

(A) IN GENERAL.

IF A MILK PRODUCT IS FROM A PLACE OUTSIDE THE DEPARTMENTAL INSPECTION AREA, A PERSON MAY SELL THE MILK PRODUCT IN THIS STATE IF:

(1) THE PERSON HOLDS A PERMIT ISSUED UNDER THIS SUBTITLE; AND

(2) THE MILK PRODUCT:

(I) TO THE EXTENT PRODUCED, PROCESSED OR PASTEURIZED OUTSIDE THE DEPARTMENTAL INSPECTION AREA, IS PRODUCED, PROCESSED, AND PASTEURIZED UNDER REQUIREMENTS THAT ARE SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS OF THIS SUBTITLE AND OF RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE; AND

(II) IS FROM AN ESTABLISHMENT THAT HAS A CURRENT INDIVIDUAL UNITED STATES PUBLIC HEALTH SERVICE RATING OF AT LEAST 90 FROM A STATE MILK SANITATION RATING OFFICER WHO IS CERTIFIED BY THE APPROPRIATE FEDERAL AUTHORITY AND LISTED IN THE INTERSTATE MILK SHIPPERS REPORT PUBLISHED BY THE APPROPRIATE FEDERAL AUTHORITY.

(B) POWERS OF SECRETARY.

(1) THE SECRETARY MAY INSPECT THE PROPERTY, BUILDINGS, OR EQUIPMENT OF ANY PERMIT HOLDER WHOSE MILK PRODUCT HAS BEEN PRODUCED OUTSIDE THE DEPARTMENTAL INSPECTION AREA.

(2) THE PERSON INSPECTED SHALL PAY THE COST OF THE INSPECTION.

(3) THE DEPARTMENT SHALL BILL AND COLLECT THE COST OF THE INSPECTION.

(C) RECIPROCITY REQUIREMENT.

A PERSON MAY NOT SELL IN THIS STATE ANY MILK PRODUCT PRODUCED BY A DAIRY FARM, MILK PLANT, OR FROZEN DESSERT MANUFACTURER THAT IS IN A JURISDICTION THAT DOES NOT AUTHORIZE MILK PRODUCTS OR FROZEN DESSERTS TO BE IMPORTED FROM THIS STATE.

~~(D) --MILK-PRODUCER-~~

~~THIS SECTION DOES NOT REQUIRE A MILK PRODUCER TO OBTAIN A PERMIT IF THAT MILK PRODUCER IS EXEMPT FROM THE REQUIREMENT OF OBTAINING A PERMIT UNDER § 4-410 OF THIS SUBTITLE.~~

REVISOR'S NOTE: This section is new language derived