
SENATE FLOOR AMENDMENTS

2015 Regular Session

Amendments proposed by Senator LaFleur to Engrossed House Bill No. 79 by Representative Burford

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 40:4.9(D)" insert:

3 ", R.S. 40:921(A) and 922(A) and to enact Subpart C of Part VII of Chapter 4 of
4 Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:931
5 through 938"

6 AMENDMENT NO. 2

7 On page 1, line 3, after "for sale" insert "and for the sale of milk; to authorize incidental
8 sales of raw milk for human consumption "

9 AMENDMENT NO. 3

10 On page 1, line 6, after "taxes;" insert:

11 "to provide for labeling; to provide for chemical, bacteriological, and temperature
12 standards; to provide for sanitation standards; to provide for standards for bottling,
13 packaging, and container filling; to provide for animal health standards; to provide
14 for product recalls; to prohibit statements implying endorsement by the state
15 Department of Health and Hospitals;"

16 AMENDMENT NO. 4

17 On page 1, line 8, after ""R.S. 40:4.9(D)" delete the remainder of the line, and insert:

18 ", R.S. 40:921(A) and 922(A) are hereby amended and reenacted and Subpart C of
19 Part VII of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950,
20 comprised of R.S. 40:931 through 938, is hereby enacted to read as follows:"

21 AMENDMENT NO. 5

22 On page 2, after line 8, insert:

23 §921. Grade A requirements; powdered whole milk and powdered skim
24 milk labeling requirements

25 A. ~~At~~ **Except for the sale of raw milk pursuant to R.S. 40:931 et**
26 **seq., all** fluid milk, cream, buttermilk, and milk beverages sold, offered for
27 sale, or delivered for the purpose of human consumption as such, shall be
28 Grade A according to specifications in the rules and regulations promulgated
29 by the state Department of Health and Hospitals, hereinafter referred to as the
30 "department"; provided that a person may sell properly labeled milk of a
31 quality less than Grade A for a period of thirty days under permit from the
32 department, provided it is labeled as to grade.

33 * * *

34 §922. Rules and regulations prescribing sanitary standard requirements and
35 grade labeling requirements

36 A. The department is hereby empowered and shall hereby have the
37 authority to promulgate rules and regulations prescribing the sanitary
38 standard requirements of all milk sold or offered for sale in this state, **other**
39 **than raw milk sold pursuant to R.S. 40:931 et seq.,** provided that no rules
40 and regulations shall be promulgated setting up standards lower than those
41 as set forth in the U.S. Public Health Service Milk Ordinance and Code.

* * *

SUBPART C. SALE OF RAW MILK FOR HUMAN CONSUMPTION

§931. Definitions

As used in this Subpart:

(1) "Incidental sales of goat milk and whole milk for human consumption that has not been pasteurized" means those sales where the average monthly number of gallons sold does not exceed five hundred gallons.

(2) "Raw milk" means goat milk and whole milk that has not been pasteurized.

(3) "Whole milk" means the lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, that when offered for sale contains at least three and one-fourth percent of butterfat and eight and one-fourth percent solids that are not fat. The term "whole milk" shall not include lacteal secretion obtained within fifteen days before or five days after calving, or a longer period if necessary, to render the milk practically colostrum free.

§932. Incidental sales of raw milk for human consumption; authorization; labeling; inspection

A. Notwithstanding any provision of law to the contrary, incidental sales of raw goat milk or whole milk for human consumption may be made, provided such sales are made pursuant to the provisions of this Subpart.

B. Information describing the standards used by the farm or dairy with respect to the production of raw goat milk or whole milk shall be provided to the consumer by the farmer, together with the results of tests performed on the milk and the animals that produced the milk, and an explanation of the tests and test results.

C. With respect to goat milk or whole milk that has not been pasteurized, the seller shall affix a label to the bottle or package that includes the following information:

(1) The name and address of the farm or dairy, with the seller's contact information.

(2) The following statement: "Raw Milk: This product is fresh whole milk that has NOT been pasteurized."

D. A farmer who sells fresh unpasteurized goat milk or whole milk shall permit inspection of his cows or goats and barns by any customer, upon request, with reasonable notice.

E. A farmer shall permit the state Department of Health and Hospitals to inspect the farm's cows or goats and barns upon request of a customer. The farm shall post on the premises the date of the inspection and provide any findings made by the department to customers upon request.

§933. Chemical, bacteriological, and temperature standards

All raw milk produced for human consumption pursuant to this Subpart shall conform with all of the following chemical, bacteriological, and temperature standards:

(1) No process or manipulation other than appropriate straining and refrigeration shall be applied to the milk for the purpose of removing or deactivating microorganisms.

(2) The milk shall be temperature cooled to forty degrees Fahrenheit or lower immediately after being drawn at the first milking. The milk shall be maintained at that temperature until purchased by the customer.

(3) Drug residue tests on the milk shall be conducted at least two times during any consecutive twelve months. There shall be no positive results on drug residue detection methods.

(4) Raw milk shall not contain zoonotic pathogens including: Salmonella spp., Escherichia coli 0157:H7, Campylobacter spp., and Listeria monocytogenes.

(5) Raw milk testing for coliform bacteria shall result in a rolling three-month average of less than 25 coliforms per milliliter of raw milk.

(6) Raw milk testing for Standard Plate Count (SPC) shall result in less than 15,000 per milliliter of raw milk.

1 **(7) Documentation and assurance that herds are tuberculosis free and**
2 **tested one time per year or to meet local tuberculosis requirements shall be**
3 **provided.**

4 **(8) Documentation or assurance that herds are brucellosis free shall be**
5 **provided.**

6 **(9) All test results, including testing type and date of last test, shall be**
7 **logged and provided to customers upon request.**

8 **(10) Commingling of raw milk from other dairies is not permitted.**

9 **§934. Sanitation**

10 **All raw milk produced for human consumption pursuant to this Subpart**
11 **shall conform with all of the following sanitation requirements:**

12 **(1) Milk with abnormalities.**

13 **(a) Lactating animals which show evidence of the secretion of milk with**
14 **abnormalities in one or more quarters, based upon bacteriological, chemical,**
15 **or physical examination, shall be milked last or with separate equipment and**
16 **the milk shall be discarded.**

17 **(b) Lactating animals that have been treated with, or have consumed,**
18 **chemical, medicinal, or radioactive agents, which are capable of being secreted**
19 **in the milk and which may be deleterious to human health, shall be milked last**
20 **or with separate equipment and the milk shall be discarded.**

21 **(c) Milk from lactating animals being treated with medicinal agents**
22 **which are capable of being secreted in the milk shall not be offered for sale for**
23 **such time period as is recommended by the attending veterinarian or as**
24 **indicated on the package label of the medicinal agent.**

25 **(d) Milk from lactating animals treated with or exposed to insecticides**
26 **not approved for use on dairy animals by the United States Environmental**
27 **Protection Agency shall not be offered for sale.**

28 **(e) Bloody, stringy, off-colored milk or milk that is abnormal to sight or**
29 **odor, shall be handled and disposed of in a manner that precludes the infection**
30 **of other lactating animals and the contamination of milk utensils.**

31 **(f)(i) Lactating animals secreting milk with abnormalities shall be**
32 **milked last or in separate equipment which effectively prevents the**
33 **contamination of the wholesome supply.**

34 **(ii) Milking equipment used on animals with abnormalities in their milk**
35 **shall be maintained clean to reduce the possibility of re-infection or cross-**
36 **infection of the dairy animals.**

37 **(g) Equipment, utensils, and containers used for the handling of milk**
38 **with abnormalities shall not be used for the handling of milk to be distributed,**
39 **unless they are first cleaned and effectively sanitized.**

40 **(h)(i) Processed animal waste derivatives used as a feed ingredient for**
41 **any portion of the total ration of the lactating dairy animal shall be properly**
42 **processed in accordance with at least those requirements contained in the Model**
43 **Regulations for Processed Animal Wastes as Animal Feed Ingredients**
44 **developed by the Association of American Feed Control Officials and shall not**
45 **contain levels of deleterious substances, harmful pathogenic organisms, or other**
46 **toxic substances which are secreted in the milk at any level that may be**
47 **deleterious to human health.**

48 **(ii) Unprocessed poultry litter and unprocessed recycled animal body**
49 **discharges shall not be fed to lactating dairy animals.**

50 **(2) Milking barn or parlor construction.**

51 **(a) A milking barn or parlor shall be provided on all farms or dairies in**
52 **which the milking herd shall be housed during milking time operations.**

53 **(b) All floors shall be maintained in good repair and free of excessive**
54 **breaks or low areas that may create pools.**

55 **(c)(i) Walls and ceilings shall be smooth, painted, or finished in an**
56 **approved manner, and in good repair.**

57 **(ii) Approved materials include wood, tile, smooth-surfaced concrete,**
58 **cement plaster, brick, or other equivalent materials with light colored surfaces.**

59 **(iii) Walls, partitions, doors, shelves, windows, and ceilings shall be kept**
60 **in good repair. Surfaces shall be refinished whenever wear or discoloration is**
61 **evident.**

1 (iv) If feed is stored overhead, ceilings shall be constructed to prevent
 2 the sifting of chaff and dust into the milking barn, stable, or parlor. If a hay
 3 opening is provided from the loft into the milking portion of the barn, the
 4 opening shall be provided with a dust-tight door which shall be kept closed
 5 during milking operations.

6 (d) Separate stalls or pens for horses, calves, and bulls shall be provided.
 7 The portions of the barn that are not separated by tight partitions shall comply
 8 with all requirements of this Section.

9 (e) Natural or artificial light well distributed for day or night milking
 10 shall be provided to ensure that all surfaces, particularly the working areas, will
 11 be plainly visible. The equivalent of at least ten foot-candles, or one hundred
 12 ten lux, of light in all working areas shall be provided.

13 (f) Sufficient air space and air circulation to prevent condensation and
 14 excessive odors shall be provided.

15 (3) Milking barn, stable, or parlor cleanliness.

16 (a) The interior of the milking barn, stable, or parlor shall be kept clean.
 17 Floors, walls, ceilings, windows, pipelines, and equipment shall be free of filth
 18 and litter and shall be kept clean. Outside surfaces of pipeline systems located
 19 in the milking barn, stable, or parlor shall be kept reasonably clean.

20 (b) Gutter cleaners shall be kept reasonably clean.

21 (c) Swine and fowl shall be kept out of the milking barn.

22 (d) All pens, calf stalls, and bull pens, if not separated from the milking
 23 barn, stable, or parlor, shall be kept clean.

24 (e) Feed shall be stored in a manner that will not increase the dust
 25 content of the air or interfere with the cleaning of the floor, such as in covered,
 26 dust-tight boxes or bins. Open feed dollies or carts may be used for distributing
 27 the feed, but not for storing food, in the milking area.

28 (f) Milk stools, surcingles, and antikickers shall be kept clean and stored
 29 in a clean place in the milking barn, stable, parlor, or milkhouse, when not in
 30 use.

31 (g) Food mangers shall be kept clean so as not to attract flies. Leftover
 32 feed in feed mangers shall appear fresh and not be wet or soggy.

33 (4) Cowyard.

34 (a) The cowyard, which is interpreted to be the enclosed or unenclosed
 35 area approximately adjacent to the milking barn in which the lactating animals
 36 may congregate, including animal-housing areas and feed lots, shall be graded
 37 and drained and shall have no standing pools of water or accumulations of
 38 organic wastes.

39 (b) Wastes from the barn or milkhouse shall not be allowed to pool in
 40 the cowyard. Depressions and soggy areas shall be filled and lactating animal
 41 lanes kept reasonably dry. Cowyards which are muddy due to recent rains shall
 42 not be considered a violation of this Paragraph.

43 (c) Manure, soiled bedding, and waste feed shall not be stored or
 44 permitted to accumulate in such a manner as to permit the soiling of lactating
 45 animals' udders and flanks. Animal-housing areas including stables without
 46 stanchions, such as loose-housing stables, pen stables, resting barns, holding
 47 barns, loafing sheds, wandering sheds, or free-stall housing, shall be considered
 48 part of the cowyard. Manure packs shall be solid to the footing of the animal.

49 (d) In loafing or lactating animal housing areas, lactating animal
 50 droppings and soiled bedding shall be removed, or clean bedding added, at
 51 sufficiently frequent intervals to prevent the soiling of the lactating animal's
 52 udder and flanks.

53 (e) Cooling ponds shall be allowed, provided they are constructed and
 54 maintained in a manner that does not result in the visible soiling of flanks,
 55 udders, bellies, and tails of lactating animals exiting the pond.

56 (f) Waste feed shall not be allowed to accumulate.

57 (g) Swine shall be kept out of the cowyard.

58 (5) Milkhouse or room construction and facilities.

59 (a) A separate milkhouse or room of sufficient size shall be provided, in
 60 which the cooling, handling, and storing of milk and the washing, sanitizing,

1 and storing of milk containers and utensils shall be conducted, except as
 2 provided for in Paragraph (12) of this Section.

3 (b) The milkhouse shall be provided with a smooth floor constructed of
 4 concrete or equally impervious material and maintained in good repair.

5 (c) The walls and ceilings shall be constructed of smooth material, in
 6 good repair, well painted, or finished in an equally suitable manner. Surfaces
 7 up to splash height shall be nonabsorbent and easily cleanable.

8 (d) The milkhouse shall be adequately ventilated to minimize odors and
 9 condensation on floors, walls, ceilings, and clean utensils.

10 (e) Each milkhouse shall be provided with facilities for heating water in
 11 sufficient quantity and to such temperatures as are necessary for the effective
 12 cleaning of all equipment and utensils.

13 (6) Milkhouse or room cleanliness.

14 (a) The floors, walls, ceilings, windows, tables, shelves, cabinets, wash
 15 vats, nonproduct contact surfaces of milk containers, utensils, and equipment,
 16 and other milkhouse equipment shall be kept clean. Vestibules, if provided,
 17 shall be kept clean.

18 (b) The milkhouse shall be kept free of trash, animals, and fowl.

19 (c) Incidental articles such as desks, refrigerators, and storage cabinets
 20 may be in the milkhouse provided they are kept clean, ample space is available
 21 to conduct the normal operations in the milkhouse, and they will not cause
 22 contamination of the milk.

23 (7) Toilet facilities.

24 (a) Every farm or dairy shall be provided with one or more toilets,
 25 conveniently located and properly constructed, operated, maintained, and
 26 utilized in a sanitary manner. There shall be at least one flush toilet connected
 27 to a public sewer system or to an individual sewage-disposal system or a
 28 chemical toilet, earth pit privy, or other type of privy.

29 (b) The waste shall be inaccessible to flies and shall not pollute the soil
 30 surface or contaminate any water supply. Vents of earth pits shall be screened.

31 (c) The toilet room, including all fixtures and facilities, shall be kept
 32 clean and free of insects and odors.

33 (d) Where flush toilets are used, doors to toilet rooms shall be tight and
 34 self-closing. All outer openings in toilet rooms shall be screened or otherwise
 35 protected against the entrance of insects.

36 (8) Water supply:

37 (a) Water for milkhouse and milking operations shall be from an
 38 approved supply which is properly located, protected, and operated, and shall
 39 be easily accessible, adequate, and of a safe, sanitary quality.

40 (b) No cross-connection shall exist between a safe water supply and any
 41 unsafe or questionable water supply, or any other source of pollution.

42 (c) There shall be no submerged inlets through which a safe water
 43 supply may be contaminated.

44 (d) The well or other source of water shall be located and constructed
 45 in such a manner that neither underground nor surface contamination from any
 46 sewerage systems, privy, or other source of pollution can reach the water
 47 supply.

48 (e) New individual water supplies and water supply systems that have
 49 been repaired or have otherwise become contaminated shall be thoroughly
 50 disinfected before being placed into use.

51 (9) Utensils and equipment construction.

52 (a) All multiuse containers, equipment, and utensils that are exposed to
 53 milk or milk products, or from which liquids may drip, drain, or be drawn into
 54 milk or milk products, and used in the handling, storage, or transportation of
 55 milk shall be made of smooth, nonabsorbent, corrosion-resistant, nontoxic
 56 materials, and shall be constructed to be easily cleaned. Acceptable materials
 57 include:

58 (i) Stainless steel of the American Iron and Steel Institute 300 series, or
 59 equally corrosion-resistant, nontoxic metal.

60 (ii) Heat-resistant glass.

1 (iii) Plastic or rubber and rubber-like materials which are relatively
 2 inert, resistant to scratching, scoring, decomposition, crazing, chipping, and
 3 distortion, under normal use conditions, are nontoxic, fat-resistant, relatively
 4 nonabsorbent, relatively insoluble, do not release component chemicals or
 5 impart flavor or odor to the product, and which maintain their original
 6 properties under repeated use conditions.

7 (b) All containers, utensils, and equipment shall be in good repair and
 8 shall be free of breaks, corrosion, pits, cracks, or inclusions.

9 (c) Strainers, if used, shall be constructed of perforated metal design, or
 10 single-service strainer media should be utilized. Multiple-use woven material
 11 shall not be used for straining milk.

12 (d) All single-service articles shall be manufactured, packaged,
 13 transported, stored, and handled in a sanitary manner. Articles intended for
 14 single-service use shall not be reused.

15 (e) Mechanically cleaned milk pipelines and return-solution lines shall
 16 be self-draining. If gaskets are used, they shall be self-positioning and shall be
 17 of such design, finish, and application as to form a smooth, flush interior
 18 surface. If gaskets are not used, all fittings shall have self-positioning faces
 19 designed to form a smooth, flush interior surface. All interior surfaces of welded
 20 joints in pipelines shall be smooth and free of pits, cracks, and inclusions.

21 (f) The hoses shall be drainable, be as short as practical, have sanitary
 22 fittings, and be supported to maintain uniform slope and alignment.

23 (g) The end fittings of such hoses shall be permanently attached in such
 24 a manner that will assure a crevice-free joint between the hose and the fitting
 25 and can be cleaned by mechanical means. The hoses shall be included as part
 26 of a mechanical cleaning system.

27 (h) Short lengths of flexible plastic tubing eight feet or less may be
 28 inspected for cleanliness by sight or by use of a rod. The transparency or
 29 opacity of the tubing under this condition shall not be a factor in determining
 30 cleanliness.

31 (i) Whenever air under pressure is used for the agitation or movement
 32 of milk, or is directed at a milk-contact surface, it shall be free of oil, dust, rust,
 33 excessive moisture, extraneous materials, and odor.

34 (10) Utensils and equipment cleaning.

35 The product-contact surfaces of all multiuse containers, equipment, and
 36 utensils used in the handling, storage, or transportation of milk shall be cleaned
 37 after each milking or once every twenty-four hours for continuous operations.

38 (11) Utensils and equipment sanitization.

39 The product-contact surfaces of all multiuse containers, equipment, and
 40 utensils used in the handling, storage, or transportation of milk shall be
 41 sanitized before each use.

42 (12) Utensils and equipment storage.

43 (a) All containers, utensils, and equipment used in the handling, storage,
 44 or transportation of milk, unless stored in sanitizing solutions, shall be stored
 45 to assure complete drainage and shall be protected from contamination prior
 46 to use, except that pipeline milking equipment such as milker claws, inflations,
 47 weigh jars, meters, milk hoses, milk receivers, tubular coolers, plate coolers,
 48 and milk pumps which are designed for mechanical cleaning and other
 49 equipment, as accepted by the United States Food and Drug Administration,
 50 which meet these criteria, may be stored in the milking barn or parlor, provided
 51 this equipment is designed, installed, and operated to protect the product and
 52 solution-contact surfaces from contamination at all times.

53 (b) Strainer pads, parchment papers, gaskets, and similar single-service
 54 articles shall be stored in a suitable container or cabinet and protected against
 55 contamination.

56 (13) Utensils and equipment handling.

57 (a) After sanitization, all containers, utensils, and equipment shall be
 58 handled in a manner that prevents contamination of any product-contact
 59 surface.

60 (b) Sanitized product-contact surfaces, including farm cooling holding
 61 tank openings and outlets, shall be protected against contact with unsanitized

equipment and utensils, hands, clothing, splash, condensation, and other sources of contamination.

(c) Any sanitized product-contact surface which has been otherwise exposed to contamination shall be cleaned and sanitized before being used.

(14) Milking, flanks, udders, and teats.

(a) Milking shall be done in the milking barn or parlor.

(b) The flanks, udders, bellies, and tails of all milking cows shall be free from visible dirt. All brushing shall be completed prior to milking.

(c) The udders and teats shall be cleaned and treated with a sanitizing solution just prior to the time of milking, and shall be relatively dry before milking. Sanitizing solutions shall be used in accordance with manufacturer specifications and recommendations.

(d) Wet hand milking is prohibited.

(e) Flanks, bellies, tails, and udders shall be clipped as often as necessary to facilitate cleaning of these areas.

(15) Transfer and protection of milk.

(a) Each pail or container of milk shall be taken immediately from the milking barn or parlor to the milkhouse. No milk shall be strained, poured, transferred, or stored outside the milkhouse.

(b) The milk receiving receptacle shall be raised above the floor.

(16) Personnel.

(a) Hands shall be washed clean and dried with an individual sanitary towel or other approved hand-drying device immediately before milking, before performing any milkhouse function, and immediately after the interruption of any of these activities. Milkers shall wear clean outer garments while milking or handling milk, milk containers, utensils, or equipment.

(b) No person who, by medical examination or supervisory observation, is shown to have or appears to have an illness, open lesion including boils, sores, or infected wounds, or any other abnormal source of microbial contamination shall perform work in any capacity that brings them into contact with the production, handling, storage, or transportation of milk, containers, equipment, or utensils.

(17) Cooling.

(a) Raw milk shall be cooled and maintained as provided in R.S. 40:933.

(b) Recirculated cold water that is used in plate or tubular coolers or heat exchangers shall be from a safe source and protected from contamination.

(c) All farm bulk milk tanks shall be equipped with an approved temperature-recording device.

(18) Vehicles.

Vehicles used to transport raw milk prior to distribution to the consumer shall be constructed and operated to protect their contents from sun, freezing, and contamination. The vehicles shall be kept clean, inside and out, and no substance capable of contaminating the milk shall be transported with the milk.

(19) Insect and rodent control.

(a) Effective measures shall be taken to prevent the contamination of raw milk, containers, equipment, and utensils by insects and rodents and by chemicals used to control such vermin.

(b) Milkrooms shall be free of insects and rodents.

§935. Bottling, packaging, and container filling

A.(1) Bottling, packaging, and container filling of raw milk shall be done at the place of production in a sanitary manner. Bottling, packaging, and container filling of milk may be conducted in the milkhouse or room.

(2) Containers shall be closed immediately after being filled.

B.(1) All container caps, sealers, and closures shall be stored in a clean, dry place protected from insects, rodents, dust, splash, or other contamination.

(2) All container closure or sealing shall be done at the place of production in a sanitary manner by approved mechanical equipment.

§936. Animal health

A. All raw milk for human consumption sold pursuant to this Subpart shall be from healthy animals. Milk from unhealthy animals shall not be sold or combined with other milk for human consumption.

1 B.(1) All animals producing milk for human consumption shall be tested
2 for tuberculosis and brucellosis every twelve months.

3 (2) If an animal shows positive by lesions or a positive test, all of the
4 following shall apply:

5 (a) The animal shall be reported to the Department of Health and
6 Hospitals and shall be separated, and kept separate, from the remainder of the
7 herd.

8 (b) A certificate identifying the animal, signed by a licensed veterinarian
9 and the director of the laboratory making the test, shall be filed with the
10 Department of Health and Hospitals.

11 (c) The animal shall be retested by a licensed veterinarian at a frequency
12 specified by the United States Department of Agriculture, and test results shall
13 be filed with the Department of Health and Hospitals.

14 (d) Disposition of diseased animals shall be conducted in accordance
15 with guidelines published by the United States Department of Agriculture and
16 shall be reported to the Department of Health and Hospitals.

17 C. Animals shipped into Louisiana for addition to herds shall have been
18 tested for tuberculosis and brucellosis within thirty days prior to being brought
19 into the state. However, the provisions of this Subsection shall not apply, with
20 regard to brucellosis, to those cattle that have been vaccinated for brucellosis
21 and are between four and twelve months of age.

22 D. Records supporting the tests required pursuant to this Section shall
23 be validated with the signature of a licensed veterinarian and shall be made
24 available for inspection upon request.

25 §937. Product recall

26 Each producer of raw milk for human consumption pursuant to this
27 Subpart shall develop and maintain procedures for the notification of
28 regulatory officials, consumer notification, and product recall. Such procedures
29 shall be implemented as necessary with respect to any product for which the
30 producer knows, or has reason to believe, that circumstances exist that may
31 adversely affect its safety for the consumer. The producer shall be responsible
32 for disseminating the notice in a manner designed to inform customers who may
33 be affected by the problem.

34 §938. Statement prohibited

35 No producer of raw milk shall publish any statement that implies
36 approval or endorsement by the state Department of Health and Hospitals."