

**COW-SHARE PROGRAM AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Marc K. Roberts**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies the Utah Dairy Act by removing a prohibition on cow-sharing programs.

**Highlighted Provisions:**

This bill:

- ▶ removes the prohibition on owning, operating, organizing, or otherwise participating in a cow-share program where the milk producing hoofed animal is located in Utah;
- ▶ states that the Utah Dairy Act does not apply to milk or milk products produced on the farm if the milk or milk products are consumed by participants in a cow-share program; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**4-3-10**, as last amended by Laws of Utah 2007, Chapters 165 and 179

**4-3-13**, as enacted by Laws of Utah 1979, Chapter 2



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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **4-3-10** is amended to read:

**4-3-10. Unlawful acts specified.**

It is unlawful for any person in this state to:

- (1) operate a plant without a license issued by the department;
- (2) market milk without a permit or certificate issued by the department;
- (3) manufacture butter or cheese, pasteurize milk, test milk for payment, or haul milk in bulk without a special license to perform the particular activity designated in this Subsection (3); unless if more than one person working in a plant is engaged in the performance of a single activity designated in this Subsection (3), the person who directs the activity is licensed;
- (4) manufacture, distribute, sell, deliver, hold, store, or offer for sale any adulterated or misbranded dairy product;
- (5) manufacture, distribute, sell, deliver, hold, store, or offer for sale any dairy product without a license, permit, or certificate required by this chapter;
- (6) sell or offer for sale any milk not intended for human consumption unless it is denatured or decharacterized in accordance with the rules of the department;
- (7) manufacture, distribute, sell, or offer for sale any filled milk labeled as milk or as a dairy product;
- (8) keep any animals with brucellosis, tuberculosis, or other infectious or contagious diseases communicable to humans in any place where they may come in contact with cows or other milking animals;
- (9) draw milk for human food from cows or other milking animals that are infected with tuberculosis, running sores, communicable diseases, or from animals that are fed feed that will produce milk that is adulterated;
- (10) accept or process milk from any producer without verification that the producer holds a valid permit or certification or, if milk is accepted from out of the state, without verification that the producer holds a permit or certification from the appropriate regulatory agency of that state;
- (11) use any contaminated or unclean equipment or container to process, manufacture, distribute, deliver, or sell a dairy product;

59 (12) remove, change, conceal, erase, or obliterate any mark or tag placed upon any  
60 equipment, tank, or container by the department except to clean and sanitize it;

61 (13) use any tank or container used for the transportation of milk or other dairy  
62 products that is unclean or contaminated;

63 (14) refuse to allow the department to take samples for testing; or

64 (15) prohibit adding vitamin compounds in the processing of milk and dairy products  
65 in accordance with rules of the department[~~;~~ or].

66 [~~(16) own, operate, organize, or otherwise participate in a cow-share program where~~  
67 ~~the milk producing hoofed mammal is located in Utah.~~]

68 Section 2. Section **4-3-13** is amended to read:

69 **4-3-13. Milk or milk products consumed by owner of farm exempt.**

70 This chapter [~~is inapplicable~~] does not apply to milk or milk products produced on the  
71 farm if such milk or milk products are consumed by:

72 (1) the owner of the farm [~~or~~];

73 (2) a member of the [~~members of such~~] owner's immediate family[~~;~~]; or

74 (3) a participant in a cow-share program.

**Legislative Review Note**  
**as of 1-8-15 11:36 AM**

**Office of Legislative Research and General Counsel**