

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1788

4
5 By: Representatives Harris, Woods

For An Act To Be Entitled

8 AN ACT TO ALLOW THE INCIDENTAL SALE OF WHOLE MILK
9 THAT IS NOT PASTEURIZED; TO ALLOW THE STATE BOARD OF
10 HEALTH TO MAKE RULES FOR THE SALE OF WHOLE MILK THAT
11 IS NOT PASTEURIZED; AND FOR OTHER PURPOSES.

Subtitle

14 TO ALLOW THE INCIDENTAL SALE OF WHOLE
15 MILK THAT IS NOT PASTEURIZED AND TO ALLOW
16 THE STATE BOARD OF HEALTH TO MAKE RULES
17 FOR THE SALES.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code § 20-59-248 is amended to read as follows:

23 20-59-248. Incidental sales of goat milk and whole milk that has not
24 been pasteurized are not prohibited.

25 (a) For purposes of this section:

26 (1) ~~“incidental sales of goat milk”~~ “Incidental sales” are those
27 sales where the average monthly number of gallons sold does not exceed one
28 hundred (100) gallons; and

29 (2) “Whole milk” has the same meaning as it is defined in § 20-
30 59-201.

31 (b) The provisions of this subchapter shall not be construed to
32 prohibit incidental sales of raw goat milk or whole milk that has not been
33 pasteurized directly to consumers at the farm where the milk is produced or
34 to preclude the advertising of those incidental sales ~~of goat milk.~~

35 (c) With respect to whole milk that has not been pasteurized, the
36 State Board of Health may make rules that:



1 (1) Provide for the random inspection of a facility that
2 produces, processes, stores, or sells whole milk for human consumption that
3 has not been pasteurized;

4 (2) Require the seller to:

5 (A) Post at the point of sale a warning that the whole
6 milk has not been pasteurized; and

7 (B) Affix a label to the bottle or package warning that
8 the whole milk has not been pasteurized; and

9 (3) Recommend guidelines for the processing, packaging,
10 bottling, storing, and transporting of whole milk for human consumption that
11 has not been pasteurized.

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