

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2071 By: Murdock

6 AS INTRODUCED

7 An Act relating to agriculture; amending 2 O.S. 2021,
8 Sections 7-401, 7-403, 7-415, and 7-421, which relate
9 to the Oklahoma Milk and Milk Products Act; updating
10 statutory references; modifying definitions;
11 increasing fees for production and sale of certain
12 milk products; clarifying jurisdictional authority of
13 dairy inspection and grading programs; updating
14 statutory language; and providing an effective date.

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

16 SECTION 1. AMENDATORY 2 O.S. 2021, Section 7-401, is
17 amended to read as follows:

18 Section 7-401. Sections 4 7-401 through 23 7-421 of this ~~act~~
19 title shall be known and may be cited as the "Oklahoma Milk and Milk
20 Products Act".

21 SECTION 2. AMENDATORY 2 O.S. 2021, Section 7-403, is
22 amended to read as follows:

23 Section 7-403. As used in the Oklahoma Milk and Milk Products
24 Act:

25 1. "Bulk milk hauler/sampler" means any person collecting
26 official samples who may transport raw milk from a farm or raw milk

1 products to or from a milk plant, receiving station, or transfer
2 station and has in his or her possession a permit from any state to
3 sample these products;

4 2. "Dairy farm" means any premises owned or operated by a ~~milk~~
5 ~~producer~~ milk producer where one or more ~~cows or goats~~ hooved
6 mammals are kept, and from which a part or all of the milk or milk
7 products is sold or offered for sale;

8 3. ~~"Goat milk"~~ means the lacteal secretion, practically free
9 ~~from colostrum, obtained by the complete milking of one or more~~
10 ~~healthy goats;~~

11 4. "Grade A milk and milk products" means milk and milk
12 products at any stage from production through pasteurization and
13 packaging, that are of the minimum quality and are produced, hauled,
14 processed and distributed under conditions which meet the
15 requirements of the Oklahoma Milk and Milk Products Act;

16 5. 4. "Inhibitor" means any chemical or antibiotic substance
17 which inhibits or retards the growth of bacteria in milk;

18 6. 5. "Milk" means the lacteal secretion, practically free from
19 colostrum, obtained by the complete milking of one or more healthy
20 ~~cows~~ hooved mammals, which contains not less than eight and one-
21 fourth percent (8 1/4%) milk solids-not-fat and not less than three
22 and one-fourth percent (3 1/4%) milk fat. The term ~~"milk"~~ milk
23 shall include ~~goat~~ hooved mammal milk, fluid market milk, and milk
24 products for the purpose of distribution to the consumer, and may

1 contain optional ingredients defined by the State Board of
2 Agriculture and shall include ungraded and Grade A milk;

3 7. 6. "Milk contact surface" means any pipe, tank, equipment,
4 or facility which contacts or may contact milk during the producing,
5 transporting, processing, or distributing of milk and milk products;

6 8. 7. "Milk distribution center" means any premises, owned or
7 operated by a ~~"milk distributor"~~ milk distributor, which distributes
8 and sells or offers to sell milk and milk products but does not
9 include an establishment which sells or offers to sell Grade A milk
10 and milk products at retail;

11 9. 8. "Milk facility" means the producing, processing,
12 transporting, or distributing premises and facilities which operate
13 under an appropriate and valid permit issued by the Commissioner, in
14 compliance with the Oklahoma Milk and Milk Products Act and the
15 rules of the Board;

16 10. 9. "Milk fat" or "butter fat" means the fat of milk;

17 11. 10. "Milk plant" means any premises owned or operated by a
18 ~~"milk processor"~~ milk processor where milk or milk products are
19 collected, manufactured, processed, pasteurized, bottled, stored, or
20 prepared for distribution for commercial purposes including, but not
21 limited to, a receiving or transfer station;

22 12. 11. "Milk products" means those products produced or
23 obtained from milk or any component or product of milk and defined
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1 by the Board, including Grade A milk products, ungraded raw milk,1
2 and ungraded milk products;

3 13. 12. "Milk tank truck cleaning facility" means any premises
4 or establishment, separate from a milk plant, receiving station, or
5 transfer station, where a milk tank truck is cleaned and sanitized;

6 14. 13. "Milk tank truck driver" means any person transporting
7 raw or pasteurized milk products between a milk plant, receiving
8 station, or transfer station;

9 15. 14. "Milk transportation company" means any person
10 responsible for a milk tank truck;

11 16. 15. "Pasteurized milk" means Grade A raw milk which has
12 been pasteurized and stored in accordance with the chemical,
13 bacteriological, and temperature standards required by the Board;

14 17. 16. "Receiving station" means any premises where raw milk
15 is received, collected, handled, stored, or cooled and prepared for
16 further transporting;

17 18. 17. "Retail food store" means any establishment which
18 offers for retail sale packaged or bulk food goods for human
19 consumption;

20 19. 18. "Transfer station" means any establishment or premises
21 where milk or milk products are transferred directly from one milk
22 tank truck to another; and

23 20. 19. "Ungraded milk products" and "manufacture grade milk
24 products" include, but are not limited to, butter, cheese, dry milk,
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1 condensed milk, filled or evaporated milk, frozen dairy dessert and
2 mello-drink products.

3 SECTION 3. AMENDATORY 2 O.S. 2021, Section 7-415, is
4 amended to read as follows:

5 Section 7-415. A. A fee of ~~one cent (\$0.01)~~ two cents (\$0.02)
6 shall be assessed on each one hundred (100) pounds of raw milk
7 produced in this state. Each co-op, marketing agent, or processing
8 plant where the raw milk is not collected by a co-op or marketing
9 agent, doing business in ~~Oklahoma~~ this state shall pay the fees each
10 calendar month to the Commissioner of Agriculture to be credited to
11 the Milk and Milk Products Inspection Revolving Fund of the State
12 Treasury.

13 B. There is hereby assessed a fee of ~~one cent (\$0.01)~~ two cents
14 (\$0.02) on each one hundred (100) pounds of Grade A milk or milk
15 products processed or offered for retail sale in ~~Oklahoma~~ this
16 state. Each milk plant doing business in ~~Oklahoma~~ this state shall
17 pay the fees each calendar month to the Commissioner to be credited
18 to the Milk and Milk Products Inspection Revolving Fund of the State
19 Treasury.

20 C. A fee of two cents (\$0.02) shall be assessed on each one
21 hundred (100) pounds of milk or milk products produced or processed
22 in another state and imported into ~~Oklahoma~~ shall be the same amount
23 ~~assessed on milk or milk products shipped to that state from~~
24 ~~Oklahoma~~ this state. The person shipping or causing the shipment of

1 milk or milk products shall be responsible for paying the fees semi-
2 annually on January 1 and July 1 of each year to the Commissioner
3 and such fees shall be credited to the Milk and Milk Products
4 Inspection Revolving Fund of the State Treasury.

5 SECTION 4. AMENDATORY 2 O.S. 2021, Section 7-421, is
6 amended to read as follows:

7 Section 7-421. The Oklahoma ~~State~~ Department of Agriculture,
8 Food, and Forestry is hereby designated as the official state agency
9 of this state for purposes of cooperating with and implementing the
10 dairy inspection and grading program under the jurisdiction of the
11 United States Department of Agriculture, the United States
12 Department of Health and Human Services, the United States Public
13 Health Service, and the United States Food and Drug Administration.

14 SECTION 5. This act shall become effective November 1, 2026.
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