

SENATE BILL No. 308

By Committee on Agriculture and Natural Resources

1-23

Proposed Amendment for SB 308
Senate Committee on Agriculture and Natural Resources
February 18, 2020
Labeling and Advertising
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Office of Revisor of Statutes

1 AN ACT concerning agriculture; relating to milk, cream and dairy
2 products; on-farm retail sale of milk; labeling and advertising
3 requirements; amending K.S.A. 65-771 and repealing the existing
4 section.

5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) The on-farm retail sale of milk or milk products
7 shall be lawful, so long as each container of ungraded raw milk sold or
8 offered for sale contains a label that clearly states the following: "This
9 product contains ungraded raw milk that is not pasteurized and, as a result,
10 may contain organisms that cause food-borne illness, especially in infants,
11 young children, older adults, pregnant women and people with weak
12 immune systems." ~~This statement shall be in letters of a uniform size and
13 no smaller than the largest font used elsewhere on the label.~~
14

15 (b) Any person who engages in the on-farm retail sale of milk or milk
16 products may advertise such milk or milk-products if such advertisement
17 clearly states the following: "This product contains ungraded raw milk that
18 is not pasteurized and, as a result, may contain organisms that cause food-
19 borne illness, especially in infants, young children, older adults, pregnant
20 women and people with weak immune systems." [If such advertisement is
21 in print or other written or visual form, this statement shall be in letters of
22 a uniform size and no smaller than the largest font used elsewhere in the
23 advertisement.]

24 Sec. 2. K.S.A. 65-771 is hereby amended to read as follows: 65-771.
25 As used in this act:

26 (a) "Adulterated" ~~has the same meaning~~ means the same as provided
27 in K.S.A. 65-664, and amendments thereto.

28 (b) "Bulk milk pick up tanker" means a vehicle including the truck,
29 tank and those appurtenances necessary for such vehicle's use, used by a
30 bulk milk hauler or sampler to transport bulk raw milk for pasteurization
31 from a dairy farm to a milk plant, receiving station or transfer station.

32 (c) "Dairy manufacturing plants" means any place where dairy
33 products, grade A milk or milk products are manufactured or prepared for
34 sale or distribution, either at wholesale or retail. ~~This term shall~~ "Dairy
35 manufacturing plants" does not include a licensed food service
36 establishment ~~which~~ that is licensed to manufacture homemade ice cream

unpasteurized
bears

is clearly visible and

"The label shall also include the website address to the
centers for disease control and prevention's webpage on raw
milk or a similar government-operated website address.

includes the following:
(A)

; and
(B) the website address to the centers for disease control and
prevention's webpage on raw milk or a similar government-
operated website address.
(2)

the statements required by paragraph (1) shall be clearly
visible