



William J. Carson
STATE REPRESENTATIVE
28th District

HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE
19901

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Veterans Affairs, Vice-Chair
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Energy, Transportation

House Agriculture Committee Minutes

6.11.24

[House Committee Recording](#)

Chair Carson called the meeting to order at 10:05 a.m.

Members present:

Rep. Carson, Chair
Rep. Bush, Vice Chair
Rep. Dorsey Walker
Rep. Evelyn Harris
Rep. Matthews
Rep. Parker Selby
Rep. Dukes
Rep. Morris
Rep. Vanderwende
Rep. Postles
Rep. Gray

Chair Carson introduced **SB 273 AN ACT TO AMEND TITLE 3 AND TITLE 16 OF THE DELAWARE CODE RELATING TO MILK AND MILK PRODUCTS.** *Time Stamp: 10:06*

SB 273, sponsored by Rep. Smith, would legalize the sale and distribution of raw milk and products derived from raw milk by dairy producers directly to consumers for human consumption. This act creates a raw milk permit to be issued and enforced by the Department of Agriculture and exempts raw milk permit holders from the State of Delaware Milk Code, provided they comply with all requirements. The Department of Agriculture, in consultation

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with the Department of Health and Social Services, are responsible for overseeing the raw milk permit program and ensuring compliance. This act stipulates that no raw milk or product derived from raw milk may be sold in Delaware other than by a raw milk permit holder or an individual under the direct supervision of a raw milk permit holder, such as an employee. Furthermore, this act requires signage and labeling to inform consumers that raw milk is unprocessed, unpasteurized, and unhomogenized and may contain harmful bacteria. Rep. Smith invited Sen. Buckson, primary sponsor of SB 273, to answer further questions about this legislation.

Rep. Dukes asked about the difference between this legislation and similar legislation from ten years prior, seeking clarification on the new safety measures described in this bill. Sen. Buckson explained that in 2014 there was a bill proposed, but during this time Department of Agriculture and Health, as well as the Delaware Farm Bureau were opposed to this act. These agencies are now either neutral or in favor of this legislation. Sen. Buckson also explained that dairy farming is decreasing in the state, and this bill would help farmers. Furthermore, Delaware is one of the few states which places outright bans on raw milk.

Rep. Matthews explained that he does not like the term raw milk, because it's just cultured milk, which he stated is very safe. Rep. Matthews addressed that raw milk encourages organic clean farms, and therefore this bill encourages organic farming.

Rep. Parker Selby inquired about products that use raw milk in them, asking if the description raw milk would be included on the ingredient list. Sen. Buckson requests that Michael Scuse, the Secretary of the Delaware Department of Agriculture, to answer this questions. Secretary Scuse answered that many states today allow products from raw milk, one of the most common products being cheese from raw milk. However, currently Delaware is only seeking to sell raw milk, and they hope to later sell more product like cheese. Additionally, the Department of Agriculture is working with the Department of Health on the regulatory process to ensure producers are meeting safety requirements, using proper testing, and displaying warning labels. Secretary Scuse concluded that this bill grants producers and Delawareans the choice to produce and consume raw milk if they choose.

Rep. Dorsey Walker shared her support for this legislation, noting that it's the product of multiple meetings with farmers. Sen. Buckson voiced his appreciation for the strong bipartisan support.

Chair Carson opened the floor for public comment. *Time Stamp: 10:17*

Member of the public Robert Overmiller, Beverly Cannon, Jim Cannon, Lindsey Saxton, Doug Riley, Rebecca Kelsey, Stephanie Knutsen (G&S Farm), Don Clifton voiced (Executive Director at Delaware Farm Bureau), Margaret Coleman (Society for Risk Analysis), Mark McAfee (Chairman of the Raw Milk Institute), Pete Kennedy (The Weston A. Price Foundation), Qurrat Jaffery, Sarah Smith (VP of the Raw Milk Institute) support for this legislation.

Member Sandi Spiegel (Delaware Division of Public Health) expressed a neutral position on this legislation.

Member of the public Karin Ravin (Chief of Infectious Disease at Nemours Hospital) and Marci Drees (Chief Infection Prevention Officer at Christinia Care) raised concerns about this legislation.

A motion was made by Vice Chair Bush and seconded by Rep. Dorsey Walker to release SB 273 from committee; motion carried. Yes = 9 (Carson, Bush, Dorsey Walker, Dukes, Evelyn Harris, Matthews, Morris, Parker Selby, Vanderwende); No = 0; Absent = 4 (Collins, Gray, Heffernan, Postles). The bill was later released from committee with a F=6, M=3, U=0 vote.

Chair Carson adjourned the meeting at 10:51 a.m.

Respectfully submitted by,
Katherine Bowman

Attendance List

- Michael Scuse (Secretary of Delaware Department of Agriculture)
- Robert Overmiller
- Beverly Cannon
- Jim Cannon
- Lindsey Saxton
- Sandi Spiegel (Division of Public Health)
- Doug Riley
- Rebecca Kelsey
- Stephanie Knutsen (G&S Farm)
- Don Clifton voiced (Executive Director at Delaware Farm Bureau)
- Karin Ravin (Chief of Infectious Disease at Nemours Hospital)
- Marci Drees (Chief Infection Prevention Officer at Christinia Care)
- Margaret Coleman (Society for Risk Analysis)
- Mark McAfee (Chairman of the Raw Milk Institute)
- Pete Kennedy (The Weston A. Price Foundation)
- Qurrat Jaffery
- Sarah Smith (VP of the Raw Milk Institute)



June 11, 2024

Brian Frazee
President & CEO

The Honorable Eric Buckson
Delaware General Assembly
411 Legislative Ave.
Dover, DE 19901

Beebe Healthcare
David A. Tam,
MD, MBA
President & CEO
DHA Board Chair

Dear Senator Buckson,

The Delaware Healthcare Association, representing Delaware's hospitals, health systems, and related healthcare organizations, opposes SB 273 relating to raw milk.

ChristianaCare
Janice E. Nevin,
MD, MPH
President & CEO
DHA Board Vice Chair

DHA is concerned that in legalizing the sale and distribution of raw milk for human consumption, Delawareans will be at greater risk for serious illness and hospitalization. Raw milk, or milk that has not been pasteurized, can expose consumers to bacteria such as E. coli, Listeria, and Salmonella. Children, pregnant individuals, adults over age 65, and those with weakened immune systems, are at a higher risk of serious illness from these germs.

Bayhealth
Terry Murphy
President & CEO
DHA Board Secretary &
Treasurer

Should SB 273 advance, DHA respectfully requests that public health and infectious disease professionals be involved in the regulatory process to ensure this program is implemented as safely as possible. DHA also requests that the raw milk labels be required to include language warning of the health risks of consuming raw milk, particularly for those at greatest risk for serious illness.

*Nemours Children's
Health*
Mark Marcantano
President
Delaware Valley
Operations

TidalHealth Nanticoke
Penny Short, MSM, BSN,
RN
President

Thank you for the opportunity to share DHA's concerns with SB 273. We hope to work with you to protect the health of Delawareans.

Saint Francis Hospital
James Woodward
President & CEO
Trinity Health Mid-
Atlantic Region

Sincerely,

A handwritten signature in black ink that reads 'Brian Frazee'.

*Delaware Healthcare
Association*
Brian W. Frazee
President & CEO

Brian Frazee
President & CEO
Delaware Healthcare Association