

# HOUSE BILL NO. 5603

March 20, 2024, Introduced by Rep. Maddock and referred to the Committee on Government Operations.

A bill to amend 2001 PA 267, entitled "Manufacturing milk law of 2001," by amending section 136 (MCL 288.696), as amended by 2008 PA 147, and by adding section 70a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **Sec. 70a. (1) Raw milk and raw dairy products may be**  
2 **manufactured and sold to a final consumer or retail food**  
3 **establishment in this state if the raw milk and raw dairy products**  
4 **comply with this section.**

1           (2) Raw milk and raw dairy products must have a label that  
 2 contains the following statement, "WARNING: unpasteurized milk and  
 3 unpasteurized dairy products may contain disease-causing  
 4 microorganisms. Individuals at the highest risk of disease from  
 5 these microorganisms include newborns and infants; the elderly;  
 6 pregnant women; individuals taking corticosteroids, antibiotics, or  
 7 antacids; and individuals with a chronic illness or another  
 8 condition that weakens immunity.". The label described in this  
 9 subsection must be in at least 12-point boldfaced type.

10           (3) Raw milk and raw dairy products manufactured or sold in  
 11 this state must comply with the following standards, subject to the  
 12 requirements under section 138, as applicable:

| 13           Chemical, Physical, Bacteriological, and Temperature Standards |                    |                        |
|---|--------------------|------------------------|
| 14   RAW MILK INTENDED FOR  | Temperature        | Cooled to and          |
| 15   FINAL CONSUMER   |                    | maintained at a        |
| 16   CONSUMPTION  |                    | temperature of 45°F    |
| 17  |                    | (7°C) or less within 2 |
| 18  |                    | hours after milking.   |
| 19  |                    | Raw milk must be       |
| 20  |                    | maintained at a        |
| 21  |                    | temperature of 45°F    |
| 22  |                    | (7°C) or less until    |
| 23  |                    | purchase by a final    |
| 24  |                    | consumer.              |
| 25  | Bacterial limits   | Not to exceed 15,000   |
| 26  |                    | per ml.                |
| 27  | Somatic cell count | Not to exceed 600,000  |
| 28  |                    | per ml.                |

|    |                       |                        |
|----|-----------------------|------------------------|
| 1  | Coliform count        | Not to exceed 10 per   |
| 2  |                       | ml.                    |
| 3  | Infectious disease    | No positive results    |
| 4  |                       | for brucellosis or     |
| 5  |                       | tuberculosis. Animals  |
| 6  |                       | must be tested at      |
| 7  |                       | least once every 12    |
| 8  |                       | months.                |
| 9  | RAW MILK INTENDED FOR | Temperature            |
| 10 | MANUFACTURE OF RAW    | Cooled to and          |
| 11 | DAIRY PRODUCTS OTHER  | maintained at a        |
| 12 | THAN FROZEN DESSERTS  | temperature of 45°F    |
| 13 |                       | (7°C) or less within 2 |
| 14 |                       | hours after milking.   |
| 15 |                       | Raw milk must be       |
| 16 |                       | maintained at a        |
| 17 |                       | temperature of 45      |
| 18 |                       | °F (7°C) or less until |
| 19 |                       | purchase by a final    |
| 20 |                       | consumer.              |
| 21 | Bacterial limits      | Not to exceed 15,000   |
| 22 |                       | per ml.                |
| 23 | Somatic cell count    | Not to exceed 600,000  |
| 24 |                       | per ml.                |
| 25 | Coliform count        | Not to exceed 10 per   |
|    |                       | ml.                    |

|    |                       |                        |
|----|-----------------------|------------------------|
| 1  | Infectious disease    | No positive results    |
| 2  |                       | for brucellosis or     |
| 3  |                       | tuberculosis. Animals  |
| 4  |                       | must be tested at      |
| 5  |                       | least once every 12    |
| 6  |                       | months.                |
| 7  | RAW MILK INTENDED FOR | Temperature            |
| 8  | MANUFACTURE OF RAW    | Cooled to and          |
| 9  | FROZEN DESSERTS       | maintained at a        |
| 10 |                       | temperature of 45°F    |
| 11 |                       | (7°C) or less within 2 |
| 12 |                       | hours after milking.   |
| 13 |                       | Raw milk must be       |
| 14 |                       | maintained at a        |
| 15 |                       | temperature of 45      |
| 16 |                       | °F (7°C) or less until |
| 17 |                       | purchase by a final    |
| 18 |                       | consumer.              |
| 19 | Bacterial limits      | Not to exceed 15,000   |
| 20 |                       | per ml.                |
| 21 | Somatic cell count    | Not to exceed 600,000  |
| 22 |                       | per ml.                |
| 23 | Coliform count        | Not to exceed 10 per   |
| 24 |                       | ml.                    |
| 25 | Infectious disease    | No positive results    |
| 26 |                       | for brucellosis or     |
| 27 |                       | tuberculosis. Animals  |
| 28 |                       | must be tested at      |
| 29 |                       | least once every 12    |
|    |                       | months.                |

1           Sec. 136. (1) ~~Only~~ **Except as provided under sections 70a and**  
2 **138, only** pasteurized milk and dairy products shall be offered for  
3 sale or sold, directly or indirectly, to the final consumer or to  
4 ~~restaurants, grocery stores, or similar~~ **retail food** establishments.  
5 ~~except as specified in section 138.~~

6           (2) Milk and dairy products may be aseptically processed as  
7 low-acid foods provided they comply with the following  
8 requirements:

9           (a) All thermally processed milk and milk products that are  
10 packaged in hermetically sealed containers are processed in a milk  
11 processing facility licensed under this act, the grade A milk law  
12 of 2001, or the food law of 2000.

13           (b) All processors of acidified milk and milk products  
14 packaged in hermetically sealed containers comply with the  
15 regulations of the United States ~~food and drug administration~~ **Food**  
16 **and Drug Administration** in 21 CFR ~~part~~ **parts** 108, ~~21 CFR part~~ 110,  
17 and ~~21 CFR part~~ 114.

18           (c) All thermally processed milk and milk products that are  
19 packaged in hermetically sealed containers comply with the  
20 regulations of the United States ~~food~~ **Food** and ~~drug administration~~  
21 **Drug Administration** in 21 CFR ~~part~~ **parts** 108, ~~21 CFR part~~ 110, and  
22 ~~21 CFR part~~ 113.

23           (d) Hermetically sealed packages are handled to maintain  
24 product and container integrity.