

HOUSE BILL NO. 367

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE NEUMAN

Introduced: 2/13/08

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the sale of raw milk and raw milk products."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 17.20.005 is amended to read:

4 **Sec. 17.20.005. Powers and duties of commissioner.** To carry out the
5 requirements of this chapter, the commissioner may issue orders, regulations, permits,
6 quarantines, and embargoes relating to

7 (1) food offered to the public or sold, including

8 (A) inspection of meat, fish, poultry, and other food products;

9 (B) standards of sanitation and handling methods for all phases
10 of slaughtering, processing, storing, transporting, displaying, and selling;

11 (C) labeling; and

12 (D) the training, testing, and certification requirements for
13 individuals who handle or prepare food, their supervisors, and their employers
14 to ensure their knowledge of food safety and sanitation principles and
15 requirements;

- 1 (2) control and eradication of pests;
- 2 (3) enforcement of hazard analysis critical control point programs for
3 seafood processing that are developed in cooperation with appropriate industry
4 representatives or, to the extent not inconsistent with this chapter or regulations
5 adopted under the authority of this chapter, that are established by regulations of the
6 United States Food and Drug Administration as they may periodically be revised;
- 7 (4) labeling, subject to AS 17.20.013 and 17.20.014, and grading of
8 milk and milk products and standards of sanitation for dairies offering to the public or
9 selling milk or milk products to at least the minimum of current recommendations of
10 the United States Public Health Service pasteurized milk ordinance as it may
11 periodically be revised, subject to AS 17.20.014;
- 12 (5) standards and conditions for the operation and siting of aquatic
13 farms and related hatcheries, including
- 14 (A) restrictions on the use of chemicals; and
- 15 (B) requirements to protect the public from contaminated
16 aquatic farm products that pose a risk to health;
- 17 (6) monitoring aquatic farms and aquatic farm products to ensure
18 compliance with this chapter and, to the extent not inconsistent with this chapter or
19 regulations adopted under the authority of this chapter, with the requirements of the
20 national shellfish sanitation program manual of operations published by the United
21 States Food and Drug Administration as it may periodically be revised;
- 22 (7) tests and analyses that may be made and hearings that may be held
23 to determine whether the commissioner will issue a stop order or quarantine;
- 24 (8) transportation of, use of, disposal of, recalls of, or warnings
25 concerning quarantined or embargoed items;
- 26 (9) cooperation with federal and other state agencies.

27 * **Sec. 2.** AS 17.20 is amended by adding a new section to read:

28 **Sec. 17.20.014. Sale of raw milk products.** (a) A person may sell a raw milk
29 product to a final consumer or to a restaurant, grocery store, or similar establishment,
30 if the principal display panel on the raw milk product prominently states that the raw
31 milk product is not pasteurized and may cause health concerns, and if the person

1 complies with the state's requirements for the sale of milk that do not conflict with this
2 section.

3 (b) This section does not apply to a sale that is governed by federal law.

4 (c) In this section,

5 (1) "raw milk" means milk that is not pasteurized;

6 (2) "raw milk product" means raw milk or a product or byproduct of
7 raw milk.