

SENATE BILL No. 308

By Committee on Agriculture and Natural Resources

1-23

1 AN ACT concerning agriculture; relating to milk, cream and dairy  
2 products; on-farm retail sale of milk; labeling and advertising  
3 requirements; amending K.S.A. 65-771 and repealing the existing  
4 section.

5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) The on-farm retail sale of milk or milk products

7 shall be lawful, so long as each container of ungraded raw milk sold or  
8 offered for sale contains a label that clearly states the following: "This  
9 product contains ungraded raw milk that is not pasteurized and, as a result,  
10 may contain organisms that cause food-borne illness, especially in infants,  
11 young children, older adults, pregnant women and people with weak  
12 immune systems." This statement shall be in letters of a uniform size and  
13 no smaller than the largest font used elsewhere on the label.

14 (b) Any person who engages in the on-farm retail sale of milk or milk  
15 products may advertise such milk or milk products if such advertisement  
16 clearly states the following: "This product contains ungraded raw milk that  
17 is not pasteurized and, as a result, may contain organisms that cause food-  
18 borne illness, especially in infants, young children, older adults, pregnant  
19 women and people with weak immune systems." If such advertisement is  
20 in print or other written or visual form, this statement shall be in letters of  
21 a uniform size and no smaller than the largest font used elsewhere in the  
22 advertisement.

23 Sec. 2. K.S.A. 65-771 is hereby amended to read as follows: 65-771.  
24 As used in this act:

25 (a) "Adulterated" has the same meaning means the same as provided  
26 in K.S.A. 65-664, and amendments thereto.

27 (b) "Bulk milk pick up tanker" means a vehicle including the truck,  
28 tank and those appurtenances necessary for such vehicle's use, used by a  
29 bulk milk hauler or sampler to transport bulk raw milk for pasteurization  
30 from a dairy farm to a milk plant, receiving station or transfer station.

31 (c) "Dairy manufacturing plants" means any place where dairy  
32 products, grade A milk or milk products are manufactured or prepared for  
33 sale or distribution, either at wholesale or retail. ~~This term that~~ "Dairy  
34 manufacturing plants" does not include a licensed food service  
35 establishment ~~which~~ that is licensed to manufacture homemade ice cream  
36

Proposed Amendment for SB 308  
Senate Committee on Agriculture and Natural Resources  
February 18, 2020  
Labeling and Advertising  
Prepared by: Tamera Lawrence  
Office of Revisor of Statutes

unpasteurized

bears

is clearly visible and states the following or its equivalent

"

Any

shall not be false or misleading and shall state that such milk or  
milk products are either: (1) Raw; or (2) unpasteurized.

clearly visible