



ILLINOIS ACADEMY OF
FAMILY PHYSICIANS

Devoted to Advocacy, Education & Action

4756 Main St. Lisle, IL 60532

630.435.0257 or 800.826.7944 (In Illinois)

President

Janet Albers, M.D.

President-Elect

Alvia Siddiqi, M.D.

Chair of the Board

Edward A. Blumen, M.D.

Treasurer

Sachin Dixit, M.D.

First Vice President

Donald R. Lurye, M.D.

Second Vice President

Asim K. Jaffer, M.D.

Executive Vice President

Vincent D. Keenan, C.A.E.

Board of Directors

2015

Abbas Hyderi, M.D.
Donald R. Lurye, M.D.
Vacancy

2016

Kristin Drynan, M.D.
Regina Kim, M.D.
Glenn Skow, M.D.

2017

Monica Fudala, MD
James Valek, MD
Tabatha Wells, MD

New Physicians

Michael A. Hanak, M.D.
Santina Wheat, MD

Resident

John Trimberger, M.D.

Student

Karena Rounsaville

AAFP Delegates

Kathleen J. Miller, M.D.
David J. Hagan, M.D.

AAFP Alternate Delegates

Asim K. Jaffer, M.D.
Sachin N. Dixit, M.D.

Joint Committee on Administrative Rules (JCAR)

700 Stratton Office Bldg.

Springfield, IL 62706

August 5, 2015

RE: Second Reading of the Grade A Pasteurized Milk and Milk Products Rules; Code Citation: 77 Ill. Adm. Code 775, Register Citation to Notice of Proposed Rules: 38 Ill. Reg. 18346; September 5, 2014

Dear Honorable members of JCAR:

On behalf of the Illinois Academy of Family Physicians, I am expressing our opinion on the currently proposed rules being heard August, 11, 2015. The law in the State of Illinois has allowed the sale or distribution of raw milk for many years, with two conditions: 1) that the raw milk is sold or distributed on the premises of the dairy farm, and 2) that it is produced in accordance with Department rules and regulations.

We do support the parts of the currently proposed rules pertaining to permitting, testing and quality standards, labeling, educating consumers as to the risks involved with consuming unpasteurized milk, purchasing logs, and batch sample storage. Unfortunately, several critical parts of the proposed rules were removed from the first reading draft, effectually weakening the currently proposed rules in the second reading draft.

- Language was included in the first reading of the rules (but was subsequently removed) indicating that *"The premises of a dairy farm does not include any property located within the incorporated area of a municipality, within 1.5 miles of an incorporated municipality, or within an unincorporated urban area."* The former limits proposed in the first reading of the rules should be reinstated. In the first reading draft, the expansion of the premises to include a receiving station did not restrict a farmer to selling raw milk on the property where the herd is kept, but did restrict sales in densely populated areas in locations that clearly were not associated with the farm. This change in the rules exceeds the language and clear intent of the enabling legislation, which states that unpasteurized milk may only be sold on the premises of the dairy farm. While the first reading draft of the proposed rules made a concession to modern farming operations by expanding the definition of "premises," the second reading draft would essentially allow the retail sale of unpasteurized milk **anywhere** in the State of Illinois.
- The second reading draft of the proposed rules was amended to increase the maximum allowable somatic cell count to 750,000 from 400,000, as was established in the first reading draft of the rules. The proposed standard of 750,000 somatic cells per milliliter is based not on evidence-based quality and safety standards but on requirements in Federal Pasteurized Milk Ordinance for milk **to be pasteurized**. The somatic cell count is a very important quality standard for unpasteurized milk as they are a direct indicator of the health of the animal producing the milk. They are also an indirect indicator of the presence of disease-causing microorganisms in unpasteurized milk, which if consumed, may result in human infection and illness. At the request of the Illinois Department of Public Health, the Illinois Department of Agriculture produced data indicating that the statewide average for the somatic cell count throughout Illinois was in the range of 400,000 cells per milliliter. The quality standard in the rules should be returned to 400,000 somatic cells per milliliter for cow's milk (and a comparable data point should be determined for goat's milk) **because this milk is intended for direct human consumption**.

Thank you for considering our comments as we strive toward our mutual pursuit of public health promotion and disease prevention,

Janet Albers, M.D.

iafp@iafp.com
www.iafp.com

