

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2028

By: Wingard

AS INTRODUCED

An Act relating to agriculture; amending 2 O.S. 2021, Section 7-413, which relates to violations; expanding violations; amending 2 O.S. 2021, Section 7-414, which relates to the Oklahoma Milk and Milk Products Act; allowing for certain sales of ungraded raw milk and raw milk products; increasing average monthly yield for incidental sales; repealing 2 O.S. 2021, Section 7-417, which relates to required permit for ungraded raw milk sales; and declaring an emergency.

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

SECTION 1. AMENDATORY 2 O.S. 2021, Section 7-413, is 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;

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

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

4        4. Sell, offer, expose for sale, or serve raw milk or raw milk  
5 products without notifying the consumer that the product is not  
6 licensed, regulated, or inspected;

7        5. Dip or ladle Grade A milk and milk products;

8        ~~5.~~ 6. Transfer Grade A milk and milk products at any location  
9 other than a permitted Grade A facility designed and equipped for  
10 such purpose;

11        ~~6.~~ 7. Prevent, interfere, or attempt to impede the Commissioner  
12 of Agriculture from investigating and enforcing the Oklahoma Milk  
13 and Milk Products Act;

14        ~~7.~~ 8. Sell or serve Grade A milk and milk products from other  
15 than the individual container, or approved bulk dispenser, received  
16 from the distributor; or

17        ~~8.~~ 9. Violate any provision of the Oklahoma Milk and Milk  
18 Products Act.

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

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

23        1. Include incidental sales of ungraded raw milk or raw milk  
24 products directly to consumers;

1           a.    at the farm where the ungraded raw milk or raw milk  
2               product is produced, or

3           b.    by transport by the farmer or producer of ungraded raw  
4               milk and raw milk products;

5           2.   Preclude the advertising of the incidental sale of goat  
6 milk; and

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

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

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

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

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