

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 774, Page 38, Section 195.815, Line 28,
2 by inserting after all of said section and line the following:

3
4 "196.931. As used in sections 196.931 to 196.953 unless the context clearly indicates
5 otherwise, the following words and terms shall have the meaning indicated:

6 (1) "Grade A pasteurized milk", grade A raw milk for pasteurization which has been
7 pasteurized, cooled, and placed in the final container in a milk plant and conforming with the
8 sanitation and bacteriological standards authorized by sections 196.931 to 196.953 and regulations
9 promulgated thereunder;

10 (2) "Grade A raw milk for pasteurization", raw milk for pasteurization from producer dairies
11 and conforming with all of the sanitation and bacteriological standards authorized by sections
12 196.931 to 196.953 and regulations which are promulgated thereunder;

13 (3) "Grade A retail raw milk or cream", raw milk or cream produced upon dairy farms
14 conforming to sanitation and bacteriological standards that meet or exceed that of grade A
15 pasteurized milk;

16 (4) "Graded fluid milk and fluid milk products", milk products include cream, light cream,
17 coffee cream, table cream, whipping cream, light whipping cream, heavy cream, heavy whipping
18 cream, whipped cream, whipped light cream, whipped coffee cream, whipped table cream, sour
19 cream, cultured sour cream, half-and-half, sour half-and-half, cultured half-and-half, reconstituted or
20 recombined milk and milk products, concentrated milk, concentrated milk products, skim milk,
21 skimmed milk, lowfat milk, fortified milk and milk products, vitamin D milk and milk products,
22 homogenized milk, flavored milk or milk products, eggnog, eggnog flavored milk, eggnog flavored
23 lowfat milk, buttermilk, cultured buttermilk, cultured milk, cultured whole milk buttermilk, and
24 acidified milk and milk products, and other fluid milk and fluid milk products so declared by the
25 board which are sold, offered for sale, exposed for sale, delivered or advertised as graded milk and
26 milk products;

27 [(4)] (5) "Manufacturing raw milk", milk that does not meet the requirements of grade A
28 raw milk for pasteurization as defined in sections 196.931 to 196.959;

29 [(5)] (6) "Milk plant", any place, premises or establishment where graded fluid milk or fluid
30 milk products are collected, handled, processed, stored, bottled, pasteurized and prepared for
31 distribution, except an establishment where graded fluid milk products are sold at retail as purchased
32 from a milk plant;

33 [(6)] (7) "Milk plant operator", any person, firm, corporation or association operating any
34 milk plant;

35 [(7)] (8) "Milk producer", any person who operates a dairy farm and provides, sells, or
36 offers milk for sale to a milk plant, receiving station, or transfer station;

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1 [(8)] (9) "Official rating agency", the state milk board;
 2 [(9)] (10) "Official rating survey", the survey conducted by the official state rating agency,
 3 as required by sections 196.931 to 196.953;

4 [(10)] (11) "Person" [shall mean], an individual or individuals, or a firm, partnership,
 5 company, corporation, trustee, or association;

6 [(11)] (12) "Political subdivision", any municipality, city, incorporated town, village,
 7 county, township, district or authority, or any portion or combination of two or more thereof;

8 [(12)] (13) "State department of agriculture", the department of agriculture of Missouri;

9 [(13)] (14) "State department of health and senior services", the department of health and
 10 senior services of Missouri;

11 [(14)] (15) "State milk board", an appointed state agency functioning as administrator of
 12 state milk inspection; [and]

13 [(15)] (16) "State milk inspection", the services of inspection, regulation, grading, and
 14 program evaluation of fluid milk and fluid milk products by agents, representatives or employees of
 15 the state milk board under the terms and provisions of sections 196.931 to 196.959 and regulations
 16 adopted to regulate the production, transportation, processing, manufacture, distribution and sale of
 17 graded fluid milk and fluid milk products.

18 196.935. 1. No person shall sell, offer for sale, expose for sale, transport, or deliver any
 19 graded fluid milk or graded fluid milk products in this state unless the milk or milk products are
 20 graded and produced, transported, processed, manufactured, distributed, labeled and sold under state
 21 milk inspection and the same has also been produced or pasteurized as required by a regulation
 22 authorized by section 196.939 and under proper permits issued thereunder. Only pasteurized graded
 23 fluid milk and fluid milk products as defined in subdivision [(3)] (4) of section 196.931 shall be sold
 24 to the final consumer, or to restaurants, soda fountains, grocery stores, or similar establishments;
 25 except that:

26 (1) Grade A retail raw milk or cream produced in Missouri may be sold to grocery stores,
 27 restaurants, soda fountains, or similar establishments as long as:

28 (a) The grade A retail raw milk or cream is clearly labeled "WARNING: This product has
 29 not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in
 30 children, the elderly, and persons with weakened immune systems"; and

31 (b) If the grade A retail raw milk or cream is sold in a manner that does not allow the final
 32 consumer to see the product with the label described in paragraph (a) of this subdivision, the label is
 33 presented to the consumer through a written notice on the menu or in some other manner; and

34 (2) An individual, who is the final consumer, may purchase and have delivered to him or her
 35 for his or her own use raw milk or cream from a farm.

36 2. No bottler or distributor of grade A retail raw milk or cream shall expose for sale,
 37 transport, or deliver any milk in this state unless the milk has been inspected by the state milk board
 38 at an interval set by the board but not less than quarterly.

39 3. Any dairy farm producing grade A retail raw milk or cream shall have its herd accredited
 40 or certified by the United States Department of Agriculture as a tuberculosis-free and a brucellosis-
 41 free herd. While the herd is in the process of qualifying for such United States Department of
 42 Agriculture accreditation or certification, all animals in the herd shall be tested annually for
 43 tuberculosis and brucellosis until such herd is accredited or certified."; and

44
 45 Further amend said bill by amending the title, enacting clause, and intersectional references
 46 accordingly.