

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1162

By: Gann

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5
6 AS INTRODUCED

7 An Act relating to agriculture; enacting the Real
8 Access to Whole Milk Act of 2025; amending sections
9 2 O.S. 2021, Section 7-413, 7-414, and 7-417, which
10 relates to the Oklahoma Milk and Milk Products Act;
11 providing that it is a violation to sell milk or milk
12 products without an appropriate or valid permit;
13 providing maximum number of gallons of raw milk sold
14 to be considered incidental; increasing the number of
15 gallons of goat milk sold to be considered
16 incidental; requiring permit to sale; providing for
17 noncodification; and providing an effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law not to be
20 codified in the Oklahoma Statutes reads as follows:

21 This act shall be known and may be cited as the "Real Access to
22 Whole Milk Act of 2025".

23 SECTION 2. AMENDATORY 2 O.S. 2021, Section 7-413, is
24 amended to read as follows:

Section 7-413. It shall be unlawful for any person to
knowingly, willfully or recklessly:

- 1 1. Attempt to produce, haul, process, sell ~~or distribute~~ milk
2 or milk products without an appropriate and valid permit;
- 3 2. Sell, offer or expose for sale as Grade A any adulterated or
4 misbranded milk or milk product;
- 5 3. Sell, offer, expose for sale or serve milk and milk products
6 which have not been maintained at or below the temperature specified
7 by the State Board of Agriculture;
- 8 4. Dip or ladle Grade A milk and milk products;
- 9 5. Transfer Grade A milk and milk products at any location
10 other than a permitted Grade A facility designed and equipped for
11 such purpose;
- 12 6. Prevent, interfere or attempt to impede the Commissioner
13 from investigating and enforcing the Oklahoma Milk and Milk Products
14 Act;
- 15 7. Sell or serve Grade A milk and milk products from other than
16 the individual container, or approved bulk dispenser, received from
17 the distributor; or
- 18 8. Violate any provision of the Oklahoma Milk and Milk Products
19 Act.

20 SECTION 3. AMENDATORY 2 O.S. 2021, Section 7-414, is
21 amended to read as follows:

22 Section 7-414. A. The provisions of the Oklahoma Milk and Milk
23 Products Act shall not be construed to:

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1 1. Include incidental sales of raw milk directly to consumers
2 at the farm where the milk is produced, where the average monthly
3 number of gallons sold does not exceed five hundred (500);

4 2. Preclude the advertising of the incidental sale of goat
5 milk; and

6 3. Prohibit any farmer or producer from making cheese using
7 milk or cream produced on the farm of such farmer or producer.

8 B. For purposes of this section, incidental sales of goat milk
9 are those sales where the average monthly number of gallons sold
10 does not exceed ~~one hundred (100)~~ three hundred (300).

11 SECTION 4. AMENDATORY 2 O.S. 2021, Section 7-417, is
12 amended to read as follows:

13 Section 7-417. No person shall produce, haul, process, ~~or~~
14 distribute, or sell ungraded raw milk or milk products or hold
15 themselves out as an ungraded milk producer, hauler, processor or
16 distributor unless such person possesses an appropriate and valid
17 permit for the particular premises or facilities concerned. The
18 processing of permit applications and inspections shall be similar
19 to the Grade A permit process.

20 SECTION 5. This act shall become effective November 1, 2025.

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22 60-1-10534 JL 12/16/24
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