

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 764

By: Bullard

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5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Milk and Milk
8 Products Act; authorizing advertising and sale of raw
9 graded and ungraded milk direct to consumers;
10 requiring labeling; requiring records be kept;
11 authorizing inspections of sales records by the
12 Oklahoma Department of Agriculture, Food, and
13 Forestry; providing for codification; and declaring
14 an emergency.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 7-422 of Title 2, unless there
18 is created a duplication in numbering, reads as follows:

19 A. Notwithstanding any rule or provision of law to the
20 contrary, the holder of a permit for distribution of Grade A milk
21 pursuant to Section 7-406 of Title 2 of the Oklahoma Statutes and
22 the Oklahoma Milk and Milk Products Act or the distribution of
23 ungraded milk by permit as provided in Section 7-417 of Title 2 of
24 the Oklahoma Statutes and the Oklahoma Milk and Milk Products Act
25 may advertise and sell raw graded and ungraded milk directly to

1 consumers within this state from the onsite operation. The product
2 shall be labeled as raw milk and the grade of milk, if graded.

3 B. Notwithstanding any rule or the provisions of Sections 7-406
4 and 7-417 of Title 2 of the Oklahoma Statutes and the Oklahoma Milk
5 and Milk Products Act prohibiting distribution of Grade A raw milk
6 or ungraded raw milk without a permit, persons operating a farm with
7 a milk producing cow or cows may advertise and sell their raw milk
8 onsite directly to consumers without a permit, provided the product
9 is labeled "Ungraded and unpermitted raw milk".

10 C. Each seller of raw milk under this section shall be required
11 to keep records of their direct consumer sales each month. Sales
12 records of raw milk distributed directly to consumers may be
13 inspected by the Oklahoma Department of Agriculture, Food, and
14 Forestry as the official state agency under the authority of the
15 United States Department of Agriculture for purposes of enforcing
16 dairy inspections, milk grading programs and the Oklahoma Milk and
17 Milk Products Act.

18 SECTION 2. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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