

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Tullis**

A Bill ACT 328 OF 1991

HOUSE BILL 1340

For An Act To Be Entitled

8 "AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE
9 PERTAINING TO REGULATION AND INSPECTION OF MANUFACTURED
10 MILK; AND FOR OTHER PURPOSES."

11

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

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14 SECTION 1. Arkansas Code Annotated 20-59-206 is hereby amended to read
15 as follows:

16 "20-59-206. Dairy plant license.

17 (a) A dairy products plant manufacturing, processing, or packaging any
18 dairy products other than those listed in 20-59-207 as frozen desserts shall
19 be required to have a dairy plant license.

20 (b) Every person buying or receiving milk, cream, or dairy products for
21 manufacturing, processing, or packaging shall be required to procure from the
22 Director of the Department of Health an annual dairy plant license for each
23 location where milk, cream, or dairy products are received for the purpose of
24 manufacturing, processing, or packaging.

25 (c) License fees for plant licenses shall be as follows:

26 (1) For a plant purchasing fluid milk, the fee shall be based on
27 the pounds of fluid milk received the previous year:

28	Up to and including 5,000,000 lbs. milk	\$ 100.00	
29	5,000,001 -- 15,000,000 lbs.	\$ 200.00	
30	15,000,001 -- 25,000,000 lbs.	\$ 400.00	25,000,001 -
31	- 40,000,000 lbs.	\$ 600.00	40,000,001 -- 60,000,000 lbs.
32	\$ 800.00	60,000,001 pounds and up
33			\$1,000.00

34 (2) For a plant receiving cream, the fee shall be based on pounds
35 of butterfat received the previous fiscal year:

36 Up to and including 200,000 lbs. butterfat \$ 100.00

1	200,001 -- 400,000 lbs.	\$ 200.00	
2	400,001 -- 600,000 lbs.	\$ 400.00	
3	600,001 -- 1,000,000 lbs.	\$ 600.00	1,000,001
4	pounds and up	\$ 800.00"	

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6 SECTION 2. Arkansas Code Annotated 20-59-207 is hereby amended to read
7 as follows:

8 "20-59-207. Frozen dessert manufacturer's license.

9 (a) For purposes of licensing, a dairy plant manufacturing or packaging
10 frozen dessert such as ice cream, ice cream mix, ice milk, ice milk mix,
11 frozen malted milk, frozen custard, ice or ice sherbets, and novelties shall
12 be licensed as a frozen dessert manufacturer.

13 (b) Any person making frozen dessert for sale shall be required to
14 procure from the Director of the Department of Health an annual frozen dessert
15 manufacturer's license for each location or plant where frozen dessert is
16 manufactured.

17 (c) License fees for frozen dessert manufacturers' licenses shall be
18 based on the gallons of mix or the finished products manufactured or sold the
19 previous year. License fees shall be based on previous year's production:

20	Up to and including 10,000 gallons	\$ 60.00
21	10,001 ----- 20,000 gallons	\$ 100.00
22	20,001 ----- 100,000 gallons	\$ 200.00
23	100,001 ---- 350,000 gallons	\$ 400.00
24	350,001 ---- 500,000 gallons	\$ 600.00
25	500,001 ---- 750,000 gallons	\$ 800.00
26	750,001 -- 1,000,000 gallons	\$1,000.00
27	1,000,001 gallons and up	\$1,200.00"

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29 SECTION 3. Arkansas Code Annotated 20-59-209 is hereby amended to read
30 as follows:

31 "20-59-209. Mellorine manufacturer's license.

32 (a) For a mellorine plant making, processing, manufacturing, freezing,
33 or packaging mellorine or mellorine mix, the method for determining the
34 license fee for a mellorine manufacturer's license shall be based on the
35 gallons of mix or the finished products manufactured or sold the previous

1 year.

2 (b) License fees shall be based on the previous year's production:

3	Up to and including 10,000 gallons	\$ 60.00
4	10,001 ----- 20,000 gallons	\$ 100.00
5	20,001 ---- 100,000 gallons	\$ 200.00
6	100,001 ---- 350,000 gallons	\$ 400.00
7	350,001 ---- 500,000 gallons	\$ 600.00
8	500,001 ---- 750,000 gallons	\$ 800.00
9	750,001 -- 1,000,000 gallons	\$1,000.00
10	1,000,001 gallons and up	\$1,200.00"

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12 SECTION 4. Arkansas Code Annotated 20-59-247(a) is hereby amended to
13 read as follows:

14 "20-59-247. Disposition of funds. (a) All fees and fines collected
15 under this subchapter are special revenues and shall be deposited in the State
16 Treasury to the credit of the Public Health Fund to be used exclusively by the
17 Division of Sanitarian Services."

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19 SECTION 5. All provisions of this act of a general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.

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23 SECTION 6. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.

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29 SECTION 7. All laws and parts of laws in conflict with this act are
30 hereby repealed.

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APPROVED: 3-4-91

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