**Deliberating in a Democracy Minnesota Issues**

**QUESTION: Should the Minnesota Legislature ban the sale of all raw milk?**

 **Background**

The sale of unpasteurized or raw milk, to consumers has become an increasingly contentious issue in many states. Currently, the Food and Drug Administration (FDA) bans the sale of raw milk packaged for consumer use across state lines (interstate commerce). Each state, however, regulates the sale of raw milk within the state (intrastate), and approximately half of the states in the U.S. allow it to be sold. In some states where the sale of raw milk for human consumption is legal, it may be sold in stores. In other states, raw milk may only be sold to consumers directly from the farm.

**Minnesota Law**

According to Minnesota Statute 32.393 Subdivision, "no milk, fluid milk products, goat milk, or sheep milk shall be sold, advertised, offered or exposed for sale or held in possession for sale for the purpose of human consumption in fluid form in this state unless the same has been pasteurized and cooled; provided, that this section shall not apply to milk, cream, skim milk, goat milk, or sheep milk occasionally secured or purchased for personal use by any consumer at the place or farm where the milk is produced."

Minnesota Department of Agriculture spokesman Mike Schommer said it's illegal to sell raw milk in stores or at co-ops or farmers markets, but the milk can be sold on an "occasional" basis directly on the farm.

**Positions Summary**

The raw milk debate places the alleged benefits of consuming raw milk against the public health threat of harmful pathogens. Both supporters and opponents of raw milk claim that scientific evidence supports their respective positions.

* Raw milk proponents argue that pasteurization is not a panacea. They claim that none of the reports frequently cited by regulatory agencies like the FDA generate any statistical evidence proving that pasteurization would have prevented the outbreak. They also believe the association of raw milk with outbreaks may also be greatly exaggerated.
* Opponents of raw milk argue that science has not shown a connection between drinking raw milk and disease prevention, or the alleged harm of pasteurization.

After a recent outbreak of several E Coli illnesses related to the consumption of raw milk, some Minnesotans are calling for a ban on all raw milk sales, including occasional sales directly on the farm.

Should the Minnesota Legislature ban the sale of all raw milk?

**YES**

Raw milk may harbor a host of disease-causing pathogens, including campylobacter, listeria, salmonella, and E. coli. While most people recover from foodborne illness within a short period of time, others may have symptoms that are chronic, severe, or life-threatening. Children, the elderly, and those with compromised immune systems are most at risk for severe infections.

Pasteurization does not significantly change the nutrient content of milk. Since Vitamin D is generally added to milk as it is pasteurized, our bodies may actually gain more benefit from pasteurized milk since the calcium is more readily absorbed.

Enzymes and hormones in raw milk are rapidly broken down by the digestive system, making it impossible for people to receive any benefit to their immune systems.

While pasteurization does destroy some bacteria which may be healthful, the public health benefit gained by destruction of harmful bacteria outweighs any disadvantage.

It is not possible to ensure that raw milk is safe and that if an outbreak does occur; the reputation of the state’s dairy industry is at stake.

**NO**

People who have been allergic to pasteurized milk for many years can sometimes tolerate and even thrive on raw milk*.*

Raw milk is a source of nutrients including beneficial bacteria such as lactobacillus acidophilus, vitamins and enzymes.

Raw milk has health benefits that are destroyed in the pasteurization process. Pasteurization changes the content of nutrients; destroys enzymes and hormones; and destroys healthy bacteria.

Consumers who buy raw milk are purposely looking for it and that it is a consumer’s right and responsibility to educate themselves and decide whether it is worth their risk to consume the product.

At a time when dairy farmers in the state are struggling and milk prices are low, raw milk is an important niche market for struggling dairy farmers.

With significant improvements in standards and inspections, raw milk would be produced hygienically if sales were made legal

Information Sources:

Farmer-to-Consumer Legal Defense Fund

Food Safety News

Minneapolis Star Tribune

ProCon.org

University of Minnesota Extension

Wisconsin Legislative Reference Bureau

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