

(5) To prepare raw milk for delivery to a milk plant.

(h) While it is effective, a transfer station permit authorizes the holder to operate a place where raw milk is transferred between milk tank trucks for eventual delivery to a milk plant.

(i) A permittee authorized to perform a function under this subtitle shall only exercise that authority as to the classification for which it is designated, except that:

(1) Unless otherwise specified in this subtitle, a milk producer permittee with a Grade A classification authorized to perform a function under this subtitle may exercise that authority for manufactured milk; and

(2) A milk processor, receiving station, or transfer station with a manufactured milk classification may exercise that authority using Grade A raw milk.

(J) WHILE IT IS EFFECTIVE; A MILK TRANSPORTATION COMPANY PERMIT AUTHORIZES THE HOLDER TO OPERATE ONE OR MORE MILK TANK TRUCKS.

21-419.

(a) Except as otherwise provided in this subtitle and in the Administrative Procedure Act, before the Secretary denies an application for a permit or takes any action under § 21-418 of this subtitle, the Secretary shall give the person against whom the action is contemplated an opportunity for a hearing before the Secretary.

(b) Except as otherwise provided in this section, the Secretary shall give notice and hold the hearing in accordance with the Administrative Procedure Act.

(c) (1) Within 48 hours after the person receives notice of the Secretary's action, a person whose permit has been suspended or who has received a notice that the Secretary intends to suspend the permit may request a hearing.

(2) Within 72 hours after receiving the request for a hearing, the Secretary shall hold the hearing.

(d) If after due notice the person for whom the hearing is held fails or refuses to appear, nevertheless the Secretary may hear and determine the matter.

(e) A person aggrieved by a final decision of the Secretary in a contested case, as defined by the Administrative Procedure Act, may [take an appeal] NOT APPEAL TO THE BOARD OF REVIEW BUT MAY TAKE A DIRECT JUDICIAL APPEAL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2001.

Approved May 15, 2001.