

December 2, 2025

Katie Howard, Deputy Commissioner
Division of Milk Control and Dairy Services
New York State Department of Agriculture and Markets
10B Airline Drive, Albany, NY 12235
Email: MCDS@agriculture.ny.gov

Re: Public Health Concern & Enforcement Request, Sale of Raw Milk from Cows with Mastitis at Country Cousins Farm

Dear Deputy Commissioner Howard:

Thank you for the work you do to keep our food supply safe in New York. It has come to my client's attention that a raw milk producer, Country Cousins Farm,¹ is likely violating New York law by selling milk with "abnormalities"² from animals with mastitis.³ We are requesting that the Division of Milk Control and Dairy Services ("MCDS") address the sale of abnormal milk by issuing a violation, increasing testing, and to the extent the misconduct is as knowing and pervasive as we believe it to be, suspending the facility's license.

The linked videos (password: [REDACTED]) show the owner of Country Cousins, [REDACTED], milking a cow and producing milk with clumps.⁴ The owner's comments make clear that the facility is aware of mastitis in its cows, which causes such abnormalities.⁵ Nevertheless, as can be seen in the clip, [REDACTED] includes the abnormal milk in the bulk tank for sale to the public, relying on only a cotton cloth to act as a filter and catch the larger chunks.⁶

Country Cousin's conduct appears to violate New York law and endanger public health. First, the State's Department of Agriculture and Markets categorizes milk as "abnormal" if it comes from cows with mastitis.⁷ Second, the clumps in the milk violate the State's raw milk provisions, which

¹ The farm's address is [REDACTED]

² See N.Y. Comp. Codes R. & Regs. tit. 1, § 2.8 (milk has abnormalities if it does not have a "normal odor and appearance"); see also N.Y. Dep't of Agric. & Mkts., *Sampling Producer Milk Circular 278* (rev. Aug. 2006), available at <https://agriculture.ny.gov/system/files/documents/2019/03/milk-control-circular-278.pdf> ("Abnormal milk is that which contains milk from cows with mastitis . . .").

³ See U.S. Pub. Health Serv. & Food & Drug Admin., *Grade "A" Pasteurized Milk Ordinance 35* (Rev. 2023), available at <https://ncims.org/wp-content/uploads/2024/08/2023-pmo.pdf> (describing mastitis as an inflammatory and, generally, highly communicable disease of the bovine udder).

⁴ [RECO0009](#) at 00:05-01:10; see also [RECO0017](#) at 00:00-01:27; [RECO0013](#) at 04:35-07:38. Clumps are also regularly found on cotton "filters." See [RECO0017](#) at 00:00-01:27.

⁵ [RECO0017](#) at 00:00-01:27 ([REDACTED]: "You see that white stuff? That's a little bit of mastitis chunks and what I was stripping out of the cows, still in the udder . . . so, the filter caught it . . ."); see also [RECO0009](#) at 00:05-01:10 (Q: "But just like the other one that had mastitis, you can still milk this one?" A ([REDACTED]): "Yup").

⁶ Id.

⁷ N.Y. Dep't of Agric. & Mkts., *Sampling Producer Milk Circular 278* (rev. Aug. 2006), available at <https://agriculture.ny.gov/system/files/documents/2019/03/milk-control-circular-278.pdf> ("Abnormal milk is that

require milk to “have normal odor and appearance.”⁸ Third, the facility’s procedures for preventing these abnormalities are directly contrary to the Federal Pasteurized Milk Ordinance (PMO). Country Cousins fails to ensure that “the lactating animals which show evidence of the secretion of milk with abnormalities in one (1) or more quarters, based upon bacteriological, chemical or physical examination, shall be milked last or with separate equipment and the milk shall be discarded.”⁹ These animals are not only milked with the others, using the same equipment, but their milk is combined with other cows’ milk for sale to consumers.¹⁰ Testing would likely show violations of the state’s bacterial and/or drug limits as well.

The prevalence of abnormal milk appears to be caused by poor living conditions for the animals at Country Cousins Farm. The animals are being kept in tie stalls for several months, and are never untethered, while the facility undergoes maintenance.¹¹ To keep the stalls “sanitary,” the company places dated electric “trainers” over the stalls to shock cows when they arch their backs to defecate or urinate¹² — “training” the cows to step back and defecate over the edge of the stall. These aversive devices are cruel to cows and therefore banned by animal welfare certification programs like Certified Humane¹³ and Global Animal Partnership.¹⁴ They are also insufficient to keep the stalls sanitary, such that when cows are milked and lie down in them every day, it can lead to painful mastitis infections and the abnormal milk seen in the videos.¹⁵

I am hopeful that MCDS will take the appropriate regulatory enforcement actions, and I am available by phone or email if you require any additional information.

which contains milk from cows with mastitis . . .”). Milk from cows with mastitis also fails to meet the regulatory definition of “raw milk,” which is the “lacteal secretion obtained by the complete milking of one or more *healthy* cows, goats or sheep.” N.Y. Comp. Codes R. & Regs. tit. 1, § 2.2 (emphasis added).

⁸ N.Y. Comp. Codes R. & Regs. tit. 1, § 2.8.

⁹ U.S. Pub. Health Serv. & Food & Drug Admin., *Grade “A” Pasteurized Milk Ordinance 35* (Rev. 2023), available at <https://ncims.org/wp-content/uploads/2024/08/2023-pmo.pdf>.

¹⁰ [RECO0017](#) at 00:00-01:27 (████████ “You see that white stuff? That’s a little bit of mastitis chunks and what I was stripping out of the cows, still in the udder . . . so, the filter caught it . . . ”); *see also* [RECO0009](#) at

¹¹ [RECO0013](#) at 04:35-07:38.

¹² [RECO0013](#) at 08:33-09:13.

¹³ Humane Farm Animal Care, *HFAC Standards for Production of Dairy Cows 22* (2023), available at https://certifiedhumane.org/wp-content/uploads/DAIRY_CATTLE_STANDARDS.pdf.

¹⁴ Global Animal Partnership, *5-Step® Animal Welfare Pilot Standards for Dairy Cattle v1.1 61* (2021), available at <https://globalanimalpartnership.org/wp-content/uploads/2022/01/20211209-G.A.P.-5-Step-Standards-for-Dairy-Cattle-v1.1.pdf>.

¹⁵ See, e.g., Food & Drug Admin., *Raw Milk Misconceptions and the Danger of Raw Milk Consumption*, <https://www.fda.gov/food/buy-store-serve-safe-food/raw-milk-misconceptions-and-danger-raw-milk-consumption> (last visited Dec. 1, 2025) (linking high bacteria counts in raw milk to poor animal health and farm hygiene).

Sincerely,



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