



# Raw Milk Nation – Interactive Map

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## State-by-State<sup>1</sup> Review of Raw Milk Laws

Please note: every state has very discrete laws and regulations. Read detailed information provided below the map.



actions or agency interpretation of statutory language (Nevada and Wisconsin). Please see these states in the chart below for more details.

<sup>5</sup> A traditional herd share is not permissible since the farmer must go through state requirements to set up their herd as a security and further comply with the requirements for the sale of a security (Montana). Please see below chart for more details.

The map above indicates the most permissive category for obtaining raw milk in each state. Please see the chart below for a more detailed look at how raw milk can legally be obtained in your state. See the glossary below the chart.

Due mainly to the federal ban on raw milk for human consumption in interstate commerce, the laws are different state to state.

State raw milk laws have been changing in recent years. If you have specific questions, please **Contact Us**.

If you have questions about the laws applicable to you in your state, you should consult with a licensed attorney. Farm-to-Consumer Legal Defense Fund (FTCLDF) **members**: you are welcome to contact FTCLDF concerning laws that apply to your farm.

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## BY STATE – LEGALITY OF RAW MILK SALES/DISTRIBUTION

The below chart complements the interactive [Raw Milk Nation Map](#)® above and at [farmtoconsumer.org/raw-milk-map](http://farmtoconsumer.org/raw-milk-map)

This chart goes into more detail than the map by summarizing the specific laws for each state.

If there is a stated legal limit on the number of lactating animals producing milk, herd size, or the volume of milk sold each month, the chart reflects that.

A couple of states have no law on herd shares, yet selling raw milk in these states is still illegal. A herd share allows people to buy shares of a milking animal or herd and pay the farmer to care for the animals and milk them. As owners of the animals, the shareholders are entitled to the milk from their own animals and are not actually buying the milk.

The sale of raw pet milk is legal in almost every state if the producer has a commercial feed license or its equivalent or has otherwise fulfilled state specific requirements to sell pet food. Most states, however, will not issue commercial feed licenses for the sale of raw pet milk. The chart shows only those states where it is known that raw milk producers have received permits or otherwise are in compliance with the law.

State	Statute or Regulation	Retail Store Sales Legal	On Farm Sales Legal	Off Farm Sales Legal	Herd Shares Legal	Sale for Pet Food Legal	License Rec Human Con Sale
Alabama	Ala. Admin. Code r. 420-3-16.12 (only pasteurized milk may be sold)	No	No	No	No law on herd shares	Yes, if producer has obtained a commercial feed license through the Department of Agriculture	N/a
Alaska	18 AAC 32.060; 18 AAC 32.010	No	No	No	The ban on unpasteurized milk does not apply to people who own a cow,	Yes, but must be denatured or colored and clearly marked for animal consumption only.	N/a

					goat, or sheep and use the milk for their personal use.		
Arizona	AZ Statutes: 3-601, 606, 607; AZ Admin Code: R3-2-805	Retail sale only permitted after an involved permitting process.	Yes	Yes	No law on herd shares. The Department of Agriculture takes the position that herd shares are not legal since there is an avenue to sell raw milk.	Yes	Yes, a dai permit is required. minimum Pasteuriz Ordinance standards be compl with. Catt be tested sales of r for consu may begi annually thereafte
Arkansas	Ark. Code Ann. Sec. 20-59-248	No	Yes	No	No law on herd shares	To be determined	No
California	CA Code Div. 15, Pt. 1, Ch. 1: S 32510; S 35787; S 35891; S 35861; S 35921; S 33222; S 33226; S 32513; S 35017; S 17:11380; S 35756 Food and Agriculture	Yes	Yes	Yes	Yes	Yes	Yes
Colorado	6 CCR 1010-4; 6 CCR 1010-3; CRS 25-5.5-117	No	No	No	Yes	Yes, must be dyed in accordance with State Department of Public Health requirements.	Yes

Connecticut	§22-172; §22-167; §22-133-113c	Yes	Yes	No, with the exception of raw milk cheese, aged over 60 days, and produced by a licensed producer.	Yes	Yes	Yes
Delaware	Fed. Grade A Pasteurized Milk Ordinance 2001 Revision adopted by reference	No	No	No	No law on herd shares	To be determined	No
District of Columbia	See USDA standards for Grade Milk	No	No	No	No law on herd shares	To be determined	No
Florida	FL Statutes: 502-091; FL Admin. Code: 5D-1.001	No	No	No	No	Yes	No
Georgia	GA Rules and Regulations.: 40-2-1-.01; GA Code: 26-2-238, 242(a), 249 (12); 40-5-8-.02; 2-13-6	No	No	No	No, no milk or milk product may be sold, offered for sale, or delivered for the purpose of human consumption if it is not in compliance with state law, which references the USFDA Pasteurized Milk Ordinance.	Yes, a license is required under the commercial feed laws.	No
Hawaii	HI Admin. Rules: §11-15-46	No	No	No	No law on herd shares	To be determined	No
Idaho	ID Admin Code: 02.04.13.004;	Yes, registration requirement	Yes, Small Herd Raw	Yes, if labeling	Yes. The herd share arrangement	Yes	Raw milk retail product must meet

	02.04.13.006; 02.04.13.218 ID Statutes: 37, Ch. 11.	with the State.	Milk Permit required.	requirements are met	must be registered with the state, and the milk must be received on the farm, only by the share owner. The herd share must be evidenced by a written bill of sale, with boarding terms satisfactory to the state. The dairy must provide information concerning health practices and herds must be tested every 4 to 6 months. See "Idaho Statutes — Title 37 — Food, Drugs, and Oil — Chapter 11 — Acquisition of Raw Milk"		Federal Pasteuriz Ordinanc they are registere small her producer have regi herd shar arrangem with the s
Illinois	77 IL Admin Code §775.55/td>	No	Yes	No	Yes	Yes	Dairy farr have a da permit an distributi permit.
Indiana	IN Code: 15-2. 1-23-8; 15-18- 1-21(a); 15-19- 7-40	No	No	No	No law on herd shares	Yes, per Indiana Commercial Feed Law. Requires a "not for human consumption" label. Per Indiana Board of Animal Health guidance, raw milk for animals can only be purchased from the farm in bulk.	No
Iowa	IA Code Title V Ch. 192: 192.103	No	No	No	No law on herd shares	To be determined	No
Kansas	KS Statutes: Ch. 65, Art. 7: 65-784; 65- 789; 65- 771(cc); 65- 778	No	Yes, includes butter, cream, and milk	No	No law on herd shares	Yes	No
Kentucky	KRS Sec. 217C.090 permits the secretary to	No	Yes, goat milk only with	No	No law on herd shares	Yes	N/a

	issue regulations allowing sale, by doctors note, of raw goat milk. 902 KY Admin regs. 50:120 Raw goat milk must have a permit from the cabinet, and inspection is required; record keeping requirement; on farm sales only		doctor's prescription				
Louisiana	LA Rev. Stats. Title 40, Ch. 4 Pt. VII, Subpart B: 40-922; Title 51, Part VII, Ch. 9: 51:VII.919; 51:VII.103	No	No	No	No law on herd shares	No	N/a
Maine	ME Rev. Stat. Title 7, Pt. 7, Ch. 601: 7 M. R. S. A. §2910; 7 M.R.S.A. §2902-B; Title 22, Subtitle 2, Pt. 5, Ch. 562: 22 M.R.S.A. §2491	Yes	Yes	Yes	No law on herd shares	Yes	Yes
Maryland	MD Code: Title 21, Subtitle 4, Pt. IV: §21-434; Pt. I: §21-401	No	No	No	No. Code of Maryland Regulations 10.15.06.02(B) (29) prohibits the sale of raw milk and defines sale to include the "right to acquire milk and milk products... through...an agistment agreement which is the sale of shares or interest in a cow..."	Yes	N/a
Massachusetts	Gen. Laws of MA: Pt. 1, Title XV, Ch. 94: G.L. c 94, §12, §13, §16J, §40; Code of MA Regs: 330 CMR 27.00; 330 CMR	No	Yes	No	No	Yes	Yes, must certificate registratic which rec inspection other requirem laid out ir regulator



	27.07 Sanitation requirements for Grade "A" Raw milk						
<b>Michigan</b>	Herdshares are permitted by Department Policy by way of a document titled: MDARD Policy # 1.40, dated 3/12/2013 Regarding Fresh Unprocessed Whole Milk.	No	No	No	Yes, for milk and cream only.	Yes	No
<b>Minnesota</b>	Minn. Stat. Ann. Sec. 32D.20	No	Yes	No	No law on herd shares	Yes	No
<b>Mississippi</b>	MS Code Title 75, Ch 31, Art. 1: §75-31-65	No	Yes, but limited to goat milk	No	No law on herd shares	To be determined	No
<b>Missouri</b>	MO Stat: Title XII, Ch. 196: 196.935; MO Regs. Title 2, Div. 80, Ch. 3: 2 CSR 80- 3.030,-3.040, -3.070	No	Yes	Yes	No law on herd shares	Yes	Yes
<b>Montana</b>	MT Admin Rules Title 32, Ch. 8, Sub- Chapter 1; 32.8.102; 32.8.103	No	No	No	Herdshares may be permitted only with state agency exemption. Please contact FTCLDF.	To be determined	No
<b>Nebraska</b>	Nebraska Revised Statutes Ch. 2, Art. 39	No	Yes	No	No law on herd shares	To be determined	No

Nevada	NV Admin Code Ch. 584: NAC 584.2031; NV Statutes Title 51, Ch. 584: NRS 584.205 & 207	Yes	Yes	Yes	No law on herd shares	To be determined	Yes, per c milk comi
New Hampshire	NH Statutes Title XIV, Ch. 184: 184:30-a, 79, 84; Code of NH Rules Ch. He-P 2300, Pt. He-P 2303: He-P 2303.01	Yes	Yes, if direct to consumer	Yes, if direct to consumer, or served at a boarding house where signage clearly indicates that raw milk is served.	No law on herd shares	To be determined	Yes, except on-farm c market producer: who sell l than an a of 20 qua day.
New Jersey	NJ Statutes Title 24, Subtitle 1, Ch. 10, Art. 6: 24:10-57.17	No	No	No	No	No	N/a
New Mexico	NM Statutes Section 25-8-1; NM Regs. Title 21, Ch. 34, Pt. 2: 21.34.2.9, 2.12 NMAC	Yes	Yes	Yes	No law on herd shares	Yes	Yes, if producer wants to i "Grade A" designati
New York	NY Codes, Rules & Regs. Title 1 Ch. 1 Subch. A Pt. 2: 1 NYCRR 2.3	No	Yes, with a permit	No	Yes, with a permit	Yes	Yes

<b>North Carolina</b>	NC Gen. Statutes Ch. 130A, Art. 8, Pt. 9: 130A-279; NC Admin Code Title 15A, Ch. 18, Subch. 18A, §1200: T15A-C18-S18A.1210; NCAC 09G.2010	No	No	No	Yes	Yes (see North Carolina General Statutes 130A-279)	No
<b>North Dakota</b>	Currently: ND Statutes: Title 4.1, Ch. 4.1-25; Title 33, Art.33-33, Ch. 33-33-04: 33-33-04-12	No	No	No	Yes, see ND Century Code Section 4.1-25-40	To be determined	No
<b>Ohio</b>	ORC Title IX, Ch. 917: §§917.02, 04, 09	No	No	No	Yes	To be determined	No
<b>Oklahoma</b>	OK Statutes Title 2, Ch. 1, Art 7: §2-7-406; §2-7-414; 2-7-408; 2-7-403; §2-7-417	No	Yes	No	No law on herd shares	Yes	No
<b>Oregon</b>	OR Statutes Title 49, Ch. 621: 621.012, .116, .003, .072, .076	Goat and sheep milk only.	Yes	No	No law on herd shares	Yes	No to sm; on-farm, c to-consum milk sales retail stor of goat or milk.

<b>Pennsylvania</b>	PA Statutes Title 31, Ch. 13: 31 P.S. §646; PA Code of Regs. Title 7, Pt. III, Subpt. B, Ch. 61, Subch. C: 7 Pa. Code §59.302, .773; §59a.401-416; 007 Pa. Code §7.24; §9.34	Yes	Yes	Yes	No law on herd shares	Yes, mentioned along with milk for human consumption, and milk must be from a tested, disease-free herd.	Yes
<b>Rhode Island</b>	RI Regs. See 2001 Pasteurized Milk Ordinance; RI Gen. Laws: Title 21, Ch. 2: §21-2-2, et seq.	No	Yes, goat milk only with prescription	Yes, goat milk only with prescription	No law on herd shares	To be determined	Yes, with restrictior
<b>South Carolina</b>	SC Regs.Ch. 61: 61-34 §§ 1, 3, 9; 61-25 Ch. 1 Defs. P26	Yes	Yes	Yes	No law on herd shares	Yes	Yes
<b>South Dakota</b>	SD Admin Rules Title 12, Art. 12:05, Ch. 12:05:14: 12:05:14:01; SD Statutes Title 39, Ch. 39-6: 39-6-3; Title 40, Ch. 40-32: 40-32-2; 40-32-4	No	Yes	Yes, if by delivery from the farm on which the milk was produced	No law on herd shares	Yes	Yes
<b>Tennessee</b>	Tenn. Code Ann. 53-3-119; Attorney General opinion No. 12-04 (on butter and value added products)	No	No	No	Yes, by statute	Yes	No
<b>Texas</b>	Texas Administrative Code: Title 25, Section 217.32	No	Yes	No	No law on herd shares	To be determined	Yes

Utah	UT Statutes Title 4, Ch. 3: 4-3-14; UT Admin Rules R70-330: R70-330-5; UT Statute 4-3-9.5	Yes	Yes	Yes	Yes, see Title 4 Utah Agricultural Code / Chapter 3 Utah Dairy Act	Yes, but must be denatured/decharacterized in accordance with state regulations.	Not for the producer: sell direct consumer farm, and than 120 per mont
Vermont	VT Statutes Title 6, Pt. 6, Ch. 152, Subch. 1: 6V.S.A. §2672; Subch. 3, Art. 1: 6 V.S.A. §2721, §2723; §2775-2778	No	Yes	Yes, but only for delivery regarding prepaid advance sales.	No law on herd shares	Yes, but must be denatured/decharacterized in accordance with state regulations.	No license required if producer more than quarts of per day
Virginia	2 VAC 5-490-70 through 75	No	No	No	No law on herd shares	To be determined	No
Washington	Rev. Code of WA Title 15, Ch. 15.36: RCW 15.36.012, .041, .051, .231; Title 16, Ch. 16-101; Ch. 15.37: RCW 15.37.100; WA Admin Code Title 246, Ch. 246-215; WAC 246-215-020	Yes, for milk and cream and subject to labeling and signage requirements established by state law.	Yes	Yes, but statute provides that raw milk for off site consumption may be sold in retail stores only.	Yes. See Washington State Code — Title 15 — Chapter 15.36 — Section 15.36.012, "Definitions," — "NOTES, Findings— 2006 c 157"	Yes, and milk must be colored to denote use for animal consumption	Yes, retail milk seller must maintain State Milk Producer and a Mill Processing License.

West Virginia	WV Code of State Rules Title 64, Series 34, §§64-34-2,3; Title 19, Series 1, §19-1-7	No	No	No	Yes. Ch. 19. Agriculture, Art. 1. Department of Agriculture, §19-1-7. Shared animal ownership agreement to consume raw milk.	No	Not a license, but rather herd share producer: register with state and subject to animal inspection by state veterinarian. Producer: agree to report illnesses to consumer of raw milk.
Wisconsin	WI Statutes Ch. 97, 97.24; Ch. 551, Subch. II, 21.21, .22. See also opinion/ruling at summary PDF	No	Incidental only. "Incidental" is defined as not in the regular course of business.	No	No	Yes, and milk must be colored to denote use for animal consumption	No
Wyoming	WY Regs. Dept. of Ag. WY Food and Safety Ch. 3: AGR-FS §3-8; (g) Food Freedom Act	No	Yes	Yes, limited to farmers markets	Yes, according to Wyoming Food Safety Rule, Chapter 3 Food Care, Section 8,	To be determined	No

	W.S. 1977 Sec. 11-4-103;				Fluid Milk and Milk Products	
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## GLOSSARY

**Consumer** – end user of the product

**Direct to consumer** – producer can sell to the end consumer only

**Farmer** – maker of product/producer

**Herd share** – when people buy shares of a milking animal or herd and pay the farmer/producer to care for the animals and milk them

**Producer** – maker of product/farmer



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