

SENATE BILL NO. 395

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CARTER.

0045S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 196.935, RSMo, and to enact in lieu thereof one new section relating to the sale of raw milk or cream.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 196.935, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 196.935,
3 to read as follows:

196.935. No person shall sell, offer for sale, expose
2 for sale, transport, or deliver any graded fluid milk or
3 graded fluid milk products in this state unless the milk or
4 milk products are graded and produced, transported,
5 processed, manufactured, distributed, labeled and sold under
6 state milk inspection and the same has also been produced or
7 pasteurized as required by a regulation authorized by
8 section 196.939 and under proper permits issued thereunder.
9 Only pasteurized graded fluid milk and fluid milk products
10 as defined in subdivision (3) of section 196.931 shall be
11 sold to the final consumer, or to restaurants, soda
12 fountains, grocery stores, or similar establishments; except
13 **that:**

14 (1) An individual may purchase [and have delivered to
15 him for his own use] raw milk or cream **directly** from [a
16 farm] **the milk producer;**

17 (2) **An individual may purchase raw milk or cream from**
18 **the milk producer at a farmer's market, as such term is**

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 defined in section 144.527, provided that the raw milk or
20 cream is clearly labeled as such; or

21 (3) An individual may purchase raw milk or cream from
22 the milk producer, either in person or through an internet
23 sale, and arrange to pick up the milk or cream from a
24 grocery store, restaurant, soda fountain, or similar
25 establishment. The milk producer may enter into an
26 agreement with such establishment for the onsite storage of
27 the purchased milk or cream for purchaser pickup; provided
28 that the establishment shall not engage in the sale of raw
29 milk or cream to consumers. The establishment may charge a
30 reasonable fee to the milk producer for the storage of the
31 milk or cream. The stored raw milk or cream shall be
32 clearly labeled as such and separated from other milk or
33 cream products stored by the establishment.

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