

SENATE BILL NO. 39

BY SENATOR THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact R.S. 40:881, relative to labeling of milk products; to provide for definitions; to
3 provide for enforcement by the Louisiana Department of Health; to provide for
4 enforcement implementation; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:881 is hereby enacted to read as follows:

7 PART VII. MILK, MILK PRODUCTS, AND SUBSTITUTES

8 SUBPART A. MILK ~~TESTING~~ LABELING LAW (REDESIGNATED)

9 **§881. Labeling of milk products; prohibition; definition; enforcement**

10 **A. The Louisiana Department of Health shall enforce the United States**
11 **Food and Drug Administration's standard of identity for milk, as set forth in 21**
12 **CFR 131.110, the Pasteurized Milk Ordinance, and the provisions of this**
13 **Section to prohibit the sale of plant-based products mislabeled as milk.**

14 **B. For purposes of this Section, "milk" means the lacteal secretion,**
15 **practically free from colostrum, obtained by the complete milking of one or**
16 **more healthy cows. Milk that is in its final packaged form for beverage use shall**
17 **have been pasteurized, ultra-pasteurized, or aseptically processed and shall**
18 **contain not less than eight and one-quarter percent milk solids not fat and not**
19 **less than three and one-quarter percent milk fat. Milk may have been adjusted**
20 **by separating part of the milk fat therefrom or by adding thereto cream,**
21 **concentrated milk, concentrated low fat milks, dry milk, or dry low fat milks.**
22 **Milk may be homogenized. Water shall not be added to milk or any ingredient**
23 **used in milk. Milk may be flavored with safe and suitable flavoring ingredients**
24 **approved by the state health officer. The word "milk" shall be interpreted to**
25 **include goat, sheep, water buffalo, camel milk, and the milk of other hooved**
26 **mammals.**

1 **C. Enforcement of this Section shall commence upon enforcement of the**
2 **standard of identity for milk by the United States Food and Drug**
3 **Administration.**

4 **D. The provisions of this Section shall not apply to breast milk.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____