

First Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 05-0485.01 Karen Woods

SENATE BILL 05-055

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SENATE SPONSORSHIP

**Johnson,** and Isgar

HOUSE SPONSORSHIP

**Hodge,** Larson, Lundberg, and Plant

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Senate Committees

Agriculture, Natural Resources & Energy

House Committees

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A BILL FOR AN ACT

101      **CONCERNING LIMITED DISTRIBUTION OF RAW MILK TO CONSUMERS**  
102            **WHO HAVE A CONSENSUAL OR CONTRACTUAL RELATIONSHIP**  
103            **WITH PRODUCERS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Allows a consumer with a consensual or contractual relationship with a farmer or dairyperson or an ownership interest in the cow, goat, or herd providing the milk to obtain raw milk from the farmer or dairyperson.

Requires that the raw milk be identified when delivered to the consumer or that a label be affixed to the milk container. Requires a farm or dairy to provide the consumer with a description of the standards used

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

by the farm or dairy with respect to herd health.

Requires that a farm or dairy that produces raw milk register with the Colorado department of agriculture.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** Part 1 of article 5.5 of title 25, Colorado Revised  
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
4 read:

5           **25-5.5-117. Raw milk.** (1) THE ACQUISITION OF RAW MILK FROM  
6 COWS OR GOATS BY A CONSUMER FOR USE OR CONSUMPTION BY THE  
7 CONSUMER SHALL NOT BE PROHIBITED IF ALL OF THE FOLLOWING  
8 CONDITIONS ARE MET:

9           (a) THE MILK IS OBTAINED BY THE CONSUMER OR AN AGENT OF THE  
10 CONSUMER DIRECTLY FROM, OR AT, A FARM OR DAIRY REGISTERED WITH  
11 THE COLORADO DEPARTMENT OF AGRICULTURE;

12           (b) THE MILK IS OBTAINED PURSUANT TO:

13           (I) A WRITTEN CONSENSUAL OR CONTRACTUAL RELATIONSHIP  
14 BETWEEN THE FARMER OR DAIRYPERSON AND THE CONSUMER; OR

15           (II) THE CONSUMER'S OWNERSHIP INTEREST IN THE COW, GOAT, OR  
16 HERD FROM WHICH THE MILK IS OBTAINED;

17           (c) A PROMINENT STATEMENT THAT THE MILK IS NOT PASTEURIZED  
18 IS DELIVERED TO THE CONSUMER WITH THE MILK OR IS DISPLAYED ON A  
19 LABEL AFFIXED TO THE MILK CONTAINER; AND

20           (d) INFORMATION DESCRIBING THE STANDARDS USED BY THE FARM  
21 OR DAIRY WITH RESPECT TO HERD HEALTH, AND IN THE PRODUCTION OF  
22 MILK FROM THE HERD, IS PROVIDED TO THE CONSUMER BY THE FARM OR  
23 DAIRY TOGETHER WITH RESULTS OF TESTS PERFORMED ON THE COWS OR  
24 GOATS THAT PRODUCED THE MILK, TESTS PERFORMED ON THE MILK, AND

1 AN EXPLANATION OF THE TESTS AND TEST RESULTS.

2 (2) REGISTRATION OF A FARM OR DAIRY PURSUANT TO PARAGRAPH  
3 (a) OF SUBSECTION (1) OF THIS SECTION SHALL BE ACCOMPLISHED BY  
4 DELIVERING TO THE COLORADO DEPARTMENT OF AGRICULTURE A WRITTEN  
5 STATEMENT CONTAINING:

6 (I) THE NAME OF THE FARMER, DAIRYPERSON, FARM, OR DAIRY;

7 (II) A VALID, CURRENT ADDRESS OF THE FARMER, DAIRYPERSON,  
8 FARM, OR DAIRY; AND

9 (III) A STATEMENT THAT RAW MILK IS BEING PRODUCED AT THE  
10 FARM OR DAIRY.

11 (3) COLORADO STATE UNIVERSITY MAY ESTABLISH ADVISORY  
12 STANDARDS AS IT SHALL DETERMINE ARE APPROPRIATE FOR THE  
13 PRODUCTION OF RAW MILK, WHICH STANDARDS SHALL BE MADE  
14 AVAILABLE TO CONSUMERS BY THE FARMER, DAIRYPERSON, FARM, OR  
15 DAIRY UPON REQUEST FROM THE CONSUMER. IF COLORADO STATE  
16 UNIVERSITY ESTABLISHES ADVISORY STANDARDS, SUCH STANDARDS SHALL  
17 NOT BE CONSTRUED AS AN ENDORSEMENT OF RAW MILK. COLORADO  
18 STATE UNIVERSITY SHALL NOT BE LIABLE IF A PERSON CONTRACTS ANY  
19 ILLNESS AS A RESULT OF CONSUMING RAW MILK.

20 (4) NO PERSON WHO, AS A CONSUMER, OBTAINS RAW MILK IN  
21 ACCORDANCE WITH THIS SECTION SHALL BE ENTITLED TO SELL OR  
22 REDISTRIBUTE THE MILK; EXCEPT THAT A PERSON DESIGNATED BY A  
23 CONSUMER TO OBTAIN THE MILK FOR THE CONSUMER MAY DELIVER THE  
24 MILK TO THE CONSUMER.

25 (5) NO PRODUCER OF RAW MILK SHALL ADVERTISE THE  
26 AVAILABILITY OF RAW MILK FROM THE PRODUCER IN ANY GENERALLY  
27 CIRCULATED MEDIA. NO PRODUCER OF RAW MILK SHALL PUBLISH ANY

1 STATEMENT THAT DISPARAGES PASTEURIZED MILK.

2           **SECTION 2. Safety clause.** The general assembly hereby finds,  
3 determines, and declares that this act is necessary for the immediate  
4 preservation of the public peace, health, and safety.