HB1449 – Public Health - Milk Products Direct-to-Consumer Sale of Raw Milk for Human Consumption

FAVORABLE

Testimony submitted by:

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Can raw milk potentially be a carrier of a foodborne pathogen? Yes.

Can I guarantee all raw milk produced and sold for human consumption in Maryland will never test positive for a foodborne pathogen? No.

But here is the catch… Raw milk is being sold illegally in Maryland by out of state farms that have tested positive multiple times and are refusing to cooperate with their state permitting regulations, and refuse to abide by the federal restriction on interstate sale of raw milk for human consumption. It is these farms that have spoiled reputations for respectable farm operations. The fear that people have about the safety of raw milk is propagated by those farms with no regard to public safety or state regulations.

Raw milk can absolutely be produced safely if the farmer producing it has integrity and a conscience.

The honest truth is that nothing we consume on a daily basis is 100% “safe.”

If you look at the CDC website for 2024, it lists all the foodborne illness outbreaks that were monitored and investigated. At the time of writing this (03/03/2025) there are ten active investigations:
5 Listeria
4 Salmonella,
1 E.coli.

Below is a list of all foodborne pathogen outbreaks from 2024-today (oldest-newest).

- Charcuterie Meats
- Queso Fresco and Cotija Cheese
- Raw Cheddar Cheese
- Fresh Basil

- Organic Walnuts
- Cucumbers
- Eggs
- Diamond Schruumz Chocolates
- Meat Sliced at Delis
- McDonalds Quarter Pounder
- Organic Carrots
- Cucumbers
- Ready-to-Eat-Meat and Poultry Products
- Supplement Shakes (2025)

As you can see from this list, foodborne pathogens don't discriminate which foods they can be found in.

Raw milk doesn't have a greater chance of carrying a foodborne pathogen any more than the thirteen items listed when handled and managed appropriately. No food is 100% safe, including pasteurized milk.

Raw milk has always been subject to an unfair and unrealistic double standard.

Some argue that the reason you don't see milk on the list above is because of pasteurization. However, there have been many cases linked to pasteurized dairy products and pasteurized fluid milk. The question you should ask is why is raw fluid milk not listed repeatedly?

Currently there are only four states that have an outright ban on the sale of fluid raw milk. That leaves forty-six states that allow the sale of raw milk in some fashion (retail, on farm, herd shares, or registered as pet food). If raw milk is legal in 92% of the country, then why are there not more cases of foodborne pathogens linked to raw milk consumption being investigated by the FDA and CDC?

We are told over and over that if you drink raw milk you will get sick. But the data doesn't show that. Last year there was a greater chance of getting sick from eating cucumbers than from raw milk. If you look at studies testing to see if raw milk contains foodborne pathogens, how many sponsored studies are comparing farms that produce milk intended for human consumption vs milk produced for pasteurization?

I haven't been able to find any.

There have been individuals who, on their own, sampled pasteurized milk bought from the grocery store and raw milk bought from their local farmer that was produced for human consumption. They found that the pasteurized milk bought from the store contained harmful pathogens, albeit dead from the pasteurization process, while the raw milk produced for human consumption contained zero harmful pathogens. As far as I can tell, the sponsored studies do

not consider the purpose of the end product of the milk. The milk produced by farms intended for human consumption is not the same product as milk produced for pasteurization and should not be used to compare the two.

There is currently a raw milk problem that is plaguing Maryland.

According to the CDC website the most recent foodborne pathogen outbreak linked to fluid raw milk was in 2016. This incident was traced back to a farm in Pennsylvania with a less-than-spotless reputation for sanitation and overall cleanliness. This Farm is not permitted to sell raw milk within Pennsylvania, yet they are doing so illegally and transporting raw milk across state lines, including to Maryland. Could this farm be responsible for the majority of illnesses associated with raw milk?

Has he set a bad precedent for farmers like me who take great pride and go to great lengths to produce a safe, reliable product?

These unpermitted, unregulated, illegal black-market farms are what I want to protect Maryland families from. By offering a permitted, regulated, legal, and local food source, Maryland citizens could have a product that they can trust and source from their own local farm that are following permitting and regulations set by Maryland Department of Agriculture (MDA) and Maryland Department of Health (MDH).

I believe MDH and I have the same goal of providing safe food for Maryland citizens. I believe that allowing the sale of raw milk while following all permitting and regulation mentioned in BH1449 will do two things:

1) Allow Marylander access to safe raw milk produced in Maryland.

2) Undermine the illegal, unregulated, and unsafe Black Market.

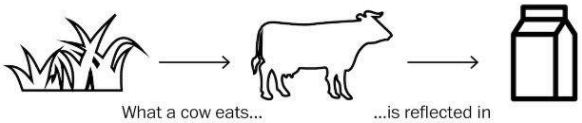
I will end it with this. Maryland farmers working alongside the MDA and MDH can greatly reduce the risk to Maryland families from an actual dangerous product by providing raw milk produced safely by Maryland farmers.

Note: Included below is a graphic published by the Washington Post several years ago showing the nutritional profile of grassfed milk vs. milk from grain fed cows. (Link for reference)

https://img.washingtonpost.com/rf/image_1484w/2010-2019/WashingtonPost/2017/05/01/Business/Graphics/2300-bigorganic-0501.jpg?uuid=NCo9vi7FEeejNfoK4ZQDBQ

Does your milk come from grazing cows?

Under Agriculture Department rules, certified-organic cows must graze through the grazing season. But how can anyone tell whether a cow has grazed?

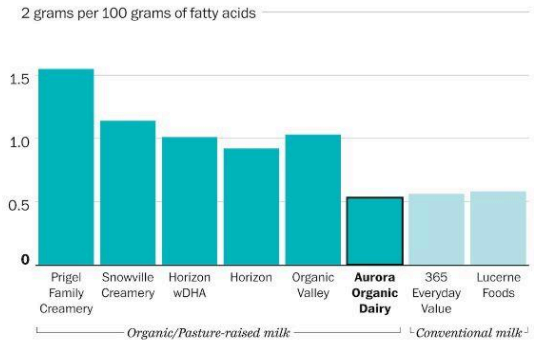


What a cow eats... ...is reflected in the milk it makes.

Milk products from grass-fed cows contain elevated levels of certain milk substances, in particular, **conjugated linoleic acid** (CLA). Levels of another substance, **alpha-linolenic acid**, also tend to be elevated, while levels of **linoleic acid** tend to be lower.

The Post asked Virginia Tech dairy scientists to analyze eight types of milk produced during grazing season.

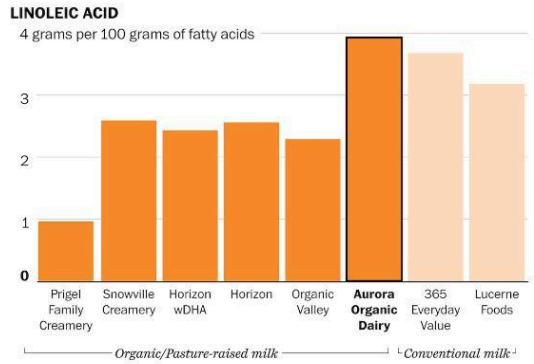
CONJUGATED LINOLEIC ACID



As expected, most of the organic or pasture-raised milks scored well for CLA, while the conventional milk scored lowest. One anomaly was the milk sample from **Aurora Organic Dairy**, which Walmart sold as its Great Value organic milk.

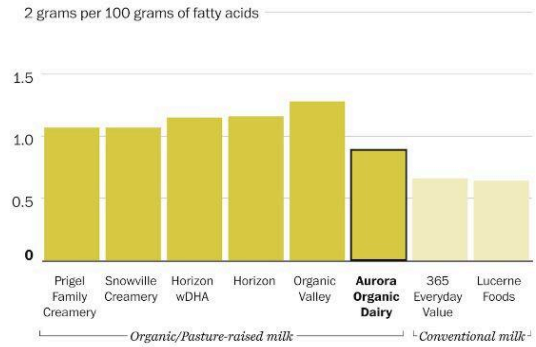
While the Aurora milk is approved as a "USDA Organic" product, it tested more like the conventional milks for CLA as well as linoleic acid.

LINOLEIC ACID



For alpha-linolenic acid, the Aurora milk ranked lower than the other organic and pasture-raised milk, but a bit higher than conventional milk.

ALPHA-LINOLENIC ACID



Sources: U.S. Department of Agriculture, Virginia Tech, Noun Project icons from Chris Pyper, Maxim Kulikov and Hamish

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