

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

2 CSR 80-2.020 Sale of Adulterated, Misbranded Milk, or Milk Products. The State Milk Board is amending the purpose, publishers note, and section (2).

PURPOSE: The purpose of this amendment is the update to the current revision of the Pasteurized Milk Ordinance and wording.

*PURPOSE: This rule provides for the control of adulterated, misbranded Grade “A” milk, or milk products, or any combination of these. This rule corresponds with Section 2 of the **federal Grade “A” Pasteurized Milk Ordinance (PMO)**—2015 Revision of the United States Department of Health and Human Services, Public Health Service, Food and Drug Administration], **as adopted in 2 CSR 80-2.001.***

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) No person shall produce, provide, sell, offer, or expose for sale, or have in possession with intent to sell, within the state of Missouri, or its jurisdiction, any milk or milk product which is adulterated or misbranded. Provided that, in an emergency, the sale of pasteurized milk and milk products which have not been graded, or the grade of which is unknown, may be authorized by the regulatory agency, in which case those products shall be labeled ungraded.

(2) Any adulterated or misbranded milk or milk product may be impounded under proper authority by the regulatory agency and disposed of in accordance with applicable laws or regulations, **including the Grade “A” Pasteurized Milk Ordinance, as adopted in 2 CSR 80-2.001.** [The Grade “A” Pasteurized Milk Ordinance (PMO), 2015 Revision is hereby incorporated by reference as published by the United States Department of Health and Human Services, Public Health Service, Food and Drug Administration, Division of Plant and Dairy Food Safety (HFS-316), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the Pasteurized Milk Ordinance (PMO).]

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, 2014, effective Jan. 30, 2015. Amended: Filed April 22, 2016, effective Oct. 30, 2016.

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

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions 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 amendment with the State Milk Board, 1616 Missouri Boulevard, Jefferson City, MO 65109 or online at agriculture.mo.gov/proposed-rules/. 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.