

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 30**

4 (By Senators D. Hall, Trump, Blair, Williams and Karnes)

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6 [Originating in the Committee on Agriculture and Rural Development;  
7 reported February 10, 2015.]  
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11 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
12 designated §19-1-7, relating to shared animal ownership agreements to consume raw milk;  
13 acquiring a percentage ownership interest in a milk-producing animal and its raw milk;  
14 requiring a written document acknowledging the inherent dangers of consuming raw milk;  
15 agreeing not to distribute raw milk; and requiring the herd seller to meet animal health and  
16 testing requirements established by the state veterinarian.

17 *Be it enacted by the Legislature of West Virginia:*

18 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
19 section, designated §19-1-7, to read as follows:

20 **ARTICLE 1. DEPARTMENT OF AGRICULTURE.**

21 **§19-1-7. Shared animal ownership agreement to consume raw milk.**

22 (a) Notwithstanding any other provision of the law to the contrary, a responsible party may  
23 enter into a written shared animal ownership agreement to consume raw milk in which he or she:

- 1 (1) Acquires a percentage ownership interest in a milk-producing animal;
- 2 (2) Agrees to pay another for the percentage ownership interest for the care and boarding of  
3 the milk-producing animal at the dairy farm;
- 4 (3) Is entitled to receive a fair share of the animals's raw milk production as a condition of  
5 the contractual agreement;
- 6 (4) Agrees to sign a written document acknowledging the inherent dangers of consuming raw  
7 milk that may contain bacteria, such as *Brucella*, *Campylobacter*, *Listeria*, *Salmonella*, and *E. Coli*,  
8 that has not been pasturized to remove bacteria, and that is particularly dangerous to children,  
9 pregnant women and those with compromised immunity. The responsible party then agrees to  
10 release of the herd seller of liability for the inherent dangers of consuming raw milk; and
- 11 (5) Agrees not to distribute raw milk.
- 12 (b) The herd seller shall meet the animal health requirements for milk-producing animals  
13 established by the state veterinarian, in accordance with state and national standards, including the  
14 following:
- 15 (1) Raw milk from milk-producing animals intended for consumption shall be from a herd  
16 that tested negative within the previous twelve months for brucellosis, tuberculosis and other  
17 diseases as required by the state veterinarian. Additions to the herd shall test negative for the  
18 diseases within the previous thirty days before introduction into the herd; and
- 19 (2) Milk-producing animals producing bloody, stringy or abnormal milk, but with only slight  
20 inflammation of the udder, shall be excluded from the milking herd until reexamination shows that the  
21 milk has become normal. Milk-producing animals showing chronic mastitis, whether producing  
22 abnormal milk or not, shall be permanently excluded from the milking herd.

NOTE: The purpose of this bill is to permit a shared animal ownership agreement to consume raw milk.

This section is new; therefore, strike-throughs and underscoring have been omitted.