

FIRST REGULAR SESSION

HOUSE BILL NO. 130

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CUNNINGHAM.

0204L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 196, RSMo, by adding thereto one new section relating to labeling of milk.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 196, RSMo, is amended by adding thereto one new section, to be known as section 196.691, to read as follows:

196.691. 1. As used in this section, the following terms shall mean:

(1) "Fresh milk", milk offered for sale to the public which has not been dehydrated, rehydrated, or reconstituted in whole or in part and shall not contain caseins, casein products, or caseinates other than those caseins, casein products, or caseinates which occur naturally;

(2) "Midwestern fresh milk", milk consisting of entirely fresh milk produced in Missouri, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, or Wisconsin;

(3) "Missouri fresh milk", milk consisting entirely of fresh milk produced in Missouri.

2. Milk containers may be labeled as fresh, Missouri fresh, or Midwestern fresh as long as the requirements of subsection 1 of this section are met.

3. Any person who violates this section shall be assessed a civil fine of one thousand dollars per violation.

4. The Missouri department of agriculture shall enforce this section and promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,
20 RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers
21 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the
22 effective date, or to disapprove and annul a rule are subsequently held unconstitutional,
23 then the grant of rulemaking authority and any rule proposed or adopted after August 28,
24 2009, shall be invalid and void.

✓