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Maryland Department of Agriculture

Legislative Comment

DATE: March 6, 2025

BILL NUMBER: HB 1449

SHORT TITLE: Public Health – Milk Products – Direct-to-Consumer Sale of Raw Milk
for Human Consumption

MDA POSITION: Letter of Concern

This legislation legalizes raw milk for human consumption, requiring a person to obtain a permit from the Secretary of Health before the person may sell raw milk directly to the consumer for human consumption. It establishes testing requirements for raw milk produced and sold direct to the consumer for human consumption in the State.

While the Maryland Department of Agriculture (MDA) is not required to take on additional regulatory authority through this legislation, there are concerns about the impact of human consumption of raw milk.

Last month, MDA and MDH jointly briefed this Committee, as well as the Environment and Transportation Committee, on the spread of HPAI also known as H5N1 or Avian Influenza. To date, there have been six positive cases in Maryland since December 2024, five on the Eastern Shore and one in Montgomery County. Avian influenza is an airborne respiratory virus that spreads easily among chickens through nasal and eye secretions, as well as manure. The virus can be spread in various ways from flock to flock, including by wild birds, through contact with infected poultry, by equipment, and on the clothing and shoes of caretakers.

The virus has been known to spread to dairy cows and to humans. To date, there has only been one human fatality. According to the U.S. Department of Agriculture (USDA) and Food and Drug Administration (FDA), there is no concern about the safety of commercial milk products at this time because those products are required to be pasteurized before they can be sold for human consumption. Pasteurization has been proven to kill bacteria or viruses, including influenza, that may be present in dairy products.

The risk of HPAI being contracted by humans could increase in our State if raw milk consumption by humans becomes legal. MDA supports the FDA's long-standing position that raw milk should not be consumed by people. Raw, unpasteurized milk can contain dangerous microorganisms that can cause illness in humans. With the prevalence of HPAI in birds, known contraction by dairy cows, and nationwide concern over positive cases in humans, MDA is concerned that this legislation could potentially lead to an increase in positive human cases.

MDA appreciates the Committee's consideration of the above information.

If you have additional questions, please contact Rachel Jones, Director of Government Relations, at rachel.jones2@maryland.gov or 410-841-5886.