

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1699

5 By: Representatives Eaves, Bentley
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAWS CONCERNING SALES OF RAW MILK
9 TO AUTHORIZE THE SALE OF RAW SHEEP MILK; AND FOR
10 OTHER PURPOSES.
11

Subtitle

12
13 TO AMEND THE LAWS CONCERNING SALES OF RAW
14 MILK TO AUTHORIZE THE SALE OF RAW SHEEP
15 MILK.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 20-59-248 is amended to read as follows:

22 20-59-248. Incidental sales of goat milk, sheep milk, and whole milk
23 that has not been pasteurized not prohibited – Definitions.

24 (a) For purposes of this section:

25 (1) “Incidental sales of goat milk, sheep milk, and whole milk
26 that has not been pasteurized” are those sales where the average monthly
27 number of gallons sold does not exceed five hundred gallons (500 gal);

28 (2) “Locally produced whole milk products” means whole milk that
29 has been produced on an Arkansas farm; and

30 (3)(A) “Whole milk” means the lacteal secretion obtained by the
31 complete milking of one (1) or more healthy cows, properly fed and kept, that
32 when offered for sale contains at least three and one-fourth percent (3.25%)
33 of butterfat and eight and one-fourth percent (8.25%) solids not fat.

34 (B) “Whole milk” does not include lacteal secretion
35 obtained within fifteen (15) days before or five (5) days after calving or a
36 longer period if necessary to render the milk practically colostrum free.



1 (b) This subchapter does not prohibit incidental sales of raw goat
 2 milk, raw sheep milk, and whole milk that has not been pasteurized directly
 3 to consumers at the farm where the milk is produced or preclude the
 4 advertising of incidental sales of goat milk, sheep milk, and whole milk that
 5 has not been pasteurized.

6 (c) With respect to whole milk that has not been pasteurized, the
 7 seller shall:

8 (1) Post at the point of sale a sign that is no smaller than two
 9 feet by four feet (2' x 4') that includes the following information in large,
 10 clear text:

11 (A) The name and address of the farm with seller's contact
 12 information; and

13 (B) The following statement:
 14 "This product, sold for personal use and not for resale, is fresh whole milk
 15 that has NOT been pasteurized. Neither this farm nor the milk sold by this
 16 farm has been inspected by the State of Arkansas. The consumer assumes all
 17 liability for health issues that may result from the consumption of this
 18 product."; and

19 (2) Affix a label to the bottle or package that includes:

20 (A) The name and address of the farm; and

21 (B) The following statement:
 22 "This product, sold for personal use and not for resale, is fresh whole milk
 23 that has NOT been pasteurized. Neither this farm nor the milk sold by this
 24 farm has been inspected by the State of Arkansas. The consumer assumes all
 25 liability for health issues that may result from the consumption of this
 26 product."

27 (d) A farmer who sells fresh whole unpasteurized milk shall permit
 28 inspection of his or her cows and barns by his or her customers upon request.
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