

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2008

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Legislative Document

No. 2262

H.P. 1626

House of Representatives, March 18, 2008

### **An Act Pertaining to the Definition of "Milk"**

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Reported by Representative PIEH of Bremen for the Joint Standing Committee on Agriculture, Conservation and Forestry pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed under Joint Rule 218.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA §2900, sub-§5-A** is enacted to read:

3 **5-A. Fresh milk.** "Fresh milk" means milk offered for sale to the public that has not  
4 been dehydrated, rehydrated or reconstituted in whole or in part and does not contain  
5 caseins, casein products or caseinates other than those caseins, casein products or  
6 caseinates that occur naturally.

7 **Sec. 2. 7 MRSA §2900, sub-§6-A** is enacted to read:

8 **6-A. Maine fresh milk.** "Maine fresh milk" means milk consisting entirely of fresh  
9 milk produced in the State.

10 **Sec. 3. 7 MRSA §2900, sub-§13-A** is enacted to read:

11 **13-A. Northeastern fresh milk.** "Northeastern fresh milk" means milk consisting  
12 entirely of fresh milk produced in Delaware, Maryland, New Jersey, Pennsylvania, New  
13 York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire or Maine.

14 **Sec. 4. 7 MRSA §2901-A**, as amended by PL 1999, c. 679, Pt. A, §3, is further  
15 amended to read:

16 **§2901-A. Standards and labeling**

17 Notwithstanding any other requirements of this chapter, milk and milk products,  
18 defined in accordance with standards then in effect that have been adopted by the United  
19 States Government and labeled in conformity with labeling requirements then in effect  
20 that have been adopted by the United States Government, are considered to conform with  
21 the definitions and labeling requirements set forth in this chapter; except that containers  
22 of milk and cream packaged in Maine must also bear the name and address of the Maine  
23 licensed milk distributor and sufficient information to identify the milk plant where  
24 packaged and milk labeled as fresh must comply with section 2901-D.

25 **Sec. 5. 7 MRSA §2901-D** is enacted to read:

26 **§2901-D. Labeling milk as fresh**

27 A person may not sell milk labeled as "fresh milk," "Maine fresh milk" or  
28 "Northeastern fresh milk" unless the milk meets the definition of those terms under  
29 section 2900, subsection 5-A, 6-A or 13-A.

30 **SUMMARY**

31 This bill prohibits the sale of milk labeled as "fresh milk," "Maine fresh milk" or  
32 "Northeastern fresh milk" unless the milk meets the definition for the term used, as  
33 enacted in the bill. Civil penalties under the Maine Revised Statutes, Title 7, section  
34 2908-A apply as well as the Commissioner of Agriculture, Food and Rural Resources'  
35 authority to apply for an injunction under Title 7, section 2910-A.