

# MAINE STATE LEGISLATURE

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L.D. 654

DATE: 5.9.05

(Filing No. S- 142)

AGRICULTURE, CONSERVATION AND FORESTRY

Reported by:

**MAJORITY**

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STATE OF MAINE  
SENATE  
122ND LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 209, L.D. 654, Bill, "An Act To Require the Department of Agriculture, Food and Rural Resources Accurately Identify Harmful and Nonharmful Bacteria When Testing Food Products"

Amend the bill by striking out the title and substituting the following:

**'An Act To Provide for Independent Testing of Unpasteurized Milk Products'**

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

**'Sec. 1. 7 MRSA §2902-B, sub-§4 is enacted to read:**

**4. Testing of unpasteurized milk products. The commissioner shall establish a process by rule for submitting samples of unpasteurized milk products to an independent laboratory for testing when:**

**A. The milk laboratory operated by the department has tested unpasteurized milk products and determined that they do not meet the standards for unpasteurized milk products established by rules adopted pursuant to section 2910; and**

**B. The person operating the milk plant that processed the milk products has requested independent testing.**

**COMMITTEE AMENDMENT**

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COMMITTEE AMENDMENT "A" to S.P. 209, L.D. 654

The commissioner may require the person requesting the independent testing under paragraph B to pay for that testing. Any restrictions on the sale of unpasteurized milk products pending test results and after receipt of test results must be established by rule. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. For the purposes of this subsection, "independent laboratory" means a laboratory that is operated by a private entity or a public entity other than the department.'

SUMMARY

This amendment is the majority report. It replaces the bill and changes the title. It requires the Department of Agriculture, Food and Rural Resources to establish a process by rule for samples of unpasteurized milk products to be tested by an independent laboratory.

FISCAL NOTE REQUIRED  
(See attached)

**COMMITTEE AMENDMENT**



Approved: 05/05/05 *mac*

# 122nd MAINE LEGISLATURE

LD 654

LR 0915(02)

**An Act To Require the Department of Agriculture, Food and Rural Resources Accurately Identify Harmful and Nonharmful Bacteria When Testing Food Products**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Agriculture, Conservation and Forestry**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund