

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 2028

By: Wingard of the Senate

and

Hardin of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to the Oklahoma Milk and Milk
11 Products Act; amending 2 O.S. 2021, Sections 7-413
12 and 7-414, which relate to violations and
13 construction of Act; expanding violations; allowing
14 for certain sales of ungraded raw milk and raw milk
15 products; requiring certain labels be added upon
16 sale; increasing average monthly yield for incidental
17 sales; repealing 2 O.S. 2021, Section 7-417, which
18 relates to required permit for ungraded raw milk
19 sales; and declaring an emergency.

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

23 SECTION 1. AMENDATORY 2 O.S. 2021, Section 7-413, is
24 amended to read as follows:

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

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

- 1 2. Sell, offer, or expose for sale as Grade A any adulterated
2 or misbranded milk or milk product;
- 3 3. Sell, offer, expose for sale, or serve milk and milk
4 products which have not been maintained at or below the temperature
5 specified by the State Board of Agriculture;
- 6 4. Sell, offer, expose for sale, or serve raw milk or raw milk
7 products without notifying the consumer that the product is not
8 licensed, regulated, or inspected;
- 9 5. Sell, offer, expose for sale, or serve raw milk or raw milk
10 products without labeling the container of such raw milk or raw milk
11 products to indicate to the consumer that the product is raw or
12 unpasteurized milk and the date the milk was filled;
- 13 6. Dip or ladle Grade A milk and milk products;
- 14 ~~5.~~ 7. Transfer Grade A milk and milk products at any location
15 other than a permitted Grade A facility designed and equipped for
16 such purpose;
- 17 ~~6.~~ 8. Prevent, interfere, or attempt to impede the Commissioner
18 of Agriculture from investigating and enforcing the Oklahoma Milk
19 and Milk Products Act;
- 20 ~~7.~~ 9. Sell or serve Grade A milk and milk products from other
21 than the individual container, or approved bulk dispenser, received
22 from the distributor; or
- 23 ~~8.~~ 10. Violate any provision of the Oklahoma Milk and Milk
24 Products Act.

1 SECTION 2. AMENDATORY 2 O.S. 2021, Section 7-414, is
2 amended to read as follows:

3 Section 7-414. A. The provisions of the Oklahoma Milk and Milk
4 Products Act shall not be construed to:

5 1. Include incidental sales of ungraded raw milk or raw milk
6 products directly to consumers at the farm where the ungraded raw
7 milk or raw milk products ~~is~~ are produced;

8 2. Preclude the advertising of the incidental sale of goat
9 milk; and

10 3. Prohibit any farmer or producer from making cheese using
11 milk or cream produced on the farm of such farmer or producer.

12 B. For purposes of this section, incidental sales of ~~goat~~ milk
13 are those sales where the average monthly number of gallons sold
14 does not exceed ~~one hundred (100)~~ one thousand five hundred (1,500).

15 SECTION 3. REPEALER 2 O.S. 2021, Section 7-417, is
16 hereby repealed.

17 SECTION 4. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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