

Legalizing Raw Milk in Canada: Step 1

This is a proposal for a regulatory amendment which would remove the current federal ban on raw milk sales and distribution. An exemption would be added to the *Food and Drug Regulations* which would then permit provinces to legalize and regulate raw milk as they see fit.

Current Federal Law:

Food and Drugs Act, Food and Drug Regulations (C.R.C., c. 870)

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Division 8 – Dairy Products

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B.08.002.2 (1) Subject to subsection (2), no person shall sell the normal lacteal secretion obtained from the mammary gland of the cow, genus *Bos*, or of any other animal, or sell a dairy product made with any such secretion, unless the secretion or dairy product has been pasteurized by being held at a temperature and for a period that ensure the reduction of the alkaline phosphatase activity so as to meet the tolerances specified in official method MFO-3, Determination of Phosphatase Activity in Dairy Products, dated November 30, 1981.

(2) Subsection (1) does not apply to

(a) cheese; or

(b) any food that is sold for further manufacturing or processing in order to pasteurize it in the manner described in subsection (1).

Proposed Amendment:

Food and Drugs Act, Food and Drug Regulations (C.R.C., c. 870)

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Division 8 – Dairy Products

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B.08.002.2 (1) Subject to subsection (2), no person shall sell the normal lacteal secretion obtained from the mammary gland of the cow, genus *Bos*, or of any other animal, or sell a dairy product made with any such secretion, unless the secretion or dairy product has been pasteurized by being held at a temperature and for a period that ensure the reduction of the alkaline phosphatase activity so as to meet the tolerances specified in official method MFO-3, Determination of Phosphatase Activity in Dairy Products, dated November 30, 1981.

(2) Subsection (1) does not apply to

(a) cheese; or

(b) any food that is sold for further manufacturing or processing in order to pasteurize it in the manner described in subsection (1).

(c) any unpasteurized dairy product that is produced and processed according to provincial legislation and regulations governing licensed production, processing, sale, and distribution of these products within that province."