



February 24, 2016

The Honorable Governor Earl Ray Tomblin
Office of the Governor
State Capitol
1900 Kanawha Blvd. E.
Charleston, WV 25305

Re: Veto Senate Bill No. 387 easing regulations of the state-wide sale of raw milk

Dear Governor Tomblin:

Due to the significant public health risks associated with the consumption of raw milk, the National Milk Producers Federation (NMPF) and the International Dairy Foods Association (IDFA) respectfully urge that you **veto Senate Bill No. 387**, legislation designed to ease the sale of unpasteurized milk in West Virginia through animal ownership agreements. Senate Bill No. 387 would remove existing regulations regarding the direct sale of raw milk, consumption of which has been opposed by every major health organization in the United States, including the American Medical Association and the American Academy of Pediatrics.

Consumption of raw milk is a demonstrated public health risk. The link between raw milk and foodborne illness has been well-documented in the scientific literature, with evidence spanning nearly 100 years. Raw milk is a key vehicle in the transmission of human pathogens, including *E. coli* O157:H7, *Campylobacter*, *Listeria monocytogenes*, and *Salmonella*.

Based on a 2015 report¹ from the Centers for Disease Control and Prevention (CDC), between 2007 and 2012, unpasteurized dairy products resulted in 81 known outbreaks – causing 979 cases of foodborne illness and 73 hospitalizations. The CDC has also concluded² that unpasteurized milk was at least 150 times more likely to cause food-borne illness outbreaks

¹ Mungai, EA, et al. Increased outbreaks associated with nonpasteurized milk, United States, 2007-2012. *Emerging Infectious Diseases*. 2015; 21(1): 119.

² Langer, AJ, et al. Non-pasteurized dairy products, disease outbreaks, and state laws – United States, 1993-2006. *Emerging Infectious Diseases*. 2012; 18(3):385.

than pasteurized milk, and such outbreaks had a hospitalization rate 13 times higher than those involving pasteurized dairy products.

The CDC has reported nearly 80% of raw milk-associated outbreaks have occurred in states where sale of raw milk was legal. Easing the regulations around the state-wide sale of raw milk in West Virginia increases the risk to public health, opening up the state's consumers to the inevitable consequence of falling victim to a foodborne illness. No matter how carefully it is produced, raw milk is inherently dangerous. Americans have become ill after consuming raw milk obtained from farms of varying sizes, from cow-share programs, and from licensed, permitted, or certified raw milk producers.

Nearly two-thirds of all outbreaks associated with raw-milk or raw-milk products involve children. For example, in 2011, five children in California were infected with *E. coli* O157:H7 after drinking raw milk; three required hospitalization with hemolytic uremic syndrome (HUS), a serious condition that may lead to kidney failure. At a school event in Wisconsin, also in 2011, sixteen fourth grade students and adults who drank raw milk donated by a parent later suffered from diarrhea, abdominal cramping, nausea, and vomiting from *Campylobacter* infections. It is the responsibility of West Virginia's leaders to make decisions to protect the health of the public, most especially those who are minors and are unable to make fully informed decisions that could have profound consequences for the rest of their lives.

One critical aspect of this high-profile issue is the tremendous amount of misinformation that has been disseminated regarding the supposed health benefits of raw milk. It is important to emphasize that no claim related to the health benefits of consuming raw milk has been substantiated in any of the medical literature. The scientific consensus is that raw milk can cause serious illnesses and hospitalizations, as well as can result in life-long negative health complications and death.

Another misleading claim is that testing or regulating the sale of raw milk will protect consumers from the risks of raw milk consumption. This is also unfounded. Product testing is not an adequate substitute and cannot ensure the same level of safety as pasteurization. Legalizing and regulating the sale of raw milk sends a signal to consumers that drinking unpasteurized milk is safe when, in fact, the opposite is true.

Nationally, our dairy industry benefits from a very high degree of consumer confidence – confidence built in large part due to the excellent food safety record of milk and dairy products. Current statistics estimate only 1-2% of reported foodborne outbreaks are attributed to dairy products. However, of those, over 70% have been attributed to raw milk and inappropriately-

aged raw milk cheeses. In a 2007 report³, the CDC concluded that “State milk regulations and methods for their enforcement should be reviewed and strengthened to minimize the hazards of raw milk.” Loosening the regulations surrounding raw milk through Senate Bill No. 387 would be a step in the wrong direction.

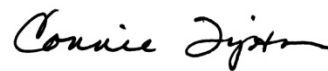
While choice is an important value, it should not pre-empt consumers’ well-being. To further ease the regulations surrounding the state-wide sale of raw milk is an unnecessary risk to consumer safety. As you stated in April 2015 when you [vetoed Senate Bill No. 30](#), raw milk is a “serious risk to public health.” We applaud you for valuing the health and well-being of West Virginia’s citizens, and we strongly urge you to veto Senate Bill No. 387.

Please feel free to contact us with any questions.

Sincerely,



James Mulhern
President and CEO
National Milk Producers Federation



Connie Tipton
President and CEO
International Dairy Foods Association

The National Milk Producers Federation (www.nmpf.org), based in Arlington, VA, develops and carries out policies that advance the well-being of dairy producers and the cooperatives they own. The members of NMPF’s cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of more than 32,000 dairy producers on Capitol Hill and with government agencies.

The International Dairy Foods Association (www.idfa.org), Washington, D.C., represents the nation’s dairy manufacturing and marketing industries and their suppliers, with a membership of 550 companies representing a \$125-billion a year industry. IDFA is composed of three constituent organizations: the Milk Industry Foundation (MIF), the National Cheese Institute (NCI) and the International Ice Cream Association (IICA). IDFA’s 220 dairy processing members run more than 600 plant operations, and range from large multi-national organizations to single-plant companies. Together they represent more than 85% of the milk, cultured products, cheese and frozen desserts produced and marketed in the United States.

³ Bhat, M, et al. *Escherichia coli* O157:H7 Infection Associated with Drinking Raw Milk – Washington and Oregon, November–December 2005. MMWR. 2007; 56(8):165.