

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1536

5 By: Representative Alexander
6

For An Act To Be Entitled

8 AN ACT TO PROMOTE THE USE OF LOCALLY PRODUCED MILK
9 PRODUCTS; TO ALLOW THE INCIDENTAL SALE OF LOCALLY
10 PRODUCED WHOLE MILK THAT IS NOT PASTEURIZED; TO ALLOW
11 THE STATE BOARD OF HEALTH TO MAKE RULES FOR THE SALE
12 OF LOCALLY PRODUCED WHOLE MILK THAT IS NOT
13 PASTEURIZED; AND FOR OTHER PURPOSES.
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Subtitle

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16 TO PROMOTE LOCAL MILK PRODUCTS; TO ALLOW
17 THE INCIDENTAL SALE OF WHOLE MILK THAT IS
18 NOT PASTEURIZED; AND TO ALLOW THE STATE
19 BOARD OF HEALTH TO MAKE RULES FOR THE
20 SALES.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 20-59-248 is amended to read as follows:

27 20-59-248. Incidental sales of ~~goat milk~~ whole milk that has not been
28 pasteurized not prohibited.

29 (a) For purposes of this section:

30 (1) ~~"incidental sales of goat milk"~~ "Incidental sales" are those
31 sales where the average monthly number of gallons sold does not exceed ~~one~~
32 ~~hundred (100)~~ five hundred gallons;

33 (2) "Locally produced whole milk products" means whole milk that
34 has been produced on an Arkansas farm; and

35 (3)(A) "Whole milk" means the lacteal secretion obtained by the
36 complete milking of one (1) or more healthy cows, properly fed and kept, that



1 when offered for sale contains at least three and one-fourth percent (3¼%) of
2 butterfat and eight and one-fourth percent (8¼%) solids not fat.

3 (B) "Whole milk" does not include lacteal secretion
4 obtained within fifteen (15) days before or five (5) days after calving or a
5 longer period if necessary to render the milk practically colostrum free.

6 (b) The provisions of this subchapter shall not be construed to This
7 subchapter does not prohibit incidental sales of ~~raw goat milk~~ whole milk
8 that has not been pasteurized directly to consumers at the farm where the
9 milk is produced or ~~to~~ preclude the advertising of incidental sales of ~~goat~~
10 milk.

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

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

16 (2) Require the seller to:

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

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

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

24 (4) The board shall not adopt a rule regarding whole milk that
25 has not been pasteurized that is more stringent than rules adopted for other
26 milk products sold in Arkansas.