouldin, Andrew J.	✓		
Dutzy, Sherry	✓		
Murray, Megan A.	✓		
Von Plinsky, Sparky	✓		
<del>Captan, Tony</del> Almy, Susan	✓		
Perez, Maria	✓		
<b>TOTAL VOTE:</b>	<b>17</b>	<b>0</b>	



2022 SESSION

Environment and Agriculture

Bill #: HB 1187 Motion: Adopt AM #: 2022-0340A Exec Session Date: 2-1-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearl, Howard C. Chairman	✓		
Aron, Judy F. Vice Chairman	✓		
Comtois, Barbara Clerk	✓		
<del>Verville, Kevin G.</del> <i>Julien, Drew</i>	✓		
<del>Davis, Arnold G.</del> <i>Lamy, Tim</i>	✓		
<del>Stapleton, Walter A.</del> <i>Moffett, Mike</i>	✓		
Homola, Susan	✓		
Kennedy, Margaret Anne	✓		
Mason, James L.	✓		
Sanborn, Gail E.	✓		
Bixby, Peter W.	✓		
Sofikitis, Catherine M.			
Bouldin, Andrew J.	✓		
Dutzy, Sherry	✓		
Murray, Megan A.	✓		
Von Plinsky, Sparky	✓		
<del>Captan, Tony</del> <i>Alray, Susan</i>	✓		
Perez, Maria	✓		
<b>TOTAL VOTE:</b>	<b>17</b>	<b>0</b>	