



1 South Pinckney Street, Suite 810, Madison, WI 53703-2869  
608.258.4400 fax 608.258.4407

400 Selby Avenue, Suite Y, St. Paul, MN 55102-4520  
651.228.0213 fax 651.228.1184

[www.cooperativenetwork.coop](http://www.cooperativenetwork.coop)

September 16, 2013

To: Senator Dale Schultz, Chair, and members of the Senate Committee on Financial Institutions and Rural Issues

From: David Ward, Director of Government Relations and Dairy, Cooperative Network  
John Manske, Director of Government Relations, Cooperative Network

Re: Opposition to Senate Bill 236

Thank you for the opportunity to express Cooperative Network's concerns about Senate Bill 236 (SB 236), relating to the sale of unpasteurized milk products. Cooperative Network is the trade association in Wisconsin representing all types of cooperatives, credit unions and mutual insurance companies. Among our members are dairy cooperatives that market more than 80% of the milk produced on farms in Wisconsin. Dairy cooperatives process 60% of the cheese produced in Wisconsin. Cooperative Network is a member-driven organization so, our opposition to SB 236 is derived from the opinion's of our members. Members of Cooperative Network have approved the following public policy position on the subject of raw milk: "Because of Cooperative Network's strong interest in maintaining the highest health and safety standards for dairy products, Cooperative Network opposes legislation allowing a dairy farmer to sell unpasteurized milk to consumers at the farm or at non-farm locations." This statement was originated by our Dairy Committee, representing all of our member dairy cooperatives. It was affirmed by our Government Affairs Committee, representing all of our cooperative members, as well as by our general membership at our annual meeting.

Our greatest concern relates to the potential damage to the public image of milk and the dairy industry if legislation like SB 236 results in more illness, thereby worrying the general public about the safety of milk and other dairy products. The damage to Wisconsin's number-one agricultural industry could be immense and even irreversible. For the most part, states that currently allow raw milk sales have small dairy industries as contrasted to Wisconsin. Wisconsin's dairy industry represents \$26.5 billion of our overall \$59 billion agricultural industry.

Thank you for listening to our concerns regarding SB 236.

# Reasons People Buy our Milk

- Taste - creamy, but not heavy and has amazing flavor
- Health – use to treat cases of lactose intolerance, allergies, IBS, skin conditions, depression and obesity. (Recommended by health care professionals)
- Animal welfare –first hand view of clean, healthy, grass-fed cows
- Quality - whole, real, unprocessed, grass-based food
- Trust – Have a connection with us and see our immaculate barn and sanitary conditions. Customers always comment on how nicely our barn smells.
- Support local – they like knowing their money is going directly to farmers

# The Health Enhancing Properties of Grass-Fed Raw Milk

- Probiotics – maintains healthy gut flora which enhances immune function and reduces chronic inflammation
- Intact Enzymes – enables complete protein digestion and mineral absorption
- CLA's – shown to decrease risk of chronic illness
- Healthy fats - Omega 3,6,9 in balance
- Full complement of vitamins and minerals

# Probiotics, Necessary for a Functioning Immune System

Dr. Robert Luby, is a Colombia trained, 20 year practitioner of family medicine, with teaching appointments at UVM, the University of Massachusetts and Tufts University medical schools. Dr. Luby recommends patients replace pasteurized milk with pasture-based raw milk as a first line therapy. He has had good results, especially in patients with asthma, seasonal allergies and eczema. He asked me to pass this on to you...

“I challenge you to consider that there are 5 macronutrients rather than three; fat, protein, carbohydrates PLUS fiber and beneficial bacteria as well. Beneficial bacteria are the most important nutrient in milk and are destroyed during pasteurization. We are the first society in history to not regularly consume large amounts of probiotic, beneficial bacteria laden foods. The results are shockingly increasing rates of chronic disease such as heart disease, diabetes and cancer.”

# Allergies and Asthma

- European study involving 15,000 children shows a direct link between raw milk and decreased rates of allergies and asthma<sup>1</sup>
- Study ruled out other factors such as exposure to the farm environment
- Concludes that protective effect may be transferred to non-farm populations through raw milk consumption

1. Waser, M., et al. "Inverse Association of Farm Milk Consumption with Asthma and Allergy in Rural and Suburban Populations Across Europe." *Clinical and Experimental Allergy* 37.5 (2007): 661-670.

# Lactose Intolerance

- Caused by insufficient levels of the lactase enzyme in the gut<sup>1</sup>
- Raw milk contains bacteria which produces the enzyme lactase<sup>2,3</sup>
- Survey of lactose intolerant, raw milk drinkers finds that 83% can digest raw milk with no problem
- Very common reason consumers seek out raw milk

# Amelioration of Historic Milk Risks

- Major communicable diseases associated with swill milk have largely been eradicated from the US<sup>1</sup>  
(TB, Brucellosis and Typhoid)
- Scientific understanding and technological advances have made milk (raw and pasteurized) a relatively safe food<sup>2,3,4</sup>
- Testing, vaccinations, water chlorination, and pasteurization of contaminated milk have greatly increased milk safety

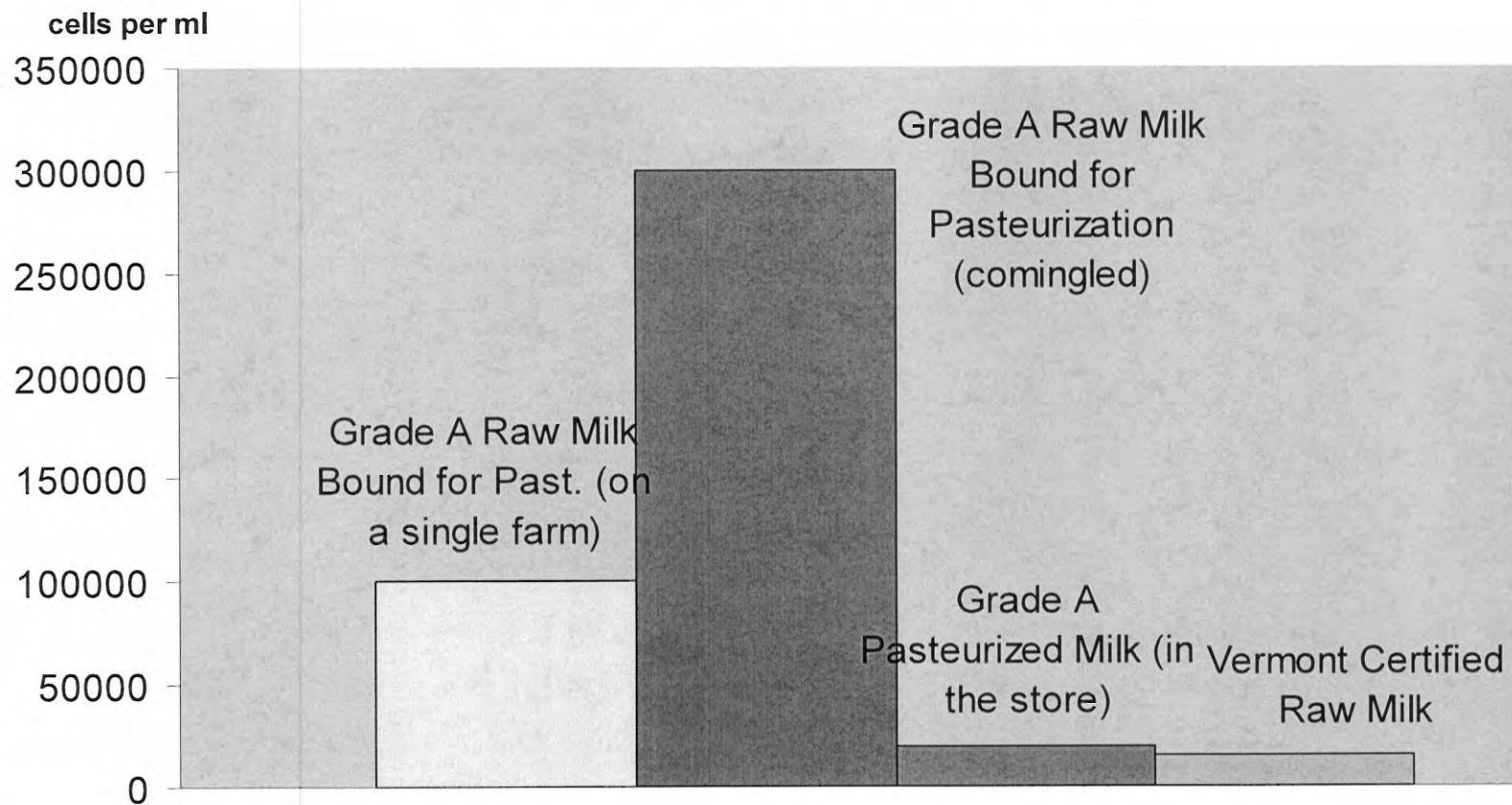
## References for Previous Slide

- 1. Schmid, Ron. *The Untold Story of Milk*. Winona Lake, Indiana: New Trends Publishing, 2003, p.232.
- 2. Elmoslemany, A.M. et. al. (2009) “Risk factors for bacteriological quality of bulk tank milk in Prince Edward Island dairy herds. Part 1: Overall risk factors” *J. Dairy Sci.* 92:2634-2643
- 3. Millogo, V., et. al. (2010) “Raw milk hygienene at farms, processing units and local markets in Burkina Faso” *Food Control*. Doi:10.1016/j.foodcont.2009.12.029.
- 4. Centers for Disease Control. (2007). “FOIA 06-0819 Line list of foodborne illness reoported to CDC’s National Foodborne Outbreak Surveillance System from 1973 to 2005” Available online at <http://www.davidgumpert.com/files/Cdc-foodborne-i.pdf> (accessed April 27, 2010)



# PMO vs Vermont Raw Milk Standards

## Bacterial Limits Allowed by Law



“Raw milk is good food. Raw milk is good medicine.  
Access to raw milk is access to health care.”

-Dr. Robert Luby

Thank you!



## **Selected Economic and Demographic Numbers**

42,500 households within 25 miles of my farm.

400 farms in Lacrosse County

### **Ken Meter Ag Economist at The Crossroads Resource Center**

Only .4% of farm sales are direct.

1994-2007 Western Wis. sold \$404 million of commodities produced at a cost of \$434 million.

\$43 million non-farm income and \$21 million government subsidies needed to stay whole.

Same area spent \$231 million on buying food from outside the area.

*\* [http://kickapoo.vsn.org/pdf/VERNON\\_FF6\\_METER.pdf](http://kickapoo.vsn.org/pdf/VERNON_FF6_METER.pdf) ← Link to KEN Meter Study of WESTERN Wisconsin*

### **FDA and CDC guidance.**

36% of all Americans are now obese

17% of all children are now obese

Obesity is the leading indicator for diabetes and a host of other problems.

In 2010 48 million people reported a food born illness. 16% of the population.

From 1997-2007 food allergies in children are up 18%.

3 million or 4% of all children.

30% of those 3 million also have asthma problems.

The #1 allergen is store bought milk. (CDC)

9785 children were hospitalized last year for food allergic reactions.

Some die.

### **Raw Milk**

No one has died from drinking raw milk in 50 years.

3% of everyone in USA now drinks raw milk( FDA data )

Incidence of sickness from raw milk is .00046% ( compared to 16% for all foods )

U of Basel ,Switzerland 14,000 child study + U Of London 5000 child study revealed that raw milk reduces incidence of allergies and asthma by >40%

Raw milk is sold everywhere in Europe and is exceedingly popular..

Pasteurized fluid milk consumption has dropped by 50% in last 30 years.

# ECONOMIC IMPACT OF DIRECT MARKETING on a 250 Acre Wisconsin Farm

Jobs	Basic Farm Enterprise	Market Options	Total Gross Farm Income
0.0	Land rented out	50 acres pasture @\$50/acre 200 acres cropland @\$200/acre	\$42,500
0.1	Corn and Beans	<b>Commodity market</b> ( corn only ) 200 acres @165 bpa @\$6.00 200 acres @165 bpa@ \$3.00	\$198,000 (Good year) \$99,000 (Bad year)
1.5	Conventional Dairy Farm Holstein cows	<b>Commodity conventional dairy.</b> 80 cows x 20,000#/cow x \$.18 80 cows x 20,000#/cow x \$.10	\$288,000 (Good year) \$160,000 (Bad year)
2.0	Organic Dairy Farm Holstein cows	<b>Organic Valley or Westby Coop</b> 80 cows x 18,000#/cows \$.25	\$360,000
4.0	Dairy Centered Diversified Organic Livestock Farm	<b>Organic Valley or Westby Coop</b> 60 jersey cows The milk of 40 @14,000# x \$.30  <b>Direct Market</b> meat, eggs and milk to 300 families within 20 mile radius unpasteurized milk 20 jersey's @14,000# @\$8.00 per gallon (2 gal/per family/per week) 60 grass fed steers x 600#x\$5.00=\$3000 40 finished pastured hogs x 160# x \$5=\$800 1000 broilers @\$18=\$18,000 200 layers x80%=4866 dozen x \$3.25= \$15,814  <b>Expandable Options:</b> Farm dinners, cheese, yogurt, ice cream, on farm slaughter, tourism, produce, etc.	\$168,000  \$260,465 \$180,000 \$32,000 \$18,000 <u>\$15,814</u> <b>\$674,279</b>

**This entrepreneurial concept** is simple and familiar because it is 5000 years old.

**The model** produces the best possible effect for the farm family(s), the land, the animals, the quality of the food, the consumer, and the rural community. Almost all of \$675,279 gross income from this small farm will be spent within 25 miles of the farm gate.

**The impediments** are government regulatory barriers: packaging, storing, delivering, slaughtering, and in the case of milk, pasteurizing. A 250 acre 60 cow farm has to follow many of the same regulations as IBP, ADM, DFA and Hormel.

**The remedy** is implementation of an old principle: **Freedom**. Permit farmer to consumer direct sales of farm products and let regulation be *caveat emptor*. This is exactly how 6132 farmer's markets and countless road side stands now successfully operate. The dangers to public health are infinitesimal because the market exposure of any one farm is so small. The food buying public will do an excellent job of regulating and policing food safety. And the regulatory cost to the government is \$.00.

**Americans** would line up and sign up to have organic milk, beef, pork, poultry and eggs delivered fresh to their front door from a local farm every week of the year....if they could.

Vince Hundt [vince@rotochopper.com](mailto:vince@rotochopper.com) 4/2/2012



**C O R N U C O P I A**  
I N S T I T U T E

Board of Directors  
Steve Sprinkel  
Organic Vegetable Grower  
Restaurateur  
Ojai, California

Helen Kees  
Organic Livestock Producer  
Durand, Wisconsin

Roger Featherstone  
Director - Arizona  
Mining Reform Coalition  
Tucson, Arizona

William Heart  
Wildlife Conservationist  
Ashland, Wisconsin

Dave Minar  
Organic Dairy Producer  
Cedar Summit Farm  
New Prague, Minnesota

Amanda Love  
Natural Foods Chef/Educator  
The Barefoot Cook  
Austin, Texas

Goldie Caughlan  
Organic Food Retailer  
PCC Natural Markets (retired)  
Former NOSB Member  
Seattle, Washington

Kevin Engelbert  
Nation's First Certified Organic Dairy  
Former NOSB Member  
Nichols, New York

William Welsh (In Memoriam)  
Organic Livestock Producer  
Former NOSB Member  
Lansing, Iowa

Policy Advisory Panel  
Francis Thicke, PhD  
Organic Dairy Producer  
Radiance Dairy  
Fairfield, Iowa

Michael James  
Restaurateur/Urban Activist  
The Heartland Cafe  
Chicago, Illinois

Merrill Clark  
Organic Livestock Producer  
Former NOSB Member  
Cassopolis, Michigan

Tony Azevedo  
Organic Dairy Producer  
San Joaquin Valley, California

Judith McGeary, J.D.  
Attorney, Farmer, Activist  
Farm and Ranch Freedom Alliance  
Cameron, Texas

Tom Willey  
T & D Willey Farms  
Organic Vegetable Grower/CSA  
Madera, California

Cofounders  
Will Fante  
Research Director

Mark A. Kastel  
Senior Farm Policy Analyst

Other Staff  
Charlotte Vallaeys  
Director, Food and Farm Policy

Lynn Buske  
Administrative Coordinator

Gayle Nielsen  
Membership Coordinator

Elizabeth Wolf  
Communications and  
Development Director

Jeremy Vossman  
Webmaster/IT support

Celeste Gibson  
Accountant

Organizations listed are for  
identification purposes only

Comments of:

Jason Cole  
The Cornucopia Institute  
Cornucopia, Wisconsin

September 16, 2013

Thank you Mr. Chairman.

My name is Jason Cole. I'm a research associate at The Cornucopia Institute. Cornucopia acts as a governmental and corporate watchdog in the organic farming arena.

I'm here today to testify on behalf of our approximately 9,000 members, mostly family-scale farmers. After California, we have more members in Wisconsin than any other state.

I'd like to follow up on the testimony, last week, of our Codirector, Mark Kastel with a few points based on the testimony of other citizens and questions and comments that came in when he and Mr. Shawn Pfaff appeared, last Thursday, on Wisconsin Public Radio.

1. There are many foods that are far more potentially dangerous than raw milk. Sushi, raw shellfish, rare hamburger or, as Mr. Kastel suggested, synthetic ingredients in our food that are known toxins or carcinogens. Raw milk seems to be singled out because of sanitation problems dating back to the turn of the last century and because of the desire of the powerful Wisconsin dairy lobby.
2. Make no mistake about it, at Cornucopia we work for dairy farmers. The majority of their organic milk goes into licensed plants and is ultimately pasteurized. We all enjoy the byproduct of our cheese industry, yogurt manufacturing, ice cream and all the other wonderful dairy products produced in Wisconsin and nationwide. This debate is about freedom of choice.
3. There was testimony last week that the dairy industry is "doing well." Well, that depends who you ask. The farmers in Wisconsin are not doing well. And haven't for a number of years. Their profit margins have eroded as the cost of feed has skyrocketed. Direct marketing raw milk is one of the

options that had saved a number of family farms from following their neighbors into economic oblivion.

4. Someone representing the industry last week suggested that the rest of the country was watching Wisconsin because if raw milk was legalized here it would “spread all over.” Well, Wisconsin is in the minority as farmers already have the right to sell directly to citizens in over 30 states. It can spread, but not all over. Because it is legally available in many of the leading dairy states nationwide. California, Pennsylvania, Minnesota, New York, and the list goes on.
5. Last week this committee heard testimony from a number of farmers, milking hundreds or thousands of cows, who have invested in technology to pasteurize milk that they fed to their calves. This is for good reason. Not all farms are created equal. Cows on grass-based organic dairies, when their manure is tested, almost universally do not contain some of the deadly pathogens that are endemic on CAFOs that feed a hot ration. Also, family-scale organic farms don't buy replacement heifers — they sell replacement heifers. They almost exclusively operate closed herds. The chance of contamination from dangerous organisms is greatly reduced. No rational person would drink milk out of a CAFO's bulk tank. So it is little wonder that some would deem it not fit for the consumption of young livestock as well.
6. Last week there was a reference to the largest outbreak of intestinal illness caused by milk in this country. It was not caused by raw milk. It was caused by milk that was contaminated in processing, after pasteurization. The packaged milk, processed by a plant owned by the Jewel food stores, in Chicago, according to testimony last week, sickened 187,000 people. Pasteurized milk.

| There is some degree of risk in all food production and distribution.

The direct marketing of raw milk, between farmers and consumers, is an intimate connection. These Wisconsin citizens should have a right to make informed decisions, based on the available dueling science presented at this hearing, to purchase raw milk if it is their desire to do so.

Thank you very much for the opportunity to have submitted these comments.

Category	States	Comments
<b>Retail sales legal</b> <i>These states allow sales in retail stores and require a permit which also allows for sales on/off farm and at farmers markets.</i>	AZ ID NM SC CA ME OR* WA CT NH PA	* goat & sheep milk only
<b>Licensed on-farm sales legal</b>	MA SD <sup>4,5*</sup> WI MO <sup>4,5</sup> TX NY UT <sup>**</sup>	* sales legal at retail store if producer owns and operates the store ** sales legal at retail store if producer has majority ownership in store
<b>Unlicensed on-farm sales legal</b>	AR <sup>3</sup> MN NE OR <sup>1</sup> IL MS <sup>1,2</sup> NH <sup>3,4,6</sup> VT <sup>3,4</sup> KS MO <sup>4</sup> OK <sup>3*</sup>	* limit on volume of goat milk sales
<b>Hardshares/Cowshares legal by statute<sup>a</sup>, regulation<sup>b</sup>, court decision<sup>c</sup>, or written policy<sup>d</sup></b>	AK <sup>b</sup> MI <sup>d</sup> TN <sup>a,8</sup> CO <sup>a*</sup> ND <sup>a</sup> WY <sup>b*</sup> ID <sup>a*</sup> OH <sup>c</sup>	* Farms operating share programs must register with the state.
<b>Sale of raw milk for human consumption illegal</b>	AL <sup>7,8</sup> IN <sup>7,8</sup> MT VA <sup>7</sup> DE IA NV* WV FL <sup>8</sup> KY <sup>2,5,7</sup> NJ GA <sup>8</sup> LA NC <sup>8</sup> HI MD RI <sup>2,5</sup>  * requires County Milk Commission (CMC) approval; only Nye County has a CMC but has not approved any dairies yet	<b>Superscript key –</b> 1 - Limit number of lactating animals 2 - Only sale of goat milk legal 3 - Limit on sales volume 4 - Delivery legal 5 - By doctor's prescription only 6 - Sale at farmers' markets legal 7 - No law on herd shares <sup>B</sup> 8 - Sale of raw pet milk legal

<sup>A</sup> Other forms of raw milk distribution may also be allowed in any particular state. The [Raw Milk Nation Map](#) shows the highest level of access allowed.

<sup>B</sup> There is no law either expressly legalizing or prohibiting herd shares; state is aware herd share programs currently exist and has taken no action to try to stop them.

Copyright © 2010-2013 Farm-to-Consumer Legal Defense Fund [www.farmtoconsumer.org](http://www.farmtoconsumer.org). The chart is the property of the Farm-to-Consumer Legal Defense Fund. This chart may not be reproduced or altered without the express, written permission of the Fund and, if permission is granted, all reproductions must cite the Fund as the source of the original material. This chart is not intended to be used as or construed as legal advice.

Raw milk laws are a hodgepodge in this country; due mainly to the federal ban on raw milk for human consumption in interstate commerce, the laws are different state to state. This chart goes into more detail than the [Raw Milk Nation Map](#) by summarizing the specific laws for each state. If there is a stated legal limit on the number of lactating animals producing milk or the volume of milk sold each month, the chart reflects that.

The sale of raw pet milk is legal in just about every state if the producer has a commercial feed license or its equivalent or has otherwise fulfilled state requirements to sell pet milk. Most states, however, will not issue commercial feed licenses for the sale of raw pet milk. The chart shows only those states where it is known that raw milk producers have received permits or otherwise are in compliance with the law.

The raw milk laws have changed in a number of states this past year; if there have been any other changes to state raw milk laws not shown in the chart, please contact the Farm-to-Consumer Legal Defense Fund by email at [info@farmtoconsumer.org](mailto:info@farmtoconsumer.org) or call 703-208-3276.

U.S. EDITION Tuesday, June 11, 2013 As of 6:48 PM EDT



Subscribe Log in

The Wall Street Journal news department was not involved in the creation of this content.

PRESS RELEASE | June 11, 2013, 6:48 p.m. ET

## New Studies Confirm: Raw Milk A Low-Risk Food

New Studies Confirm: Raw Milk A Low-Risk Food

Washington DC, June 11, 2013 (GLOBE NEWSWIRE) -- Three quantitative microbial risk assessments (QMRAs) recently published in the Journal of Food Protection have demonstrated that unpasteurized milk is a low-risk food, contrary to previous, inappropriately-evidenced claims suggesting a high-risk profile. These scholarly papers, along with dozens of others, were reviewed on May 16, 2013 at the Centre for Disease Control in Vancouver, BC (Canada), during a special scientific Grand Rounds presentation entitled "Unpasteurized milk: myths and evidence."

The reviewer, Nadine Ijaz, MSc, demonstrated how inappropriate evidence has long been mistakenly used to affirm the "myth" that raw milk is a high-risk food, as it was in the 1930s. Today, green leafy vegetables are the most frequent cause of food-borne illness in the United States. British Columbia CDC's Medical Director of Environmental Health Services, Dr. Tom Kosatsky, who is also Scientific Director of Canada's National Collaborating Centre for Environmental Health, welcomed Ms. Ijaz's invited presentation as "up-to-date" and "a very good example of knowledge synthesis and risk communication."

Quantitative microbial risk assessment is considered the gold-standard in food safety evidence, a standard recommended by the United Nations body Codex Alimentarius, and affirmed as an important evidencing tool by both the U.S. Food and Drug Administration and Health Canada. The scientific papers cited at the BC Centre for Disease Control presentation demonstrated a low risk of illness from unpasteurized milk consumption for each of the pathogens Campylobacter, Shiga-toxin inducing E. coli, Listeria monocytogenes and Staphylococcus aureus. This low risk profile applied to healthy adults as well as members of immunologically-susceptible groups: pregnant women, children and the elderly.

Given that these QMRAs appear to contradict a long-held scientific view that raw milk is a high-risk food, Ms. Ijaz noted (in line with United Nations standards) that it is important to confirm their accuracy using food-borne outbreak data. The accuracy of recent QMRA findings was scientifically demonstrated using a combination of peer-reviewed data and Ijaz's own recent scholarly working paper, which analysed U.S. outbreak data for raw milk using accepted methodologies.

Peer-reviewed outbreak data confirming a negligible risk of illness from Listeria monocytogenes in raw milk was particularly notable, and demonstrates the inaccuracy of a high-risk designation given to raw milk in an older U.S. government risk assessment for Listeria. The forty-year worldwide absence of listeriosis cases from raw milk presented in a 2013 scholarly review, and affirmed in the QMRA results published in 2011, is attributed by European reviewers to the protective action of non-harmful bacteria found in raw milk.

"While it is clear that there remains some appreciable risk of food-borne illness from raw milk consumption, public health bodies should now update their policies and informational materials to reflect the most high-quality evidence, which characterizes this risk as low," said Ijaz. "Raw milk producers should continue to use rigorous management practices to minimize any possible remaining risk."

Ms. Ijaz used extensive high-quality evidence to further deconstruct various scientific myths from both raw milk advocates and detractors. As Ijaz pointed out, increasing evidence of raw farm milk's unique health benefits to young children, as well as the possible detriments of industrial milk production practices, will need to be carefully considered in future risk analyses. She recommended an honest, evidence-informed dialogue on raw milk issues between producers, consumers, advocates, legislators and public health officials.

"The BC CDC should be commended for recognizing this important research on raw milk safety," said Sally Fallon Morell, president of the Weston A. Price Foundation, a non-profit nutrition education foundation that provides information on the health benefits of raw, whole milk from pastured cows. "I look forward to productive discussion with the US CDC and Food and Drug Administration in light of this new scientific evidence."

###

CONTACT: Liz Reitzig, Hartke Communications

Lizreitzig@gmail.com 301-807-5063

The Wall Street Journal news department was not involved in the creation of this content.





# WISCONSIN SAFE MILK COALITION

**TO: Senate Committee on Financial Institutions and Rural Issues**

**FR: Wisconsin Safe Milk Coalition**

**DT: September 11, 2013**

**RE: Statement Opposing SB 236**

On behalf of the state's well-respected medical community and several thousand Wisconsin residents involved in the state's \$26.5 billion dairy industry, we urge you to oppose SB 236 and its Assembly companion AB 287, which is legislation that permits the sale of unpasteurized (raw) milk in Wisconsin.

**The reason for our strong opposition to any possible legislation because unpasteurized (raw) milk is unsafe for human consumption.**

Nearly 120 raw milk health outbreaks have occurred in the United States since 1998 according to the *Real Raw Milk Facts* working group who gathered the facts from the Center for Disease Control's FOOD database and news reports from across the United States. Of the nearly 120 total outbreaks, the overwhelming majority (86) of them came from fluid milk, which resulted in 2,147 illnesses and sadly, two deaths.

An editorial this spring appeared in the *Milwaukee Journal Sentinel* entitled "Another CDC Study Shows Potential Peril of Raw Milk" suggests that the legislature reject raw milk legislation for the "sake of the state's dairy industry and the health of its citizens."

**We strongly urge that you carefully consider the impacts to public health before supporting any legislation that allows for the sale of raw milk in Wisconsin.**

For more information, please call Wisconsin Safe Milk Coalition contact Shawn Pfaff at 608-258-8411 or at [shawn.pfaff@capitolconsultants.net](mailto:shawn.pfaff@capitolconsultants.net).

*The Wisconsin Safe Milk Coalition is a broad coalition of medical professional and dairy producers and related-partners from across Wisconsin who have formed to keep Wisconsin's milk consumption safe for consumers and families.*



American Academy of Pediatrics  
DEDICATED TO THE HEALTH OF ALL CHILDREN®



Wisconsin Chapter



Wisconsin Medical Society  
Your Doctor. Your Health.



# Legislative Bill/Resolution

2013-2014 Legislative Session

## Senate Bill 236

Relating to: the sale of unpasteurized milk products and an exemption from rules and licensing and permitting requirements for certain dairy farms. (FE)

Count	Principal Name	Position	Notified Date
1	American Family Insurance Group	Against	8/2/2013
2	Children's Hospital of Wisconsin	Against	8/5/2013
3	Cooperative Network Association	Against	8/2/2013
4	Dairy Business Association	Against	8/5/2013
5	Marshfield Clinic	Against	9/6/2013
6	Wisconsin Academy of Family Physicians	Against	8/2/2013
7	Wisconsin Academy of Nutrition and Dietetics	Against	8/2/2013
8	Wisconsin Association of Local Health Departments and Boards	Against	8/2/2013
9	Wisconsin Cheese Makers Association	Against	8/5/2013
10	Wisconsin Council on Children & Families	Against	8/8/2013
11	Wisconsin Dairy Products Association Inc	Against	8/8/2013
12	Wisconsin Farm Bureau Federation	Against	8/9/2013
13	Wisconsin Farmers Union	For	9/9/2013
14	Wisconsin Grocers Association	Against	8/6/2013
15	Wisconsin Medical Society	Against	8/2/2013
16	Wisconsin Nurses Association	Against	8/27/2013
17	Wisconsin Public Health Association	Against	8/2/2013
18	Wisconsin Raw Milk Association	For	8/5/2013
19	Wisconsin Veterinary Medical Association	Against	8/8/2013

## FDA Testimony Summary for Wisconsin SB 236

- Mr. Chair, Mr. Vice Chair and Members of the Wisconsin Senate Committee on Financial Institutions and Rural Issues, thank you for the opportunity to submit this written FDA testimony provided by John Sheehan, Director of Plant and Dairy Food Safety of the U.S. Food and Drug Administration, in which the public health and food safety concerns of consuming raw milk and the importance of pasteurization are discussed. There is and has been a lot of misinformation published or otherwise communicated by various parties to the general public at large about raw milk and pasteurized milk. FDA appreciates the opportunity in this testimony to present the reality of the dangers of raw milk consumption and the safety and healthfulness of pasteurized milk consumption.
- Senate Bill 236 which is now before this body for consideration would operate to weaken Wisconsin laws governing public health protection. Senate Bill 236 significantly relaxes the current regulation by permitting the sale of raw milk or raw milk products in Wisconsin. Allowing any type of raw milk sales directly to consumers does increase the probability of serious harm occurring to Wisconsin consumers, especially children, the aged, infirm and immunocompromised, and this bill would actually increase the probability of a state-wide outbreak occurring within Wisconsin. Senate Bill 236 also would significantly distance Wisconsin's regulation of raw milk from the advice being given by the CDC, FDA, and many notable others. In a press release issued jointly by both CDC and FDA on March 1, 2007, the agencies noted that in addition to CDC and the FDA, "the American Medical Association, the American Academy of Pediatrics, the National Conference on Interstate Milk Shipments, the National Association of State Departments of Agriculture, the Association of Food and Drug Officials and other organizations have endorsed the pasteurization of milk and prohibition of the sale of raw milk and products containing raw milk."
- Raw milk is inherently dangerous and may contain a whole host of pathogens including Enterotoxigenic *Staphylococcus aureus*, *Campylobacter jejuni* (*C. jejuni*), *Salmonella* species, *Escherichia coli* (*E. coli* 0157H:7, Enterohemorrhagic *E. coli* - EHEC, Enterotoxigenic *E. coli* - ETEC), *Listeria monocytogenes*, *Mycobacterium tuberculosis*, *Mycobacterium bovis* (*M. bovis*), *Brucella* species (*B. abortus* being mainly associated with cattle and *B. melitensis* being mainly associated with goats), *Coxiella burnetii* and *Yersinia enterocolitica* to name but a few. Many of these microorganisms can cause very serious, sometimes life altering and sometimes even fatal disease conditions in humans. With pregnant women, *Listeria monocytogenes*-caused illness can result in miscarriage, fetal death, or illness or death of a newborn infant. Enterohemorrhagic *E. coli* (EHEC) infection has been linked to hemolytic uremic syndrome (HUS), a condition that can cause kidney failure and death. If infected with EHEC, young children are particularly susceptible to contracting HUS as unfortunately has recently happened in this country.
- Pasteurization will destroy all of the pathogens mentioned thus far and others not mentioned. For example, pasteurization is also destructive of *Mycobacterium*

*paratuberculosis*, the causative organism of Johne's disease in cattle. Clearly, pasteurized milk can never rationally be considered more hazardous than raw milk, contrary to the claims of raw milk advocates. In fact, it is universally agreed within the scientific community that pasteurization has made milk a much safer food for human nutrition.

- Raw milk should not be consumed by anyone, at any time, for any reason. FDA's opinion in this matter is entirely consistent with that of the American Medical Association, which holds as policy the position that "all milk sold for human consumption should be required to be pasteurized" (H-150.980, Milk and Human Health). The aged, infirm, young and immuno-compromised are most at risk for severe infections from pathogens that may be present in raw milk.
- It is not only the very young, the aged, infirm and immunocompromised that can fall victim to the pathogens which may be present in raw milk. Anyone can be a victim, including healthy young adults. In 2012, Langer et al. from CDC (reference 37) reported that during 1993 to 2006, of the 121 dairy-associated outbreaks with known pasteurization status, 73 outbreaks were associated with unpasteurized products. These 73 unpasteurized dairy outbreaks resulted in 1,571 cases, 202 hospitalizations, and 2 deaths. Seventy-five percent (55 outbreaks) of the unpasteurized dairy outbreaks occurred in 21 states where raw milk sale is legal. Langer et al. made several key conclusions, including: 1) legal intrastate sale of unpasteurized dairy products is associated with a high risk for dairy-related outbreaks; 2) the rate of outbreaks caused by unpasteurized dairy products was about 150 times greater than outbreaks linked to pasteurized dairy; and 3) unpasteurized dairy outbreaks led to much more severe illnesses in, and disproportionately affected, younger people (under age 20).
- Raw milk, even a "certified" raw milk, is inherently dangerous and should not be consumed. Raw milk continues to be a source of foodborne illness and even a cause of death within the United States. Despite the claims of raw milk advocates, raw milk is not a magical elixir possessing miraculous curative properties. Pasteurization destroys pathogens and most other vegetative microbes which might be expected and have been shown to be present in milk. Pasteurization does not appreciably alter the nutritive value of milk. Claims to the contrary by raw milk advocates are without scientific support. FDA encourages everyone charged with protecting the public health to prevent the sale of raw milk to consumers and not permit the operation of so-called "cow-sharing" or other schemes designed as attempts at circumventing laws prohibiting sales of raw milk to consumers. To do otherwise would be to take a giant step backwards with public health protection.
- FDA hopes that you will read the testimony which contains much more information about raw milk and the continuing public health concerns. FDA would like to thank the Committee for the opportunity to provide this information to the Committee and trust that it will prove useful to you in your deliberations.



---

**TO:** Chairman Schultz and members of the Senate Financial Institutions and Rural Issues Committee

**FROM:** Wisconsin Public Health Association and Wisconsin Association of Local Health Departments and Boards

**DATE:** September 11, 2013

**RE:** **Please oppose Senate Bill 236** (authorizing the sale of unpasteurized milk)

---

The Wisconsin Public Health Association (WPHA) and the Wisconsin Association of Local Health Departments and Boards would like to take this opportunity to urge you to **oppose Senate Bill 236**, legislation that would permit the sale of unpasteurized (raw) milk and milk products in Wisconsin.

Protecting the safety and quality of the state's food supply is a top priority for Wisconsin's public health community. It is also increasing challenging, as the rate of food-borne illness in the United States continues to rise. Senate Bill 236 would only serve to intensify our food safety challenge.

Raw milk is known to contain human pathogens and can expose individuals to food-borne diseases capable of causing severe illness and even death. Fortunately, milk pasteurization is a simple process that can effectively kill disease-causing bacteria that proliferate in raw milk. One of the most significant public health breakthroughs of the 20<sup>th</sup> Century, pasteurization has seen widespread use in the United States since the 1920s to prevent unnecessary illness.

As you debate SB 236 and consider how the legislation would impact the health of Wisconsin citizens and the state's dairy industry, WPHA and WALHDAB would ask you take the following into account:

- **In addition to a number of recent outbreaks in Wisconsin and across the country, the CDC reports that between 1993 and 2006, there were 1600 illnesses, 202 hospitalizations and 2 deaths associated with unpasteurized dairy products.**
- **According to the CDC, unpasteurized milk is 150 times more likely to cause illness and results in 13 times more hospitalizations.**
- **Raw milk accounts for approximately 1% of all milk sales in the United States, while it is responsible for roughly 99% of all milk related outbreaks.**
- **Even under ideal hygienic conditions for the collection and packaging of raw milk, the probability of contamination is high.**
- **States with raw milk sales have nearly three times as many illness outbreaks from unpasteurized dairy products than those that do not allow sales.**
- **The cost of an illness outbreak from raw milk can include medical bills as high as \$1 million.**
- **Public health staff can spend more than 250 hours (on average) investigating an illness outbreak related to raw milk.**

Simply put, raw milk poses an inherently elevated risk of disease outbreak and illness due to the variety of pathogens that it can contain. At the same time, it presents no nutritional advantage – or any scientifically proven protective health properties – over pasteurized milk.

Again, the Wisconsin Public Health Association and the Wisconsin Association of Local Health Departments and Boards would ask you to preserve public health and oppose Senate Bill 236.



# Wisconsin Medical Society

TO: Senate Committee on Financial Institutions and Rural Issues  
Senator Dale Schultz, Chair

FROM: Mark Grapentine, JD  
Senior Vice President - Government Relations

DATE: September 11, 2013

RE: Opposition to 2013 Senate Bill 236

On behalf of more than 12,000 members statewide, thank you for this opportunity to express the Wisconsin Medical Society's opposition to 2013 Senate Bill 236, which loosens safety standards for the sale of unpasteurized milk products.

The Society has policy specific to this issue, created during the last major effort to remove public safety statutes to allow for sales of raw milk:

## **PUB-027**

**Raw Milk:** The Wisconsin Medical Society opposes any legislation to allow sale of any dairy products made of unpasteurized milk to the public in Wisconsin. (HOD, 0410)

This policy was created based on decades of data showing the dangers of consuming raw milk and raw milk products and the public health miracle called pasteurization that dramatically improved dairy safety across the country. The Society sees no reason why the public's health should be put at greater risk by removing current safety standards.

We have included three attachments to this cover memo providing more information about why removing food safety standards will increase danger to the public:

- A Legislative Reference Bureau summary of the Raw Milk Sales issue, published in April 2010.
- A Centers for Disease Control and Prevention (CDC) study reviewing dairy-associated disease outbreaks from 1993-2006.
- A consumer-friendly U.S. Food and Drug Administration (FDA) flyer describing the serious health risks associated with consuming raw milk.

The LRB publication provides ample facts and data to explain how Wisconsin law on unsafe milk evolved to the current protections; the laws were passed following a spate of sicknesses in the 1920s and 1930s. "As a result of urbanization," the LRB summary states, "many city residents, especially children, increasingly became sick and died after consuming contaminated milk." The new safety regulations had dramatic results: "In 1938, milkborne outbreaks constituted 25 percent of all disease outbreaks due to infected foods and contaminated water; as of 2002, that figure was down to less than 1 percent."

The CDC study reveals that states where the sale of raw milk was legal had more than twice the rate of outbreaks as states with better consumer safety protections:

Our analysis shows that legal intrastate sale of nonpasteurized dairy products is associated with a higher risk for dairy-related outbreaks and implies that restricting sale of nonpasteurized dairy products reduces the risk for dairy-related outbreaks within that state. Pasteurization is the most reliable and feasible way to render dairy products safe for consumption.

*(Nonpasteurized Dairy Products, Disease Outbreaks – p. 390)*

Interestingly, the CDC study addresses one of the elements included in Senate Bill 236 ostensibly to protect the public following removal of current safety statutes: requiring certain labeling of the raw milk products.

Although warning labels and signs or government-issued permits are prudent where the sale of nonpasteurized dairy products is legal, **they have not been shown to be effective and, given the results of this analysis, do not seem to reduce the incidence of outbreaks involving nonpasteurized dairy products to the degree that pasteurization does.**

*(Id., emphasis supplied, endnote removed)*

The study concludes with strong recommendations, which the Wisconsin Medical Society supports:

State officials should consider further restricting or prohibiting the sale or distribution of nonpasteurized dairy products within their states. Federal and state regulators should continue to enforce existing regulations to prevent distribution of nonpasteurized dairy products to consumers. **Consumption of nonpasteurized dairy products cannot be considered safe under any circumstances.**

*(Id., emphasis supplied)*

The science is clear, as are the results when laws protect consumers. For these reasons we ask that you oppose Senate Bill 236.

*Note:* The attachments to this memo are available online:

- LRB report: <http://legis.wisconsin.gov/lrb/pubs/wb/10wb1.pdf>
- CDC report: <http://wwwnc.cdc.gov/eid/article/18/3/pdfs/11-1370.pdf>
- FDA flyer: <http://www.fda.gov/downloads/Food/FoodborneIllnessContaminants/UCM239493.pdf>



**TO: Chairman Schultz and Members of the Committee on Financial Institutions and Rural Issues**  
**FROM: Michael Gutzeit, MD, Chief Medical Officer, Children's Hospital of Wisconsin**  
**DATE: September 11, 2013**  
**RE: Senate Bill 236**

Good afternoon Chairman Schultz and members of the committee. Thank you for allowing me this opportunity to testify today. My name is Mike Gutzeit and I am a pediatrician and chief medical officer at Children's Hospital of Wisconsin. Children's Hospital of Wisconsin is a nationally recognized, free-standing academic pediatric organization dedicated to the health and well being of children.

Children's Hospital of Wisconsin serves children from every county in the state. We have inpatient hospitals in Milwaukee and the Fox Valley. We care for every part of a child's health, from critical care at one of our hospitals to routine checkups in our primary care clinics. Children's also provides specialty care, urgent care, emergency care, school health nurses, Foster care and adoption services, family resource centers, child health advocacy, health education, pediatric medical research and the statewide poison hotline.

Today I am representing Children's Hospital of Wisconsin in opposition to Senate Bill 236 which would allow the sale of raw dairy products to the public.

My key message is that this bill unintentionally poses a potential threat to the health of children and that is my focus.

In the early to mid 20th century the process of pasteurization of milk products was introduced in the United States. This resulted in a markedly reduced incidence of milk related illnesses.

Pasteurization has been recognized as a public health success in reducing infections from food borne sources.

Despite this, in the past 15 years, 148 outbreaks of illness due to raw milk or raw milk product consumption have been documented by the centers for disease control. These have affected greater than 2000 people with almost 300 hospitalizations and two deaths.

As recently as June an outbreak of illness occurred in Minnesota attributed to raw milk consumption affecting six people.

Milk is an important nutritional component to most children. It provides a source of calcium and other nutrients essential to adequate health and growth. Children depend on us to keep them safe and protect them from preventable harm.

While I appreciate and support free choice, when that free choice may unnecessarily adversely affect the health of children, it is important for that consideration to be raised.

Even well-intentioned and meticulous farms selling raw milk cannot assure safety on a consistent basis at the same level as pasteurization.

Pasteurization is the key to safe dairy products.

I would ask you to not compromise that safety by allowing the potential of illness from raw milk.

Chairman Schultz and committee members, I thank you again for the opportunity to speak on behalf of Children's Hospital Wisconsin and am happy to take any questions at this time.







---

6117 Monona Drive • Madison, WI 53716 • 608-221-0383 • Fax 608 221-2788  
info@wisconsinnurses.org • [www.wisconsinnurses.org](http://www.wisconsinnurses.org)

TO: Senator Schultz, Chair and Members of the Senate Committee  
on Financial Institutions and Rural Issues

FROM: Gina Dennik-Champion, MSN, RN, MSHA, WNA Executive Director

DATE: September 11, 2013

RE: Opposition to Senate Bill 236 - Relating to: the sale of unpasteurized milk  
products and an exemption from rules and licensing and permitting  
requirements for certain dairy farms

---

The Wisconsin Nurses Association (WNA) thanks you Chairperson Schultz, and members of the Senate Committee on Financial Institutions and Rural Issues, for holding a hearing on SB 236, related to sale of unpasteurized milk to consumers. WNA is the professional association for all registered nurses in Wisconsin. WNA advocates for comprehensive quality health care services for all people, which includes prevention and health promotion by advocating for a strong, viable public health system and infrastructure.

As we reviewed SB 236, we performed our due diligence and reviewed the scientific research on the health benefits and risks regarding the consumption of “raw” unpasteurized milk. Our conclusion is that the risk of consuming unpasteurized milk should remain a public health concern.

Pasteurized milk offers important health benefits despite reports that pasteurization depletes milk’s healthy properties. Research findings indicate important components found in milk remain after pasteurization. LeJeune, DVM, Ph.D., and Dipl. ACVM, from the Ohio Agricultural Research and Development Center reported on their examination of health microorganisms and bio-related products found in milk after pasteurization and results yielded the following:

- Bovine lactoferrin from pasteurized milk has similar antibacterial properties to that from unheated milk.
- Lactoperoxidase retains 70 percent activity when heated to 161°F for 15 seconds, with further decreases in activity as the temperature is increased.
- Lysozyme (bacteriocide) lysozyme will survive at 176°F for 15 seconds.

- Bovine immunoglobulin has no loss in activity when held for 30 minutes at 145°F, and retains more than 59 percent of activity after high-temperature, short-time pasteurization.
- Lactose (milk sugar) concentration is not changed by pasteurization.
- Caseins' and whey proteins' nutritive values are largely unaffected by pasteurization.
- Fat soluble vitamins A, D, E and K are not appreciably affected by pasteurization.
- Vitamin C, which is very low in cow's milk, may be reduced up to 10 percent by pasteurization.
- Bacterocins are heat stable and remain active following pasteurization.
- Oligosaccharides are heat stable.
- Xanthine oxidase, an enzyme linked with flavor, retains enzymatic activity after 50 seconds at 176°F.

The Center for Disease Control (CDC), the federal agency responsible for reviewing and monitoring public health related illnesses and diseases, recognizes milk as an important staple of the American diet. However, it cautions that environmental contamination of milk is common, as it easily supports bacterial growth, and milk-borne infections are common pre-pasteurization.

This information, combined with the firsthand experiences of our nurses, brings WNA to the conclusion that unpasteurized milk is not safe. WNA does not believe the public should be at risk of purchasing a product that causes illness and could even lead to death.

It is for these reasons that WNA requests that SB 236 not be passed.

We thank you for your consideration of our request.

**News Release**  
**Wisconsin Farm Bureau Federation®**

**Contact:**

Karen Gefvert  
Director of Governmental Relations  
608.828.5713

**September 11, 2011**

**FOR IMMEDIATE RELEASE**

## **Wisconsin Farm Bureau Statement on Raw Milk Legislation**

MADISON—The Wisconsin Farm Bureau Federation (WFBF) opposes Senate Bill 236. Member policy adopted at the WFBF annual meeting in December 2012 states, “We oppose the sale of raw milk directly to consumers.”

The economic impact of Wisconsin’s dairy industry is significant. If a person becomes ill from drinking raw milk, it is not only unpasteurized milk that gets a bad image, but all dairy products. With \$26 billion in economic activity, a disruption in the confidence of Wisconsin dairy products would be detrimental to farmers across the state. Dairy farmers have invested millions of dollars promoting milk and dairy products. Dairy farmers cannot afford to have an incident adversely affect consumption. Whether real or perceived, farmers are the first to see a decline from food scares in the prices they receive for the livestock, crops and commodities they produce.

The Wisconsin Department of Agriculture, Trade and Consumer Protection's responsibility is to protect the citizens of Wisconsin through numerous food safety programs. The Wisconsin Farm Bureau continues to support these food safety programs that utilize sound science to better ensure that consumers are purchasing safe, quality dairy products.

“The discovery of pasteurization was important because it provided lifesaving technology to ensure the health and safety of consumers and benefit the common good,” Wisconsin Farm Bureau President Jim Holte said. “Let us not forget that.”



September 16, 2013

For the Senate Committee on Financial Institutions and Rural Issues

**Testimony of the Wisconsin Cheese Makers Association in OPPOSITION to SB 236**

Speaker: John T. Umhoefer, WCMA Executive Director

Wisconsin Cheese Makers Association **Strongly Opposes** SB 236, a bill that not only opens the door to raw milk sales in the state, but removes licensing and inspection requirements for dairy farms in Wisconsin.

This bill is dangerous. It removes dairy farms that choose the path of raw milk sales from Wisconsin's system of inspection and licensing. These farms would operate outside of supervision and outside of mandatory testing. It is an extreme version of the notion of allowing raw milk sales in Wisconsin.

Proponents at the first hearing in Madison often cited California as state with raw milk sales. Yet this bill proposes much poorer safety standards than California. For example: California allows no more than 15,000 bacteria/ml in their raw milk for bottling while this bill would allow for 100,000 bacteria – six times worse. The Grothman bill has no testing for coliform organisms – an indicator of farm hygiene – while California tests to assure that there are 10 coliforms or less. And while the Grothman bill has exactly one sanitary requirement – a clean pickle jar, California requires that a raw milk bottler meet the full construction and safety and hygiene standards of a licensed milk products processing plant.

The dairy and food industry in Wisconsin, and in the United States and around the world is moving in exactly the opposite direction of this bill. Both government inspection and oversight of food manufacturing, and food buyer inspection are becoming more stringent, more sophisticated and linked to electronic means that can speed product recalls and track food from farm to consumer. It's a tough system, an expensive system, but the dairy processor members of the Wisconsin Cheese Makers Association embrace this food safety network. It means safer food for families.

Wisconsin Cheese Makers Association represents Wisconsin manufacturers of cheese, butter, yogurt, ice cream and fluid milk – from the largest cooperatives to the smallest artisan cheesemakers. We also represent hundreds of Wisconsin employers that make equipment for the dairy industry -- make cheese cultures and trucks and vats and packaging film and pumps and more.

Last week, our current Association President, Ron Buholzer of Klondike Cheese Company in Monroe, told the media that his fourth-generation family business spent over \$1 million dollars in the past year installing food safety measures.

The investment at Klondike Cheese focused on several food safety enhancements, such as new changing areas for employees and restricted access to sensitive areas in the factory; new construction to segregate storage for chemical cleaning agents and tools; new door-lock systems, surveillance cameras and software to track products all through the food chain from farmer to consumer.

Each month, Klondike Cheese spends more than \$6,000 on testing product batches for pathogens, and spends more to test equipment surfaces and the plant environment for any minute contamination. If a contaminant is discovered after swabbing surfaces, plant workers immediately clean and sanitize again.

Klondike Cheese has three quality assurance personnel and sees inspections not only from the FDA and the State of Wisconsin, but also from every major dairy product buyer. Klondike also pays for an annual, three-day BRC audit – an international standard for food quality assurance. All these inspections are tough, and they help assure the safety of cheese and yogurt from Klondike Cheese.

Klondike's investments are not unique. Dairy manufacturers across the state and nation are spending millions to enhance food safety. And the Food Safety Modernization Act passed by the U.S. Congress ensures that inspection and oversight by the U.S. Food & Drug Administration will become even more strict in the years to come.

Contrast all this emphasis on and all this investment in food safety with SB236. This bill doesn't just let dairy producers sell unpasteurized milk in hand-washed jars, it allows these farms to walk away from licensing and inspection – to operate off the grid. This is an extreme version of a raw milk sales bill. This bill purposely makes these farms difficult to inspect; makes tracking a bad batch of raw milk difficult to perform and offers milk testing criteria with no explanation of who would perform these tests and who would make sure farms adhere to these requirements.

The dairy industry in Wisconsin does not want unregulated dairy producers selling raw milk in the state. We do not want an endless parade of raw milk illness outbreaks to wear down consumer confidence. We do not want outbreak after illness outbreak to turn consumers away from milk and toward soy and almond beverages.

The U.S. Centers for Disease Control state on their website: "From 1998 through 2011, 148 outbreaks due to consumption of raw milk or raw milk products were reported to CDC. These resulted in 2,384 illnesses, 284 hospitalizations, and 2 deaths. Most of these illnesses were caused by *Escherichia coli*, *Campylobacter*, *Salmonella*, or *Listeria*. It is important to note that a substantial proportion of the raw milk-associated disease burden falls on children; among the 104 outbreaks from 1998-2011 with information on the patients' ages available, 82% involved at least one person younger than 20 years old."

Wisconsin should not forward a bill that purposely removes safety regulations from dairy producers. Our citizens deserve better than that. And our dairy industry, which has spent decades building a well-deserved reputation for wholesome, delicious dairy foods, deserves better than that.

We strongly urge this committee to reject this bill.

TO: Senate Committee on Financial Institutions and Rural Issues  
FROM: Laurie Fischer, Executive Director-Dairy Business Association  
RE: Testimony Opposing Senate Bill 236  
DATE: September 11, 2013

On behalf of the Dairy Business Association's (DBA) 700 dairy producers and dairy related businesses we thank you for the opportunity to discuss our concerns in regards to Senate Bill 236 which permits the sale of unpasteurized raw milk in the state of Wisconsin. We respectfully request that you oppose Senate Bill 236.

The DBA is a non-profit trade association representing milk producers, processors, dairy professionals and associated vendors in Wisconsin. The DBA's goal is to preserve Wisconsin as "America's Dairyland," and to stabilize and grow the dairy industry and infrastructure in the state. DBA's mission statement is simple: "Keeping the Cows in Wisconsin." Our membership includes dairy farmers of all sizes, who overwhelmingly recognize the substantial risk for serious infectious diseases to occur with the consumption of purchased unpasteurized milk. We respectfully request that you take our comments into consideration as you deliberate on Senate Bill 236.

The DBA opposes Senate Bill 236 because it has been proven that raw milk causes people to become ill. According to an analysis by the Center for Disease Control and Prevention (CDC), raw milk can harbor dangerous microorganisms that pose serious health risks. The CDC reported that unpasteurized milk is 150 times more likely to cause foodborne illness, and results in 13 times more hospitalizations than illnesses involving pasteurized dairy products. Sickness and death due of Wisconsin's adults and children who consume purchased unpasteurized milk must not be allowed. In addition, research shows there is no meaningful difference between the nutritional values of pasteurized and unpasteurized milk.

The DBA members are proud of the wholesome milk products our state produces. The Wisconsin dairy industry has seen incredible growth over the past decade. The dairy industry and the Wisconsin legislature have worked hard to maintain and grow our state and national brand as "America's Dairyland." We cannot risk losing Wisconsin's title as the nation's number one cheese producer in the United States by allowing Senate Bill 236 to pass.

In closing, DBA respectfully requests you to oppose Senate Bill 236 in order to avoid human health safety concerns, and to protect the integrity of Wisconsin's Dairy Industry. Again, thank you for time today, and I would be happy to answer any questions you may have.



## Statement Opposing Raw Milk Legislation

September 11, 2013

**Foremost Farms USA is opposed to SB 236 which supports the sale of raw milk in Wisconsin. At their 2013 annual delegate meetings, our members passed the following resolution which urges milk producers and processors throughout the U.S. to follow all the steps needed to supply safe, pasteurized milk and dairy products to the American public:**

“Foremost Farms opposes the sale of unpasteurized milk directly to consumers. We take the safety of our products very seriously and feel that legal raw milk sales will threaten the reputation that dairy producers have built by producing a safe, high quality and nutritious product. There are no added health benefits to raw milk. No major, reputable health organization has ever found any added health benefits in raw milk. On the contrary, raw milk can contain a variety of bacteria, which can cause major illnesses in people -- especially the young, old, those with weakened immune systems and pregnant women.

For our part, we have established an effective quality assurance program to maintain product quality from the farm to the retail level. We will continue to support the National Conference of Interstate Milk Shipments (NCIMS), the Milk and Dairy Beef Drug Residue Prevention Manual (former 10-point milk and dairy beef quality assurance program), and other regulatory milk safety requirements. These programs are designed to maintain the safety of milk through the state departments of agriculture and health and federal agencies charged with monitoring the safety and healthfulness of our food supply.”

### **Company Overview**

Foremost Farms USA ([www.foremostfarms.com](http://www.foremostfarms.com)), headquartered in Baraboo, Wis., is a farmer-owned milk processing and marketing cooperative with annual sales of \$1.7 billion. The nation's eighth-largest cooperative and number 24 in annual sales among the Top 100 U.S. dairy processors, Foremost Farms is a leading manufacturer and marketer of cheese, specialty whey ingredients, butter and bulk fluid milk to customers around the world.





2801 Crossroads Drive  
Suite 1200  
Madison, WI 53718  
(608) 257-3665  
Fax: (608) 257-8989  
wvma@wvma.org

[www.wvma.org](http://www.wvma.org)

## Retail Sale of Raw Milk is a Danger to Public Health in Wisconsin

The members of the Wisconsin Veterinary Medical Association (WVMA) urge all legislators considering the legalization of the sale of raw milk to first understand the public health risks associated with the consumption of unpasteurized milk. The adage, "We drank bulk tank milk on the farm, and did not suffer serious problems" is a poor standard to apply when you are charged with the protection of the health of Wisconsin citizens. Senate Bill 236, will negate the Pasteurized Milk Ordinance of 1934, which has been safeguarding public health for **79** years.

This proposed bill is a revision of 2010 Assembly Bill 628/ Senate Bill 434, which failed in May of 2010. The WVMA is aligned with every other professional healthcare organization in the state opposing the sale of raw milk. There are **no appropriate rapid diagnostics** available to screen for the long list of infectious agents in raw milk that cause infections including upset stomach, diarrhea, abortion, sepsis in infants and death. There are absolutely **zero** published reports from peer-reviewed biomedical journals that recommend consumption of raw milk because it provides health benefits.

**"...there are absolutely zero published reports from peer-reviewed biomedical journals that recommend consumption of raw milk"**

As you consider this proposal to legalize the retail sale of raw milk in Wisconsin, we remind you that consumption of unpasteurized dairy products poses significant risks to the health of children, the elderly, pregnant women, and people with chronic diseases. Microbes are equal opportunity pathogens and do not discriminate between large and small operations.

Without pasteurization there is no way to ensure that pathogenic microbes are not present.

The bill creates a false sense of security by requiring raw milk to meet Grade A standards because it gives the impression that the government has deemed it to meet a safety standard. It is important to differentiate Grade A milk from pasteurized Grade A milk. Raw milk that meets Grade A standards is not presumed to be free of pathogenic bacteria. Pasteurization is the critical step required to make Grade A milk safe for public sale and consumption. In addition, the bill provides no authority for the state to inspect, test or monitor whether these dairies are meeting Grade A standards.

A recent outbreak of gastrointestinal disease associated with **legally obtained** raw milk occurred in Pennsylvania last May. Although the dairy had consistently adhered to their state's requirements for raw milk dairies and had conducted milk coliform and somatic cell testing more frequently than required, this was not the first outbreak associated with this dairy. These outbreaks indicate that compliance with state regulations and increased producer awareness after an outbreak are insufficient to prevent human health hazards.

The simple solution to minimize raw milk disease outbreaks in the State of Wisconsin is to maintain the current Pasteurized Milk Ordinance for Grade A Milk. The high level of vigilance to ensure a safe supply of dairy products should be a source of pride of our state. The over 11,000 dairy farms in Wisconsin, 97% of which are family owned and employ 420,000 people (12% of the state's workforce), are dedicated to providing a safe food supply and pasteurization is a key public health safeguard.

The WVMA strongly opposes this legislation and encourages you vote against SB 236. If retail sale of raw milk products are allowed in Wisconsin, then it is simply a question of when and how often outbreaks will occur.

Thank you for considering our comments. Please contact us at any time with comments or questions surrounding this issue.



1 South Pinckney Street, Suite 810, Madison, WI 53703-2869  
608.258.4400 fax 608.258.4407  
400 Selby Avenue, Suite Y, St. Paul, MN 55102-4520  
651.228.0213 fax 651.228.1184  
[www.cooperativenetwork.coop](http://www.cooperativenetwork.coop)

September 11, 2013

To: Senator Dale Schultz, Chair, and members of the Senate Committee on Financial Institutions and Rural Issues

From: David Ward, Director of Government Relations and Dairy, Cooperative Network  
John Manske, Director of Government Relations, Cooperative Network

Re: Opposition to Senate Bill 236

Thank you for the opportunity to express Cooperative Network's concerns about Senate Bill 236 (SB 236), relating to the sale of unpasteurized milk products. Cooperative Network is the trade association in Wisconsin representing all types of cooperatives, credit unions and mutual insurance companies. Among our members are dairy cooperatives that market more than 80% of the milk produced on farms in Wisconsin. Dairy cooperatives process 60% of the cheese produced in Wisconsin. Cooperative Network is a member-driven organization so, our opposition to SB 236 is derived from the opinion's of our members. Members of Cooperative Network have approved the following public policy position on the subject of raw milk: "Because of Cooperative Network's strong interest in maintaining the highest health and safety standards for dairy products, Cooperative Network opposes legislation allowing a dairy farmer to sell unpasteurized milk to consumers at the farm or at non-farm locations." This statement was originated by our Dairy Committee, representing all of our member dairy cooperatives. It was affirmed by our Government Affairs Committee, representing all of our cooperative members, as well as by our general membership at our annual meeting.

Our greatest concern relates to the potential damage to the public image of milk and the dairy industry if legislation like SB 236 results in more illness, thereby worrying the general public about the safety of milk and other dairy products. The damage to Wisconsin's number-one agricultural industry could be immense and even irreversible. For the most part, states that currently allow raw milk sales have small dairy industries as contrasted to Wisconsin. Wisconsin's dairy industry represents \$26.5 billion of our overall \$59 billion agricultural industry.

Thank you for listening to our concerns regarding SB 236.

## Statement for the Record

Wisconsin Senate Committee on Financial Institutions and Rural Issues

Public Hearing on Senate Bill 236

Submitted by

National Milk Producers Federation and International Dairy Foods Association

September 16, 2013



International Dairy Foods Association  
Milk Industry Foundation  
National Cheese Institute  
International Ice Cream Association

Dear Chairman Schultz:

The National Milk Producers Federation (NMPF) develops and carries out policies that advance the well-being of the nation's dairy producers and the cooperatives they own. NMPF's member cooperatives produce the majority of the U.S. milk supply, making NMPF the policy voice of more than 32,000 dairy producers on Capitol Hill and with government agencies.

The International Dairy Foods Association (IDFA), Washington, D.C., represents the nation's dairy manufacturing and marketing industries and their suppliers, with a membership of 550 companies representing a \$125-billion a year industry. IDFA is composed of three constituent organizations: the Milk Industry Foundation (MIF), the National Cheese Institute (NCI) and the International Ice Cream Association (IICA). IDFA's 220 dairy processing members run more than 600 plant operations, and range from large multi-national organizations to single-plant companies. Together they represent more than 85% of the milk, cultured products, cheese and frozen desserts produced and marketed in the United States.

Due to the significant public health risks associated with the consumption of raw milk, NMPF and IDFA respectfully urge that you **oppose legislation** to legalize the sale of unpasteurized milk in Wisconsin. Senate Bill No. 236 would allow the state-wide direct sale of raw milk, consumption of which has been opposed by every major health organization in the United States, including the American Medical Association and the American Academy of Pediatrics.

Consumption of raw milk is a demonstrated public health risk. The link between raw milk and foodborne illness has been well-documented in the scientific literature, with evidence spanning nearly 100 years. Raw milk is a key vehicle in the transmission of human pathogens, including *E. coli* O157:H7, *Campylobacter*, *Listeria monocytogenes*, and *Salmonella*.

Based on a 2012 report<sup>1</sup> from the Centers for Disease Control and Prevention (CDC), between 1993 and 2006, unpasteurized dairy products resulted in 73 known outbreaks – causing 1,571 cases of foodborne illness, 202 hospitalizations, and 2 deaths. The CDC also concluded that unpasteurized milk was 150 times more likely to cause food-borne illness outbreaks than pasteurized milk, and such outbreaks had a hospitalization rate 13 times higher than those involving pasteurized dairy products.

The CDC has reported nearly 75% of raw milk-associated outbreaks have occurred in states where sale of raw milk was legal. Legalizing the state-wide sale of raw milk in Wisconsin increases the risk to public health, opening up the state's consumers to the inevitable consequence of falling victim to a foodborne illness. No matter how carefully it is produced, raw milk is inherently dangerous. Americans have become ill after consuming raw milk obtained from farms of varying sizes, from cow-share programs, and from licensed, permitted, or certified raw milk producers.

Nearly two-thirds of all outbreaks associated with raw-milk or raw-milk products involve children. For example, in 2011, five children in California were infected with *E. coli* O157:H7 after drinking raw milk; three required hospitalization with hemolytic uremic syndrome (HUS), a serious condition that may lead to kidney failure. In Wisconsin, also in 2011, at a school event, sixteen fourth grade students and adults who drank raw milk donated by a parent later suffered from diarrhea, abdominal cramping, nausea, and vomiting from *Campylobacter* infections. It is the responsibility of Wisconsin's leaders to make decisions to protect the health of the public, most especially those who are minors and are unable to make fully informed decisions that could have profound consequences for the rest of their lives.

One critical aspect of this high-profile issue is the tremendous amount of misinformation that has been disseminated regarding the supposed health benefits of raw milk. It is important to emphasize that no claim related to the purported health benefits of consuming raw milk has been substantiated in any of the medical literature. The scientific consensus is that raw milk can cause serious illnesses and hospitalizations, as well as can result in life-long negative health complications and death.

---

<sup>1</sup> Langer, AJ, et al. Non-pasteurized dairy products, disease outbreaks, and state laws – United States, 1993-2006. *Emerging Infectious Diseases*. 2012; 18(3):385.

Wisconsin's dairy industry is a very important contributor to the state economy. The state's commercial family dairy farmers and dairy processors sell over \$17.5 billion each year in goods and services. This has a multiplied impact on the Wisconsin economy of \$50 billion in output and nearly 250,000 jobs. Wisconsin's milk production is about 14% of the nation's total, and its dairy processors produce about 18% of the nation's finished dairy products, making the dairy industry the number one contributor to the state economy.

Nationally, our dairy industry benefits from a very high degree of consumer confidence – confidence built in large part due to the excellent food safety record of milk and dairy products. In fact, current statistics estimate only 1-2% of reported foodborne outbreaks are attributed to dairy products. However, of those, over 70% have been attributed to raw milk and inappropriately-aged raw milk cheeses. A single case of illness – even one caused by a well-intentioned dairy farmer – that is attributed to raw milk or raw dairy products in Wisconsin would likely have an adverse effect on consumer confidence in and consumption of all healthful, nutrient-rich dairy foods like milk, yogurt, and cheese.

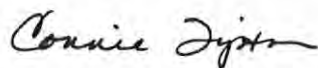
While choice is an important value, it should not pre-empt consumers' well-being. Legalizing the state-wide sale of raw milk is an unnecessary risk to consumer safety. Therefore, we strongly urge you to oppose Senate Bill 236.

Please feel free to contact us with any questions.

Sincerely,



Jim Mulhern  
Chief Operating Officer  
National Milk Producers Federation



Connie Tipton  
President and CEO  
International Dairy Foods Association



# WISCONSIN GROCERS ASSOCIATION, INC.

September 11, 2013

Statement from Brandon Scholz, Wisconsin Grocers Association President, Brandon Scholz

The Wisconsin Grocers Association has expressed a number of concerns about unregulated selling of raw milk.

Wisconsin law requires all retailers to be licensed to sell milk, which is considered by DATCP a potentially hazardous food. Retailers are required to pay annually to be a licensed retail food establishment. The fees paid in fund inspections through DATCP to ensure safe food.

Any enforcement of raw milk would be through DATCP, which will divert resources away from retailers that pay annually for licensing and inspection.

Clearly, state laws should be applied equally to any supplier, vendor, retailer or other entity that sells raw or pasteurized milk.

**33 East Main Street, Suite 701, Madison, Wisconsin 53703 (608) 244-7150**



### Wisconsin Gov. Walker weighs raw milk bill

Angela Bowman, Staff Writer | Updated: 07/15/2013

"There'd have to be some pretty strong safeguards to ensure that whatever legislation would come through would make sure that ... we talk about being America's Dairyland, we want to make sure we preserve that, as well."

That's what Wisconsin Gov. Scott Walker said at Farm Technology days, suggesting that he isn't ready to endorse a bill that would legalize raw milk sales directly to consumers, according to *Wisconsin Radio Network*.

"By the same token we are America's Dairyland and I think it's incredibly important that we preserve a safe supply of milk and dairy products in the state. So, any step that would ever go forward would have to be one where we could absolutely guarantee that we would have safe milk, not only for the people of the state of Wisconsin, but obviously — as one of our trademarks — all across the country."

#### See, "Walker expresses mixed feelings on raw milk."

The bill, from Republican Sen. Glenn Grothman, is still in draft form. It is expected to go to a public hearing later this year. **Read more about the bill here.**

This isn't the first time the state has mulled legalizing raw dairy. In 2010, Former Gov. Jim Doyle's Secretary of Agriculture, Rod Nilsestuen, appointed a panel of experts to consider whether there are legal, regulatory means that might allow dairy farmers to sell unpasteurized fluid raw milk directly to consumers and, if so, what conditions would be necessary to protect public health.

However, after a year of deliberation, the 22-member panel reported that it could not endorse raw milk sales. The group agreed that if raw milk sales were made legal in Wisconsin, the state would need to impose restrictive requirements that go beyond any now found in America. **Click here for more.**

- ADDITIONAL WEBSITES
- Bovine Veterinarian
- Drovers CattleNetwork
- porkNetwork
- Ag Professional
- Vance Publishing

- Dairy Herd Management
- Current Issue
- Contact Us
- Subscribe
- About Us

- © 2013 VANCE PUBLISHING
- Advertise
- List Rentals
- Terms of Use
- Privacy Policy
- Site Map
- Ad Upload

© Copyright 2013 Vance Publishing Corporation | All rights reserved



#### Find this article at:

<http://www.dairyherd.com/dairy-news/Wisconsin-Gov-Walker-weighs-raw-milk-bill-215517911.html>

Check the box to include the list of links referenced in the article.



2801 Crossroads Drive  
Suite 1200  
Madison, WI 53718  
(608) 257-3665  
Fax: (608) 257-8989  
wvma@wvma.org  
www.wvma.org

## Retail Sale of Raw Milk is a Danger to Public Health in Wisconsin

The members of the Wisconsin Veterinary Medical Association (WVMA) urge all legislators considering the legalization of the sale of raw milk to first understand the public health risks associated with the consumption of unpasteurized milk. The adage, "We drank bulk tank milk on the farm, and did not suffer serious problems" is a poor standard to apply when you are charged with the protection of the health of Wisconsin citizens. Senate Bill 236, will negate the Pasteurized Milk Ordinance of 1934, which has been safeguarding public health for **79** years.

This proposed bill is a revision of 2010 Assembly Bill 628/ Senate Bill 434, which failed in May of 2010. The WVMA is aligned with every other professional healthcare organization in the state opposing the sale of raw milk. There are **no appropriate rapid diagnostics** available to screen for the long list of infectious agents in raw milk that cause infections including upset stomach, diarrhea, abortion, sepsis in infants and death. There are absolutely **zero** published reports from peer-reviewed biomedical journals that recommend consumption of raw milk because it provides health benefits.

**"...there are absolutely zero published reports from peer-reviewed biomedical journals that recommend consumption of raw milk"**

As you consider this proposal to legalize the retail sale of raw milk in Wisconsin, we remind you that consumption of unpasteurized dairy products poses significant risks to the health of children, the elderly, pregnant women, and people with chronic diseases. Microbes are equal opportunity pathogens and do not discriminate between large and small operations.

Without pasteurization there is no way to ensure that pathogenic microbes are not present.

The bill creates a false sense of security by requiring raw milk to meet Grade A standards because it gives the impression that the government has deemed it to meet a safety standard. It is important to differentiate Grade A milk from pasteurized Grade A milk. Raw milk that meets Grade A standards is not presumed to be free of pathogenic bacteria. Pasteurization is the critical step required to make Grade A milk safe for public sale and consumption. In addition, the bill provides no authority for the state to inspect, test or monitor whether these dairies are meeting Grade A standards.

A recent outbreak of gastrointestinal disease associated with **legally obtained** raw milk occurred in Pennsylvania last May. Although the dairy had consistently adhered to their state's requirements for raw milk dairies and had conducted milk coliform and somatic cell testing more frequently than required, this was not the first outbreak associated with this dairy. These outbreaks indicate that compliance with state regulations and increased producer awareness after an outbreak are insufficient to prevent human health hazards.

The simple solution to minimize raw milk disease outbreaks in the State of Wisconsin is to maintain the current Pasteurized Milk Ordinance for Grade A Milk. The high level of vigilance to ensure a safe supply of dairy products should be a source of pride of our state. The over 11,000 dairy farms in Wisconsin, 97% of which are family owned and employ 420,000 people (12% of the state's workforce), are dedicated to providing a safe food supply and pasteurization is a key public health safeguard.

The WVMA strongly opposes this legislation and encourages you vote against SB 236. If retail sale of raw milk products are allowed in Wisconsin, then it is simply a question of when and how often outbreaks will occur.

Thank you for considering our comments. Please contact us at any time with comments or questions surrounding this issue.