

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 594

By: Jech of the Senate

and

Baker of the House

COMMITTEE SUBSTITUTE

An Act relating to agriculture; amending 2 O.S. 2011, Sections 7-404 and 7-413, which relate to the Oklahoma Milk and Milk Products Act; removing certain rule; expanding types of unlawful conduct; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 2 O.S. 2011, Section 7-404, is amended to read as follows:

Section 7-404. A. The State Board of Agriculture shall promulgate rules governing:

1. The production, transportation, processing, pasteurization, handling, identity, sampling, examination, labeling, marking, shipping statements, optional ingredients, definitions, and sanitary conditions for milk and milk products;

1 2. The inspection and sanitary rating of dairy farms, bulk milk
2 hauler/samplers, milk transportation companies, milk tank truck
3 cleaning facilities, milk plants, and distribution centers engaged
4 in producing, transporting, processing, and distributing milk and
5 milk products;

6 3. The issuing, modifying, suspending, and revoking of permits
7 to producers, bulk milk hauler/samplers, milk transportation
8 companies, milk tank truck cleaning facilities, processors, and
9 distributors of milk and milk products;

10 4. The approval of facilities therefor ~~except for waste~~
11 ~~disposal therefrom, which shall be regulated by the Department of~~
12 ~~Environmental Quality;~~

13 5. All cheese factories;

14 6. All modes of transportation used for the distribution of
15 milk and cream to market; and

16 7. The labeling and packaging of milk and milk products.

17 B. The rules promulgated by the Board shall be in accord with
18 the minimum standards and requirements for milk and milk products
19 currently recommended and established by the United States
20 Department of Health and Human Services, Food and Drug
21 Administration, including the Recommended Grade A Pasteurized Milk
22 Ordinance.

23 SECTION 2. AMENDATORY 2 O.S. 2011, Section 7-413, is
24 amended to read as follows:

1 Section 7-413. It shall be unlawful for any person to
2 knowingly, willfully, recklessly or negligently:

3 1. Attempt to produce, haul, process, or distribute milk or
4 milk products without an appropriate and valid permit;

5 2. Sell, offer, or expose for sale as Grade A any adulterated
6 or misbranded milk or milk product;

7 3. Sell, offer, expose for sale, or serve milk and milk
8 products which have not been maintained at or below the temperature
9 specified by the State Board of Agriculture;

10 4. Dip or ladle Grade A milk and milk products;

11 5. Transfer Grade A milk and milk products at any location
12 other than a permitted Grade A facility designed and equipped for
13 such purpose;

14 6. Prevent, interfere, or attempt to impede the Commissioner
15 from investigating and enforcing the Oklahoma Milk and Milk Products
16 Act;

17 7. Sell or serve Grade A milk and milk products from other than
18 the individual container, or approved bulk dispenser, received from
19 the distributor; or

20 8. Violate any provision of the Oklahoma Milk and Milk Products
21 Act.

22 SECTION 3. This act shall become effective November 1, 2017.

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