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NH has had a long history of allowing dairy farmers to sell some of their raw milk directly to consumers legally. For the longest time farms could sell up to 5 gallons a day of raw milk with NO license or inspections needed from the State of New Hampshire. The big change for us came in 2012 when the State legislature amended RSA 184:84. There were multiple changes made to the Law at this point

1. The limit rose from 5 gallons a day to 20 gallons a day.
2. Not only could farmers sell raw milk/cream they could now process the milk into 4 products as well, (raw aged cheese, raw yogurt, raw butter and raw kefir) with no State involvement if the sales were directly to the consumer from their own farm or farm stand or at a farmer's market and the total volume was less than 20 gallons/day.
3. The RSA does require them to label the product with the name of the product, their farm name, address and phone number and the following statement: "This product is made with raw milk and is exempt from New Hampshire licensing and inspection."

So as far as raw milk sales under the RSA 184:84 exemptions go, there have been no changes since June 2012 and none in the pipeline to my knowledge. As you all realize I'm sure it takes a while for rules to be changed to reflect changes in the laws and that is where we are in NH. After the Statute was changed we started the procedure of amending our rules know as Mil 300 to reflect these changes and to make some other changes. Almost two years later they will go into effect on May 1<sup>st</sup>, 2014. If you go onto NH food protections home page and follow the dairy programs link we have our laws and rules posted on-line. Just be aware that the on-line version of Mil 300 is still the old version until May 1<sup>st</sup>. All of the changes in our new rules ONLY apply to those dairy farmers that have chosen to get licensed by our Department due to the fact that they sell more than the 20 gallons a day, want to make pasteurized dairy products, or want to sell their products and or raw milk in a licensed retail establishment (even if a farm is doing less than 20 gallons a day, they have to be licensed in order to sell in a retail store). If a dairy farmer chooses to get licensed by us they can sell as much raw milk in the State of New Hampshire as the market will bear. They can sell it directly to consumers, they can whole sale it, though some of the cities in the State which regulate their retail food stores will not allow the raw milk to be sold in their city, but that is a local issue and not ours.

The new rules that will go into effect on May 1<sup>st</sup>, 2014 only affect the licensed dairy farmers and we have multiple regulations that they must meet in order to get licensed and to stay licensed. We follow the 2011 version of the PMO (pasteurized milk ordinance) for the bulk of our regulations. Once a dairy is licensed the exemptions granted in RSA 184:84 no longer apply and the dairy can no longer produce raw kefir or raw butter. Raw yogurt is still allowed under another NH law. The following are the requirements for those dairies that are licensed to sell raw milk in the State of NH.

1. The dairy farm has to be a Grade A permitted farm by us.
2. They need to obtain a separate Milk Sanitation License from us.
3. We will take monthly samples of the raw milk and test for
  - a. Bacteria (standard plate count) 20,000/ml
  - b. Coliform bacteria 10
  - c. Somatic cell count 750,000 (1,000,000 goats)
  - d. Antibiotic residues
  - e. Temperature
4. Pathogens shall be tested in raw milk as follows
  - a. Raw milk that exceeds the Coliform standard for any 3 out of the last 5 consecutive samples shall be tested for pathogens.
  - b. Pathogens tested for shall include, but not be limited to , E. coli 0157:H7, Listeria monocytogenes, Campylobacter, and Salmonella.
  - c. If any pathogens are detected in the raw milk, the dairy shall recall all product which has been offered for sale and cease sales of raw milk until retesting indicates there are no longer pathogens in the milk.
5. We have multiple labeling requirements
  - a. Producer's name, address, net amount and zip code.
  - b. Labeled with list of ingredients in descending order of predominance.
  - c. Labeled as Raw Cow's Milk, Raw Goat's Milk or Raw Sheep's Milk as applicable.
  - d. Labeled with the following statement: Raw milk is not pasteurized. Pasteurization destroys organisms that may be harmful to human health."
  - e. Labeled with the following statement: "This raw milk has not been tested for antibiotic residues prior to sale." The dairy may purchase an approved antibiotic test kit and test the milk prior to sale and avoid the requirement of this label if the milk tests negative.
  - f. All containers shall be labeled with a "sell by" date to be determined by the dairy, and the milk shall remain in compliance with quality standards until the date.
6. All milking animals shall be tested for tuberculosis and brucellosis within the 12 months prior to becoming licensed and once every 3 years thereafter.
7. The dairy shall have a written procedure for recalling product and notifying consumers if testing of the raw milk indicates the presence of pathogens.