

1 STATE OF OKLAHOMA

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

3 POLICY COMMITTEE
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 1162

7 By: Gann

8 POLICY COMMITTEE RECOMMENDATION

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

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

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

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

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

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

3 1. Attempt to produce, haul, process or ~~distribute~~, sell milk
4 or milk products without an appropriate and valid permit;

5 2. Sell, offer or expose for sale as Grade A any adulterated or
6 misbranded milk or milk product;

7 3. Sell, offer, expose for sale or serve milk and milk products
8 which have not been maintained at or below the temperature specified
9 by the State Board of Agriculture;

10 4. Dip or ladle Grade A milk and milk products;

11 5. Transfer Grade A milk and milk products at any location
12 other than a permitted Grade A facility designed and equipped for
13 such purpose;

14 6. Prevent, interfere or attempt to impede the Commissioner of
15 Agriculture from investigating and enforcing the Oklahoma Milk and
16 Milk Products Act;

17 7. Sell or serve Grade A milk and milk products from other than
18 the individual container, or approved bulk dispenser, received from
19 the distributor; or

20 8. Violate any provision of the Oklahoma Milk and Milk Products
21 Act.

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

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

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

6 2. Preclude the advertising of the incidental sale of goat
7 milk; and

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

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

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

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

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

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