

Sixty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1083

Introduced by

Agriculture Committee

(At the request of the Agriculture Commissioner)

1 A BILL for an Act to amend and reenact subsection 20 of section 4.1-25-01 and sections
2 4.1-25-30, 4.1-25-31, 4.1-25-32, and 4.1-25-33 of the North Dakota Century Code, relating to
3 the definition of pasteurized milk ordinance and the federal pasteurized milk ordinance revision.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 20 of section 4.1-25-01 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 20. "Pasteurized milk ordinance" means the 20192023 revision of the Grade "A"
8 Pasteurized Ordinance issued by the United States food and drug administration and
9 by the United States department of agriculture's public health service.

10 **SECTION 2. AMENDMENT.** Section 4.1-25-30 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **4.1-25-30. Standards for grade A milk and milk products - Adoption of rules.**

13 Only grade A milk may be sold as a fluid beverage for human consumption. The minimum
14 standards for milk and milk products designated as grade A are the same as the minimum
15 requirements of the pasteurized milk ordinance ~~which includes provisions from the "Grade A-~~
16 ~~Condensed and Dry Milk Products and Condensed and Dry Whey - Supplement 1 to the~~
17 ~~Grade A PMO"~~. The commissioner may adopt rules imposing other standards in the interest of
18 public safety, wholesomeness of product, consumer interest, sanitation, good supply, saleability,
19 and promotion of grade A milk and milk products.

20 **SECTION 3. AMENDMENT.** Section 4.1-25-31 of the North Dakota Century Code is
21 amended and reenacted as follows:

1 **4.1-25-31. State milk sanitation rating and sampling surveillance officer - Duties -**
2 **Guidelines.**

3 The state milk sanitation rating and sampling surveillance officer is responsible for the rating
4 and certification of milk and dairy products. The rating and certification of milk and dairy
5 products must be in accordance with the procedures outlined in the public health service food
6 and drug administration publication entitled "Methods of Making Sanitation Ratings of Milk
7 Shippers –~~2019~~and the Certifications/Listings of Single-Service Containers and/or Closures for
8 Milk and/or Milk Products Manufacturers 2023 Revision, Edition" and the sampling of milk and
9 dairy products must be in accordance with the guidelines in the Standard Methods.

10 **SECTION 4. AMENDMENT.** Section 4.1-25-32 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **4.1-25-32. Milk laboratory evaluations officer - Duties - Guidelines.**

13 The milk laboratory evaluations officer is responsible for the certification and evaluation of
14 milk and dairy products laboratories within the state. Evaluations and certification of milk
15 laboratories must be made in accordance with the Standard Methods and the procedures
16 outlined in the public health service food and drug administration publication entitled "Evaluation
17 of Milk Laboratories - ~~2019~~2023 Edition".

18 **SECTION 5. AMENDMENT.** Section 4.1-25-33 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **4.1-25-33. Grade A pasteurized milk ordinance.**

21 Dairy producers, processors, and manufacturers shall comply with the pasteurized milk
22 ordinance and follow the standards set by the "Procedures Governing the Cooperative
23 State-Public Health Service Food and Drug Administration Program of the National Conference
24 on Interstate Milk Shipments, ~~2019~~2023 Revision".