

**Title 2—DEPARTMENT OF
AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade “A” Pasteurized
Milk Regulations**

2 CSR 80-2.050 Inspection Frequency and Procedure

*PROPOSED PURPOSE: This rule is for the purpose of updating requirements concerning inspection frequency and procedures. This rule corresponds with Section 5 of the **Grade “A” Pasteurized Milk Ordinance (PMO)**, 2013 Revision of the United States Department of Health and Human Services, Public Health Service, Food and Drug Administration.*

PUBLISHER’S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Each dairy farm, milk plant, receiving station, transfer station, and milk distributor whose milk or milk products are intended for consumption within Missouri or its jurisdiction and each milk hauler who collects samples of raw milk for pasteurization, for bacterial, chemical, or temperature standards and hauls milk from a dairy farm to a milk plant, transfer station, or receiving station and bulk milk pick-up tanker and its appurtenances shall be inspected by the regulatory agency prior to the issuance of a permit. Following the issuance of a permit, each bulk milk pick-up tanker shall be inspected at least once every [twelve (12)] **twenty-four (24) months plus the remaining days of the month in which inspection is due**, milk hauler shall be inspected at least once every twenty-four (24) months, dairy farm, milk distributor, and transfer station shall be inspected at least once every six (6) months. Each milk plant and receiving station shall be inspected at least once every three (3) months. Should the violation of any requirement, set forth in 2 CSR 80-2.070 (Section 7 of the PMO), or in the case of a milk hauler 2 CSR 80-2.060 also (Section 6 of the PMO), be found to exist on an inspection, a second inspection shall be required after the time deemed necessary to remedy the violation, but not before three (3) days; this second inspection shall be used to determine compliance with the requirements of 2 CSR 80-2.070 (Section 7 of the PMO) or in the case of a milk hauler 2 CSR 80-2.060 also (Section 6 of the PMO). Any violation of the same requirement of 2 CSR 80-2.070 (Section 7 of the PMO), or in the case of a milk hauler 2 CSR 80-2.060 also (Section 6 of the PMO) on the second inspection shall call for permit suspension in accordance with 2 CSR 80-2.030 (Section 3 of the PMO), court action, or both. Additionally, flagrant violations on the part of a hauler such as fraudulent practices, intentional adulteration, or any action adversely affecting the integrity of producer milk samples shall result in immediate permit suspension in accordance with 2 CSR 80-2.030 (Section 3 of the PMO), court action, or both.

AUTHORITY: section 196.939, RSMo 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007, effective July 30, 2007. Amended: Filed Aug. 3, 2009, effective Jan. 30, 2010. Amended: Filed March 13, 2012, effective Sept. 30, 2012. Amended: Filed July 23, 2013, effective Feb. 28, 2014. Amended: Filed July 23, 2014, effective Jan. 30, 2015.*

**Original authority: 196.939, RSMo 1972, amended 1993, 1994, 1995.*

PUBLIC COST: This proposed amendment will not cost public entities more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Milk Board, 1616 Missouri Boulevard, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.