

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2028

By: Wingard

6 AS INTRODUCED

7 An Act relating to agriculture; amending 2 O.S. 2021,
8 Section 7-413, which relates to violations; expanding
9 violations; amending 2 O.S. 2021, Section 7-414,
10 which relates to the Oklahoma Milk and Milk Products
11 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.

12

13

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

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

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

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

21 2. Sell, offer, or expose for sale as Grade A any adulterated
22 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:

- a. at the farm where the ungraded raw milk or raw milk product is produced, or
- b. by transport by the farmer or producer of ungraded raw milk and raw milk products;

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

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

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

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 REPEALER 2 O.S. 2021, Section 7-417, is hereby repealed.

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

60-2-2247 YG 1/15/2026 10:35:58 AM