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Chairman Beltz, and Members of the House Agriculture Committee,

I believe an informed consumer and producer SHOULD be able to buy and sell raw milk and raw dairy products. I also believe this bill as written does not balance two crucial elements of a fair marketplace: freedom and reasonable consumer protection. Therefore, I urge a vote of “do not pass” on House Bill 1131 as it is written.

As a co-owner of the only licensed and inspected micro-creamery in the state of North Dakota, I have a deep understanding of the difficulty small dairy farms and processors face. I also have a unique perspective on how the state can unleash innovation, economic activity and ultimately help the family farm. I believe the state must take a two tiered approach to intrastate milk and milk product sales.

The first tier should be modeled similarly to cottage food laws. I believe any producer that wants to sell raw or pasteurized milk direct-to-consumer on a small scale should be allowed to with minimal regulation. I would propose a few key elements.

- First the milk or milk products should have clear labeling of whether it is raw or pasteurized as well as a complete list of ingredients.
- It must also state that it was produced in an environment that is not inspected and not licensed.
- A reasonable sales cap should be placed in terms of gross revenue per year. Such as \$150,000.00 per year
- Finally, in the rare but possible instance that consumers do become sick, the Health Department and/or Ag Department should be allowed to investigate and publish their findings to avoid future harm to consumers. This would allow a farmer the freedom to operate their business nearly completely unencumbered while giving a framework of protection to both producer and consumer.

The second tier would be for raw farms and/or raw processors that want to sell direct-to-consumer or to retailers, grocers, and restaurants. I propose legitimizing businesses producing raw milk and raw milk products within the state with oversight by the Department of Agriculture. There is an existing regulatory framework for dairy farms and dairy processing plants that could be tweaked to include the unique nature of raw milk/raw milk products. This would allow for even more economic growth for raw milk

operations. This would also structure market and regulatory conditions similarly for dairy farmers and processors whether the end product is raw or pasteurized. Outside of the cottage food scale, it is imperative to have commonplace and reasonable oversight.

As Lawmakers, you have an opportunity to unleash the will and spirit of the North Dakota farmer and consumer while maintaining a fair and reasonably safe marketplace. The wave of a food renaissance has started. Let North Dakota show our nation that we can balance the importance of food freedom, local farmers, and reasonable consumer safety considerations.

I sincerely thank you for your time and consideration.

Casey Murphy