



Testimony to the Senate Committee on Agriculture and Natural Resources

SB 300: "AN ACT concerning agriculture; relating to milk and dairy products; prohibiting the on-farm retail sales of milk or milk products; amending K.S.A. 65-771, 65-773 and 65-789 and repealing the existing sections; also repealing K.S.A. 65-784."

Chairman Kerschen and Members of the Committee:

The Farm and Ranch Freedom Alliance (FARFA) **opposes** Senate Bill 300. FARFA is a nonprofit advocacy organization that supports independent family farmers and protects a healthy and productive food supply for American consumers. FARFA promotes common sense policies for local, diversified agricultural systems.

Banning raw milk is an arbitrary policy based on unfounded fears from a century ago, when raw milk was produced under very different conditions than in modern family dairies. While any food carries some risk of foodborne illness, the actual data on raw milk illnesses does **not** support the conclusion that is so high risk that the government should remove individuals' right to choose whether to consumer this food.

According to a CDC survey, between 2.3% and 3.8% of the population has drunk raw milk within the last 7 days, with a multi-state average of 3%.¹ That means that over nine million people drink raw milk nationally. Yet out of these millions of consumers, only about 130 allegedly become sick each year from raw milk nationwide, or 0.001% per year.

Over the 20-year period from 1998 to 2017, a total of 2,690 illnesses were allegedly linked to raw milk.² To put these numbers in context, there were 403,110 illnesses reported to the CDC in that time period from all foods. The numbers of illnesses attributed to raw milk are similar to those attributed to common foods such as:

- Fruit salad: 2,125 illnesses
- Pizza: 2,470 illnesses
- Tuna: 3,321 illnesses

¹ Foodborne Active Surveillance Network (FoodNet) Population Survey Atlas of Exposures. 2006-2007, available at <http://www.cdc.gov/foodnet/PDFs/FNExpAtl03022011.pdf>. This is the most recent food consumption survey conducted by the CDC, and the most thorough, according to its website: "The 2006-2007 Population Survey was conducted in all 10 FoodNet sites for 12 consecutive months, from May 2006 to April 2007, in both English and Spanish. For the first time, a pre-notification letter was sent to inform the household about the purpose of the survey. In 2007, the total population residing in the FoodNet catchment was 46 million persons, representing 15% of the U.S. population." <http://www.cdc.gov/foodnet/surveys/population.html>

² Based on downloads from the CDC database at www.cdc.gov/foodborneoutbreaks.

Moreover, milk of any kind carries some risk. Nationwide between 1998 and 2017, 2,404 people became ill and 4 people died from pasteurized milk. The risk, when considered in terms of how many people drink milk, is low – but pasteurization does not eliminate all risk. In 1985, there were over 16,000 confirmed cases of Salmonella infection that were traced back to pasteurized milk from a single dairy. Researchers estimated that the actual number of people who became ill in that outbreak was over 168,000, “making this the largest outbreak of salmonellosis ever identified in the United States.”³

Banning raw milk is not only unfounded, but will be counterproductive. Under current Kansas law, consumers can buy raw milk directly from farmers on-farm. This ensures that the consumer knows who they are buying from and the conditions under which the milk is produced. This transparent approach to raw milk marketing provides important accountability.

If the legislature bans the sale of raw milk, the result will simply be the creation of a black market. Consider that the CDC’s state-specific data on raw milk consumption shows **no** pattern that making raw milk illegal actually decreases consumption.⁴ According to the CDC survey, Maryland (where raw milk can only be sold as pet food, and the first dairy licensed to do so only started in 2018) had the exact same percentage of people who had drunk raw milk within the last 7 days as California (where raw milk is widely sold in grocery stores) (both at 3.0%). And Georgia, where raw milk can only be sold as pet food, had the highest consumption rates of all (3.8%)

In sum, FARFA opposes SB 300 and respectfully asks this Committee to reject this unreasonable ban.

Respectfully submitted,

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³ Ryan, CA et al. Massive outbreak of antimicrobial-resistant salmonellosis traced to pasteurized milk. J. American Medical Assn. 258(22):3269-74 (1987), <http://www.ncbi.nlm.nih.gov/pubmed/3316720?dopt=Abstract>

⁴ Foodborne Active Surveillance Network (FoodNet) Population Survey Atlas of Exposures. 2006-2007, available at <http://www.cdc.gov/foodnet/PDFs/FNExpAtl03022011.pdf>.