



Wes Moore, Governor · Aruna Miller, Lt. Governor · Ryan Moran, DrPH, MHSA, Acting Secretary

March 10, 2025

The Honorable Joseline A. Peña-Melnyk
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401

RE: House Bill 1449 – Public Health – Milk Products – Direct-to-Consumer Sale of Raw Milk for Human Consumption – Letter of Opposition

Dear Chair Peña-Melnyk and Committee members:

The Maryland Department of Health (the Department) respectfully submits this letter of opposition for House Bill (HB) 1449 – Public Health – Milk Products – Direct-to-Consumer Sale of Raw Milk for Human Consumption. HB 1449, if enacted, will create a new permit type to allow the sale of raw milk for human consumption, provided they comply with certain inspection, animal health, and testing requirements. Additionally, the bill allows a person who has fewer than three cows and fewer than 10 goats to sell raw milk for human consumption without a permit.

The Department strongly opposes this legislation for the following reasons: (1) raw (unpasteurized) milk contains harmful organisms and causes disease, particularly in vulnerable individuals; (2) raw milk has been the cause of numerous well-documented single-state and multi-state outbreaks across the country; and (3) it is especially ill-advised at this moment to allow the sale of raw milk for human consumption given existing difficulties containing H5N1 (avian influenza).

The Department regulates pasteurized milk and raw milk for pasteurization. Raw milk naturally contains a variety of disease-causing pathogens which have been linked to numerous foodborne illness outbreaks. A recent study showed that more than three quarters (78%) of single-state outbreaks in the U.S. between 2013-2018 were in states that allow sales of raw milk.¹ Compared with jurisdictions where retail sales were prohibited (n = 24), those where sales were expressly allowed (n = 27) were estimated to have 3.2 times greater number of outbreaks. Of these, jurisdictions where sales were allowed in retail stores (n = 14) had 3.6 times greater number of outbreaks compared with those where the sale was allowed on-farm only (n = 13).

¹ Koski L, Kisselburgh H, Landsman L, et al. Foodborne illness outbreaks linked to unpasteurised milk and relationship to changes in state laws - United States, 1998-2018. *Epidemiol Infect.* 2022 Oct 25;150:e183. doi: 10.1017/S0950268822001649. PMID: 36280604; PMCID: PMC9987020.

Pasteurization is recommended for all animal milk consumed by people by the Centers for Disease Control and Prevention (CDC), the Food and Drug Administration (FDA), the American Academy of Pediatrics, the American Academy of Family Practitioners, the American Veterinary Medical Association, the National Association of State Public Health Veterinarians, and many other medical and scientific organizations. Pasteurization continues to be the only scientifically validated method that effectively kills raw milk pathogens without any significant impact on milk's nutritional quality.^{2,3}

The recent and explosive outbreak of H5N1 in dairy cattle nationwide adds additional concerns about authorizing the sale of raw milk for human consumption. The H5N1 virus has been found in commercially sold raw milk and raw milk products, and tied directly to H5N1 infection and severe health outcomes in other mammalian species such as cats. There is a federal and state surveillance effort underway by the U.S. Department of Agriculture, in which the Maryland Department of Health, the Maryland Department of Agriculture, and the dairy industry are currently testing pre-pasteurized raw milk to identify and limit any spread of H5N1 in the State on and between farms, and to assure that any infected animals and herds are isolated.

As such, the Department strongly urges an unfavorable report due to adamant concern that HB 1449 would allow infected raw milk to be sold to consumers and increase risks to public health and the health of Marylanders. If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at sarah.case-herron@maryland.gov.

Sincerely,

A handwritten signature in blue ink that reads "Ryan B. Moran". The signature is fluid and cursive, with a horizontal line underneath the name.

Ryan B. Moran, DrPH, MHSA
Acting Secretary

² See U.S. Food and Drug Administration, "Food Safety and Raw Milk" at: <https://www.fda.gov/food/buy-store-serve-safe-food/food-safety-and-raw-milk>

³ See U.S. Centers for Disease Control and Prevention, "Raw Milk" at: https://www.cdc.gov/food-safety/foods/raw-milk.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Ffood-safety%2Frawmilk%2Fraw-milk-index.html