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**HOUSE BILL 1490**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Representatives Orcutt, Chapman, and Jacobsen

AN ACT Relating to direct sales of milk; and adding a new section to chapter 15.36 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 15.36 RCW to read as follows:

(1) This chapter does not apply to milk sold directly to the consumer at the premises where it is produced if:

(a) The milk is produced on a small-scale farm;

(b) The milk is not advertised for sale; and

(c) The milk and milk-producing animals meet the sanitary requirements in subsection (2) of this section.

(2)(a) The producer shall ensure that milk is tested at least four separate months during any six-month period. Milk quality tests and drug tests must be conducted using testing methods approved by the department. Each batch of milk must test negative for drugs. Milk or milk products may not contain more than:

(i) Fifteen thousand bacteria per milliliter;

(ii) Twenty-five coliform per milliliter; and

(iii) Five hundred thousand somatic cells per milliliter of raw milk from a cow, or more than 750,000 somatic cells per milliliter of raw milk from a sheep or goat.

(b) Whenever three of the last five consecutive bacteria, coliform, or somatic cell tests exceed any of the milk quality standards listed in this section, the producer may not sell any milk for human consumption until subsequent testing shows that it meets the standard.

(c) All animals kept by the producer must be tuberculosis and brucellosis free as established by annual testing.

(3) For the purposes of this section, "small-scale farm" means a location where there are no more than two producing dairy cows or nine producing small animals, such as sheep or goats, on the premises where milk is produced.

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