

ASSEMBLY, No. 3038

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

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District 4 (Camden and Gloucester)

SYNOPSIS

Establishes public awareness campaign advising pregnant women, new parents, and women who are breast feeding about dangers of casual milk sharing.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/24/2020)

1 **AN ACT** concerning casual milk sharing and supplementing Title 26
2 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. As used in this act:

8 "Casual milk sharing" means an informal arrangement in which a
9 mother directly donates human breast milk that has not been
10 collected, processed, distributed, or sold by a human milk bank to a
11 parent who is unable to nurse, or is in need of additional breast milk
12 to feed, the parent's child.

13 "Human milk bank" means an organized service for the selection
14 of a donor and the collection, processing, storage, distribution, or
15 sale of donated human breast milk to a hospital for use by low birth
16 weight babies or new mothers with delayed lactation, or directly to
17 a parent, with a physician's prescription order, who is unable to
18 nurse, or is in need of additional breast milk to feed, the parent's
19 child.

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21 2. a. The Commissioner of Health shall establish a public
22 awareness campaign to advise pregnant women, new parents, and
23 women who are breast feeding their children about the dangers of
24 casual milk sharing. The campaign shall, at a minimum, provide
25 information on:

26 (1) risk factors associated with casual milk sharing, including
27 disease transmission and contamination from drugs, germs, or
28 chemicals;

29 (2) the federal Food and Drug Administration's warning against
30 mothers using donated breast milk obtained directly from
31 individuals or other unknown sources; and

32 (3) human milk banks and the procedures used by milk banks to
33 select donors and collect, process, store, distribute, or sell donated
34 breast milk.

35 b. The commissioner shall:

36 (1) provide for the development of printed educational materials
37 about casual milk sharing as described in subsection a. of this
38 section, in English, Spanish, and any other language that the
39 commissioner determines is the first language of a significant
40 number of citizens in the State;

41 (2) disseminate information on the dangers of casual milk
42 sharing for distribution to pregnant women, new parents, and
43 women who are breast feeding their children through a variety of
44 entities, including, but not limited to, local health agencies and
45 clinics, physicians, health care facilities, pharmacies, libraries,
46 community-based outreach programs and organizations, and the
47 Department of Health Internet site; and

1 (3) report to the Governor and, pursuant to section 2 of
2 P.L.1991, c.164 (C.52:14-19.1), to the Legislature no later than 18
3 months after the effective date of this act, on the activities and
4 accomplishments of the public awareness campaign.

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6 3. The Commissioner of Health, pursuant to the
7 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
8 seq.), shall adopt rules and regulations to effectuate the purposes of
9 this act.

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11 4. This act shall take effect immediately.

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14 STATEMENT

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16 This bill requires the Commissioner of Health to establish a
17 public awareness campaign to advise pregnant women, new parents,
18 and women who are breast feeding their children about the dangers
19 of casual milk sharing.

20 As defined in the bill, "casual milk sharing" is an informal
21 arrangement in which a mother donates human breast milk that has
22 not been collected, processed, stored, distributed, or sold by a
23 human milk bank to a parent who is unable to nurse, or is in need
24 of additional breast milk to feed, the parent's child.

25 The bill also defines "human milk bank" as an organized service
26 for the selection of a donor and the collection, processing, storage,
27 distribution, or sale of donated human breast milk to a hospital for
28 use by low birth weight babies or new mothers with delayed
29 lactation, or directly to a parent, with a physician's prescription
30 order, who is unable to nurse, or is in need of additional breast milk
31 to feed, the parent's child.

32 Under the provisions of the bill, the campaign would, at a
33 minimum, provide information on: risk factors associated with
34 casual milk sharing, including disease transmission and
35 contamination from drugs, germs, or chemicals; the federal Food
36 and Drug Administration's warning against mothers using donated
37 breast milk obtained directly from individuals or other unknown
38 sources; and human milk banks and the procedures they use to
39 select donors and collect, process, store, dispense, or sell donated
40 breast milk.

41 The commissioner would be required to: develop printed
42 materials about casual milk sharing in English, Spanish, and any
43 other language that the commissioner determines is the first
44 language of a significant number of citizens in the State;
45 disseminate information on the dangers of casual milk sharing for
46 distribution to pregnant women, new parents, and women who are
47 breast feeding their children through entities, including, but not
48 limited to, local health agencies and clinics, physicians, health care

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1 facilities, pharmacies, libraries, community-based outreach
2 programs and organizations, and the Department of Health Internet
3 site; and report to the Governor and the Legislature, no later than 18
4 months after the effective date of bill, on the activities and
5 accomplishments of the public awareness campaign.