

Raw Milk Legislation 2016

What Does It Mean?

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Senate Bill 387

- WV Code § 19-1-7.
- Allows a person to enter into a herd share agreement to consume raw milk.
- Prohibits the sale or resale of raw milk obtained from a herd share.
- Agreement releases the herd seller from liability for inherent dangers of consuming raw milk.
- Animal health requirements.

Senate Bill 387

- Illness reporting requirements.
- Administrative penalty.
- Rule Making Authority.
- Becomes law on May 23, 2016.

What is a Herd Share?



Herd Share Agreement

- Written ownership agreement.
 - Acquires a percentage ownership interest in a milk producing animal.
 - Agrees to share cost for the care and boarding of the animal.
 - Acknowledges the inherent dangers of consuming raw milk particularly children, pregnant women, and those with a compromised immune system.
 - Agrees not to distribute raw milk.

Herd Share Agreement (Continued)

- The signed and executed shared animal ownership agreement shall be filed by the herd seller with the Commissioner of Agriculture and shall contain the names, addresses and phone numbers of the herd seller and the responsible party so that either party may be contacted in the event of an illness.

Public Health Concerns

- Potential for outbreaks associated with consuming raw milk.
- Proper diagnosis of illness.



WARNING

Unpasteurized milk, also known as raw milk, is a raw agricultural product and may contain harmful bacteria (not limited to E. coli, Campylobacter, Listeria, and Salmonella) and can lead to serious injury and even death. Pregnant women, infants, children, the elderly, and persons with lowered resistance to disease (immune compromised) have higher risk for harm, which may include bloody diarrhea, vomiting, fever, dehydration, Hemolytic Uremic Syndrome, Guillian-Barre Syndrome, Reactive Arthritis, Irritable Bowel Syndrome, miscarriage, or death.

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Dangers of Raw Milk Consumption

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- The most common pathogens associated with raw milk are *Campylobacter*, *Salmonella*, and Shiga toxin-producing *E. coli*.
- Secondary transmission (person-to-person) occurs.
- Children are disproportionately affected by diseases in raw milk.
- West Virginia has investigated two outbreaks related to raw milk consumption in the last five years.

Regulation does not Prevent Outbreaks

- States that allow raw milk sale report significantly more outbreaks than those that do not.
- Milk from a Connecticut farm where all regulatory standards were met sickened 14 people.
- In 2011, an outbreak of *Campylobacter* from a cow-share program in Alaska identified cases far beyond those enrolled in the cow-share program.

Additional Investigation Cost: \$182,427

- Additional epidemiology staff needed to respond in outbreak investigations resulting from raw milk were not funded.
- Additional laboratory expenses for testing at the state lab were not funded.
- This is a conservative estimate based on primary cases only, and would likely increase over time.

Lab Confirmation not Performed

- 10% of primary care providers prescribe antibiotics for diarrheal illness without confirming the cause.
- Culture-independent diagnostic tests (CIDT) do not provide confirmation of a live pathogen or an isolate.
- CIDT, without reflex culture of positive results, limits lab investigation capacity of outbreaks.

Healthcare Community Recommendation

- The American Academy of Pediatrics strongly advises that pregnant women, infants, and children consume only pasteurized milk products.
- The Infectious Disease Society of America (IDSA) recommends avoidance of unpasteurized milk and treatment of diarrheal illness guided by an organism-specific diagnosis.
- IDSA recommends testing of all patients with diarrhea >1 day and signs or symptoms of severe illness (bloody stool, fever, dehydration).

Plan to Respond to More Cases

- Division of Infectious Disease Epidemiology resources can help with investigations.
- Proactive approach may reduce community distress.
- Educate providers about lab confirmation of diarrheal illness.
- Remind labs to send CIDT-positive results to the state lab.

References

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