

Wisconsin Administrative Code
AGRICULTURE, TRADE & CONSUMER PROTECTION
Chapter ATCP 60 DAIRY FARMS
Subchapter IV — Milk Quality Standards; Examination of Milk From Dairy Farms

ATCP 60.235 Raw milk sales prohibited; exemptions.

No person may sell or distribute unpasteurized milk or fluid milk products to consumers, or to any person for resale or redistribution in unpasteurized form to consumers. This section does not prohibit any of the following:

- (1) The sale or distribution of milk or fluid milk products that are heat sterilized in hermetically sealed containers.
- (2) The distribution of unpasteurized milk, produced on a dairy farm, to any of the following:
 - (a) The milk producer who is licensed under s. **ATCP 60.02(1)** to operate that dairy farm, and who, as license holder, assumes legal responsibility for dairy farm operations.
 - (b) An individual who has a bona fide ownership interest in the milk producer under par. (a), if the milk producer is a legal entity other than an individual or married couple.
 - (c) A family member or nonpaying household guest who consumes the milk at the home of an individual operator or bona fide owner under par. (a) or (b).
- (3) The sale or distribution of unpasteurized milk, produced on a dairy farm, to the employees of that dairy farm.
- (4) The incidental sale of unpasteurized milk to a consumer, for delivery to the consumer at the dairy farm where the milk is produced, for consumption by the consumer, the consumer's family, or the consumer's nonpaying guests. A sale is not incidental if it is made in the regular course of business, or is preceded by any advertising, offer or solicitation made to the general public through any communications media.

History: CR 07-006: cr. Register January 2008 No. 625, eff. 2-1-08.