

GRADE A MILK LAW OF 2001 (EXCERPT)
Act 266 of 2001

***** 288.500.amended THIS AMENDED SECTION IS EFFECTIVE JUNE 20, 2008 *****

288.500.amended Licensing required; prohibited conduct; compliance with act; temporary license or permit; state agencies operating dairy facilities; applicant for initial grade A dairy farm permit; examination of books, records, and accounts; applicants for permits or licenses; milk products manufactured at retail food establishments.

Sec. 30. (1) A person shall not do any of the following without being licensed under this act:

- (a) Produce grade A milk to be offered for sale.
- (b) Collect grade A milk samples for regulatory purposes.
- (c) Operate a milk transportation company that owns or operates a bulk milk tank truck.

(d) Process, label, distribute, or sell grade A milk or grade A milk products, except that a person operating a retail food establishment is exempt from licensure under this act if he or she complies with subsection (8) and is licensed under the food law of 2000. This subdivision does not prevent the sale, at wholesale or retail at a retail food establishment licensed under the food law of 2000, of milk or milk products that are packaged in final consumer packages at a facility licensed under this act.

- (e) Wash milk tank trucks.

(f) Manufacture single service containers or closures to be used for grade A milk products, except that the manufacture of single service containers and closures for grade A dry milk products are exempt from this section.

(2) A person licensed under the manufacturing milk law of 2001 or this act and engaged in activities regulated under this act shall comply with the requirements of this act, where applicable, and is subject to the penalties set forth in this act, where applicable.

(3) The director may issue a temporary license or permit for activities regulated by this act.

(4) State agencies operating dairy facilities under a memorandum of understanding with the department are not required to be licensed or permitted or to provide producer security under this act but are required to otherwise be in compliance with this act.

(5) An applicant for an initial grade A dairy farm permit shall complete education, acceptable to the director, on drug residue avoidance control measures, as identified in the pasteurized milk ordinance, prior to receiving the permit.

(6) The director shall examine the books, records, and accounts of a milk plant if the milk plant has not responded to requests from the director pursuant to section 31 or article IV. All examinations of books, records, and accounts required under this subsection shall be made within this state.

(7) All applicants for a permit or license must complete an application provided by the department and meet the minimum requirements of this act, the pasteurized milk ordinance, and rules promulgated under this act.

(8) Milk products manufactured at retail food establishments licensed under the food law of 2000 are exempt from this act if both of the following conditions are met:

- (a) All ingredients contained in these products comply with the requirements of the food law of 2000.
- (b) The milk products manufactured are not sold wholesale or to another business entity.

History: 2001, Act 266, Eff. Feb. 8, 2002;—Am. 2008, Act 136, Eff. June 20, 2008.