

Digest for Adopted Regulation R_082-11

The State Dairy Commission is required to adopt regulations for the administration and enforcement of laws relating to dairy products and substitutes in this State. (NRS 584.067)

Section 2 of this regulation defines “hoofed mammal,” and **section 4** of this regulation provides that the terms “fluid milk” and “fluid cream” include products produced by all hoofed mammals. This regulation makes changes consistent with this interpretation throughout chapter 584 of NAC, including the deletion of the term “cow” and insertion of the term “hoofed mammal.”

Sections 3, 13 and 15 of this regulation amend existing regulations to make the definitions of “adulterated” and “misbranded” consistent with the federal law which defines those terms.

Existing law requires the Commission to prescribe standards for dairy products, including classes of certain products. (NRS 584.067, 584.103, 584.135, 584.208) **Section 54** of this regulation repeals existing regulations prescribing the standards of identity for certain raw milk products. **Sections 5 and 12** of this regulation adopt the federal definitions and standards of identity for dairy products and require dairy products to comply with Parts 53 to 209, inclusive, of Title 7 of the Code of Federal Regulations and Parts 100 to 199, inclusive, of Title 21 of the Code of Federal Regulations.

Existing law requires the Commission to adopt regulations for the issuance of permits to persons who produce milk and to adopt regulations for the handling and sale of raw milk. (NRS 584.195, 584.208)

Section 6 of this regulation prohibits persons from entering into transactions for the sale, rental or part-ownership of hooved mammals to circumvent laws limiting the sale or transfer of raw milk products.

Sections 18 and 22 of this regulation limit the maximum number of somatic cells per milliliter which may be present in milk and prescribe the tests which may be used to determine the somatic cell count. The somatic cell count and tests differ according to the type of hooved mammal which produced the milk.

Existing law requires the Commission to issue licenses to persons who wish to distribute dairy products. (NRS 584.077, 584.595) **Section 51** of this regulation prohibits the transfer of a distributor's license and provides that a license expires if 50 percent or more of the ownership of a licensee is acquired by a person other than the licensee.