

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 594 By: Jech of the Senate
3 and
4 Baker of the House
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7 [agriculture - Oklahoma Milk and Milk Products Act -
8 intent - effective date]
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10 AMENDMENT NO. 1. Replace the stricken title, enacting clause and
11 entire bill and insert

12 "An Act relating to agriculture; amending 2 O.S.
13 2011, Sections 7-404 and 7-413, which relate to the
14 Oklahoma Milk and Milk Products Act; removing
15 certain rule; expanding types of unlawful conduct;
and providing an effective date.

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

17 SECTION 1. AMENDATORY 2 O.S. 2011, Section 7-404, is
18 amended to read as follows:

19 Section 7-404. A. The State Board of Agriculture shall
20 promulgate rules governing:

21 1. The production, transportation, processing, pasteurization,
22 handling, identity, sampling, examination, labeling, marking,
23 shipping statements, optional ingredients, definitions, and sanitary
24 conditions for milk and milk products;

1 2. The inspection and sanitary rating of dairy farms, bulk milk
2 hauler/samplers, milk transportation companies, milk tank truck
3 cleaning facilities, milk plants, and distribution centers engaged
4 in producing, transporting, processing, and distributing milk and
5 milk products;

6 3. The issuing, modifying, suspending, and revoking of permits
7 to producers, bulk milk hauler/samplers, milk transportation
8 companies, milk tank truck cleaning facilities, processors, and
9 distributors of milk and milk products;

10 4. The approval of facilities therefor ~~except for waste~~
11 ~~disposal therefrom, which shall be regulated by the Department of~~
12 ~~Environmental Quality;~~

13 5. All cheese factories;

14 6. All modes of transportation used for the distribution of
15 milk and cream to market; and

16 7. The labeling and packaging of milk and milk products.

17 B. The rules promulgated by the Board shall be in accord with
18 the minimum standards and requirements for milk and milk products
19 currently recommended and established by the United States
20 Department of Health and Human Services, Food and Drug
21 Administration, including the Recommended Grade A Pasteurized Milk
22 Ordinance.

23 SECTION 2. AMENDATORY 2 O.S. 2011, Section 7-413, is
24 amended to read as follows:

1 Section 7-413. It shall be unlawful for any person to
2 knowingly, willfully, recklessly or negligently:

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

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

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

10 4. Dip or ladle Grade A milk and milk products;

11 5. Transfer Grade A milk and milk products at any location
12 other than a permitted Grade A facility designed and equipped for
13 such purpose;

14 6. Prevent, interfere, or attempt to impede the Commissioner
15 from investigating and enforcing the Oklahoma Milk and Milk Products
16 Act;

17 7. Sell or serve Grade A milk and milk products from other than
18 the individual container, or approved bulk dispenser, received from
19 the distributor; or

20 8. Violate any provision of the Oklahoma Milk and Milk Products
21 Act.

22 SECTION 3. This act shall become effective November 1, 2017."
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1 ENGROSSED SENATE
2 BILL NO. 594

By: Jech of the Senate

3 and

4 Baker of the House

5
6 [agriculture - Oklahoma Milk and Milk Products Act -
7 intent - effective date]
8

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

10 SECTION 4. AMENDATORY 2 O.S. 2011, Section 7-404, is
11 amended to read as follows:

12 Section 7-404. A. The State Board of Agriculture shall
13 promulgate rules governing:

14 1. The production, transportation, processing, pasteurization,
15 handling, identity, sampling, examination, labeling, marking,
16 shipping statements, optional ingredients, definitions, and sanitary
17 conditions for milk and milk products;

18 2. The inspection and sanitary rating of dairy farms, bulk milk
19 hauler/samplers, milk transportation companies, milk tank truck
20 cleaning facilities, milk plants, and distribution centers engaged
21 in producing, transporting, processing, and distributing milk and
22 milk products;

23 3. The issuing, modifying, suspending, and revoking of permits
24 to producers, bulk milk hauler/samplers, milk transportation

1 companies, milk tank truck cleaning facilities, processors, and
2 distributors of milk and milk products;

3 4. The approval of facilities therefor ~~except for waste~~
4 ~~disposal therefrom, which shall be regulated by the Department of~~
5 ~~Environmental Quality;~~

6 5. All cheese factories;

7 6. All modes of transportation used for the distribution of
8 milk and cream to market; and

9 7. The labeling and packaging of milk and milk products.

10 B. The rules promulgated by the Board shall be in accord with
11 the minimum standards and requirements for milk and milk products
12 currently recommended and established by the United States
13 Department of Health and Human Services, Food and Drug
14 Administration, including the Recommended Grade A Pasteurized Milk
15 Ordinance.

16 SECTION 5. AMENDATORY 2 O.S. 2011, Section 7-413, is
17 amended to read as follows:

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

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

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

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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. Dip or ladle Grade A milk and milk products;

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

8 6. Prevent, interfere, or attempt to impede the Commissioner
9 from investigating and enforcing the Oklahoma Milk and Milk Products
10 Act;

11 7. Sell or serve Grade A milk and milk products from other than
12 the individual container, or approved bulk dispenser, received from
13 the distributor; or

14 8. Violate any provision of the Oklahoma Milk and Milk Products
15 Act.

16 SECTION 6. This act shall become effective November 1, 2017.

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1 Passed the Senate the 6th day of March, 2017.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2017.

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9 Presiding Officer of the House
10 of Representatives