

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4911

BY DELEGATES HORNBY, SUMMERS, CHIARELLI, THORNE,

FOSTER, DEVAULT AND DILLON

[Passed March 9, 2024; in effect ninety days from
passage.]

1 AN ACT to amend and reenact §19-1-7 of the Code of West Virginia, 1931, as amended, relating
2 to raw milk; defining “raw milk”; authorizing intrastate sales of raw milk; imposing labeling
3 requirements; and authorizing rulemaking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. DEPARTMENT OF AGRICULTURE.

§19-1-7. Sale of raw milk.

1 (a) For purposes of this section, “raw milk” means milk that has not been pasteurized as
2 specified in 21 C.F.R. §1240.61.

3 (b) Notwithstanding any other provision of this code to the contrary, raw milk may be sold
4 by a seller in West Virginia to a consumer in West Virginia: *Provided*, That any container of raw
5 milk sold pursuant to this article shall be clearly labeled as “unpasteurized raw milk”, and shall
6 include the name and physical address of the seller, the date of production, and the following
7 warning: “Consuming unpasteurized raw milk may increase your risk of foodborne illness,
8 especially for children, elderly, immunocompromised individuals, and persons with certain
9 medical conditions”.

10 (c) The Commissioner of Agriculture, in consultation with the Department of Health, may
11 propose rules for promulgation in accordance with the provisions of §29A-3-1 *et seq.* of this code
12 in compliance with raw milk dairy industry standards.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect ninety days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2024.

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Governor