

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 552

By: Jech

AS INTRODUCED

An Act relating to milk and dairy products; amending  
2 O.S. 2011, Sections 7-404 and 7-413, which relate  
to the Oklahoma Milk and Milk Products Act; removing  
certain rule exception; expanding intent; 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;

2. The inspection and sanitary rating of dairy farms, bulk milk  
hauler/samplers, milk transportation companies, milk tank truck  
cleaning facilities, milk plants, and distribution centers engaged

1 in producing, transporting, processing<sup>7</sup> and distributing milk and  
2 milk products;

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

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

10 5. All cheese factories;

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

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

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

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

22 Section 7-413. It shall be unlawful for any person to  
23 knowingly, willfully or recklessly:  
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1 1. Attempt to produce, haul, process, or distribute milk or  
2 milk products without an appropriate and valid permit;

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

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

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

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

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

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

18 8. Violate any provision of the Oklahoma Milk and Milk Products  
19 Act.

20 SECTION 3. This act shall become effective November 1, 2019.

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