

# FINAL BILL REPORT

## ESB 5962

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C 225 L 95  
Synopsis as Enacted

**Brief Description:** Changing dairy products regulations.

**Sponsors:** Senators Rasmussen and Newhouse.

**Senate Committee on Agriculture & Agricultural Trade & Development**  
**House Committee on Agriculture & Ecology**

**Background:** The Department of Agriculture inspects dairy farms at least once every six months to determine compliance with the pasteurized milk ordinance. The items inspected range from how milk facilities are constructed and maintained to allowable bacteria counts in milk. If there are repeat violations, the milk is required to be degraded from class A milk to class C milk. Class C milk may be used in manufactured milk products such as ice cream, powdered milk or cheese.

Concern exists as to whether milk should be required to be degraded if the degrading was the result of nonhealth related violations of the pasteurized milk ordinance.

A provision of the pasteurized milk ordinance in effect since 1949 was intended to prohibit selling milk out of a milk can to the consumer. Instead, milk is to be sold to the consumer in individual containers or from approved dispensing devices. Concern exists that dispensing milk for coffee and lattes from small containers would be in violation of current law.

**Summary:** The Dairy Inspection Advisory Committee is directed to develop a proposal to impose a civil penalty that would be in lieu of a degrading. In developing a proposal, the federal Food and Drug Administration and neighboring states must be consulted. A written report of the committee's conclusions and recommendations are to be provided to the Legislature by December 15, 1995.

Milk that is consumed on the premises can be served from a container if the serving size does not exceed one-half pint.

**Votes on Final Passage:**

Senate	47	0	
House	97	0	(House amended)
Senate	46	0	(Senate concurred)

**Effective:** July 23, 1995