

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 1080

By: Murdock

AS INTRODUCED

An Act relating to agriculture; amending 2 O.S. 2021, Sections 7-403, 7-414, and 7-417, which relate to the Oklahoma Milk and Milk Products Act; defining term; excluding donkey milk from certain provisions of act under certain circumstances; updating statutory language; making language gender neutral; and providing an effective date.

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

SECTION 1. AMENDATORY 2 O.S. 2021, Section 7-403, is amended to read as follows:

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

1. "Bulk milk hauler/sampler" means any person collecting official samples who may transport raw milk from a farm or raw milk products to or from a milk plant, receiving station, or transfer station and has in his or her possession a permit from any state to sample these products;

2. "Dairy farm" means any premises owned or operated by a ~~"milk producer"~~ milk producer where one or more cows or goats are kept,

1 and from which a part or all of the milk or milk products ~~is~~ are  
2 sold or offered for sale;

3 3. "Donkey milk" means the lacteal secretion, practically free  
4 from colostrum, obtained by the complete milking of one or more  
5 healthy donkeys;

6 4. "Goat milk" means the lacteal secretion, practically free  
7 from colostrum, obtained by the complete milking of one or more  
8 healthy goats;

9 4. 5. "Grade A milk and milk products" means milk and milk  
10 products at any stage from production through pasteurization and  
11 packaging, that are of the minimum quality and are produced, hauled,  
12 processed, and distributed under conditions which meet the  
13 requirements of the Oklahoma Milk and Milk Products Act;

14 5. 6. "Inhibitor" means any chemical or antibiotic substance  
15 which inhibits or retards the growth of bacteria in milk;

16 6. 7. "Milk" means the lacteal secretion, practically free from  
17 colostrum, obtained by the complete milking of one or more healthy  
18 cows, which contains not less than eight and one-fourth percent (8  
19 1/4%) milk solids-not-fat and not less than three and one-fourth  
20 percent (3 1/4%) milk fat. The term ~~"milk"~~ milk shall include  
21 donkey milk, goat milk, fluid market milk, and milk products for the  
22 purpose of distribution to the consumer, and may contain optional  
23 ingredients defined by the State Board of Agriculture and shall  
24 include ungraded and Grade A milk;

1       ~~7.~~ 8. "Milk contact surface" means any pipe, tank, equipment,  
2 or facility which contacts or may contact milk during the producing,  
3 transporting, processing, or distributing of milk and milk products;

4       ~~8.~~ 9. "Milk distribution center" means any premises, owned or  
5 operated by a ~~"milk distributor"~~ milk distributor, which distributes  
6 and sells or offers to sell milk and milk products but does not  
7 include an establishment which sells or offers to sell Grade A milk  
8 and milk products at retail;

9       ~~9.~~ 10. "Milk facility" means the producing, processing,  
10 transporting, or distributing premises and facilities which operate  
11 under an appropriate and valid permit issued by the Commissioner of  
12 Agriculture, in compliance with the Oklahoma Milk and Milk Products  
13 Act and the rules of the Board;

14       ~~10.~~ 11. "Milk fat" or "butter fat" means the fat of milk;

15       ~~11.~~ 12. "Milk plant" means any premises owned or operated by a  
16 ~~"milk processor"~~ milk processor where milk or milk products are  
17 collected, manufactured, processed, pasteurized, bottled, stored, or  
18 prepared for distribution for commercial purposes including, but not  
19 limited to, a receiving or transfer station;

20       ~~12.~~ 13. "Milk products" means those products produced or  
21 obtained from milk or any component or product of milk and defined  
22 by the Board, including Grade A milk products, ungraded raw milk,  
23 and ungraded milk products;

~~13.~~ 14. "Milk tank truck cleaning facility" means any premises or establishment, separate from a milk plant, receiving station, or transfer station, where a milk tank truck is cleaned and sanitized;

~~14.~~ 15. "Milk tank truck driver" means any person transporting raw or pasteurized milk products between a milk plant, receiving station, or transfer station;

~~15.~~ 16. "Milk transportation company" means any person responsible for a milk tank truck;

~~16.~~ 17. "Pasteurized milk" means Grade A raw milk which has been pasteurized and stored in accordance with the chemical, bacteriological, and temperature standards required by the Board;

~~17.~~ 18. "Receiving station" means any premises where raw milk is received, collected, handled, stored, or cooled and prepared for further transporting;

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

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

~~20.~~ 21. "Ungraded milk products" and "manufacture grade milk products" include, but are not limited to, butter, cheese, dry milk, condensed milk, filled or evaporated milk, frozen dairy dessert, and mello-drink products.

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

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

1. Include incidental sales of raw milk directly to consumers at the farm where the milk is produced;

2. Preclude the advertising of the incidental sale of goat milk or donkey 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 or donkey milk are those sales where the average monthly number of gallons sold does not exceed one hundred (100).

SECTION 3. AMENDATORY 2 O.S. 2021, Section 7-417, is amended to read as follows:

Section 7-417. A. No person shall produce, haul, process, or distribute ungraded raw milk or milk products or hold himself or herself out as an ungraded milk producer, hauler, processor, or distributor unless such person possesses an appropriate and valid permit for the particular premises or facilities concerned. The processing of permit applications and inspections shall be similar to the Grade A permit process.

B. A person may produce donkey milk for the use of incidental sales pursuant to Section 7-414 of this title without obtaining a

1 permit; provided, that any producer of donkey milk shall adhere to  
2 the inspection and investigation provisions of the Oklahoma Milk and  
3 Milk Products Act.

4 SECTION 4. This act shall become effective November 1, 2025.

5  
6 60-1-952 MR 1/16/2025 3:12:47 PM  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25