

## Food Safety & Inspection Program

**SECTION: General**  
**Fresh Unprocessed Whole Milk**

**Policy # 1.40**  
**Date: 3/12/2013**

### Policy

This policy is built upon the recommendations of the Fresh Unprocessed Whole Milk Workgroup. The workgroup agreed to use the term Fresh Unprocessed Whole (FUW) milk to describe the product intended for direct human consumption since "raw milk" is used to describe milk intended for pasteurization.

Michigan Dairy Laws state in MCL 288.538 and in MCL 288.696, "Only pasteurized milk and milk products shall be offered for sale or sold, directly or indirectly, to the final consumer or to restaurants, grocery stores, or similar establishments". The Food Law states in MCL 289.6140, "Only pasteurized ingredients from a department-approved source shall be used for milk and milk products manufactured, sold, served, or prepared at a retail food establishment."

In a herd share operation, consumers pay a farmer a fee for boarding their animal (or a share of an animal), caring for the animal and milking the animal. The herd share shareholder then obtains (but does not purchase) the raw milk from his or her own animal.

Herd share operations include the following elements.

- There should be a signed and dated written contract between a single herd share farmer and shareholder
- There must be a workable means of communication between the farmer and all of the households receiving milk
- Milk should be from a single farm and not co-mingled

### Key points

- The Michigan Department of Agriculture and Rural Development (MDARD) does not license or inspect the herd share portion of a dairy farm.
- Herd share programs are considered to include only FUW milk intended to be consumed by people.
- FUW milk is not for sale or resale.
- FUW milk cannot be distributed from a licensed food establishment.
- Products such as butter, yogurt, cheeses, etc. made from FUW milk were not included in the workgroup's discussions and are not considered by MDARD to be part of a herd share operation and therefore are subject to applicable MDARD laws and regulations.
- Advertising of herd shares is not regulated by MDARD.

The workgroup felt comfortable with these decisions based on the fact that there is a defined consumer pool, rapid traceback is possible and the farmer and shareholder are both responsible for maintaining the quality of the milk.