

AN ACT concerning health.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Grade A Pasteurized Milk and Milk Products Act is amended by changing Section 3 as follows:

(410 ILCS 635/3) (from Ch. 56 1/2, par. 2203)

Sec. 3. Definitions.

(a) As used in this Act "Grade A" means that milk and milk products are produced and processed in accordance with the current Grade "A" ~~A~~ Pasteurized Milk Ordinance as adopted by the National Conference on Interstate Milk Shipments and the United States Public Health Service - Food and Drug Administration and all other applicable federal regulations. The term Grade A is applicable to "dairy farm", "milk hauler-sampler", "milk plant", "milk product", "receiving station", "transfer station", "milk tank truck", and "certified pasteurizer sealer" whenever used in this Act.

(b) Unless the context clearly indicates otherwise, terms have the meaning ascribed as follows:

(1) (Blank).

(2) "Milk" means the milk of cows, goats, sheep, water buffalo, or other hooved mammals, provided that it must be labeled in accordance with the current Grade "A"

Pasteurized Milk Ordinance as adopted by the United States Public Health Service - Food and Drug Administration, and includes skim milk and cream. The Grade "A" Pasteurized Milk Ordinance labeling requirement does not apply to unpasteurized milk produced and distributed in accordance with Section 8 of this Act and Department rules.

(3) (Blank).

(4) (Blank).

(5) "Receiving station" means any place, premise, or establishment where raw milk is received, collected, handled, stored or cooled and prepared for further transporting.

(6) "Transfer station" means any place, premise, or establishment where milk or milk products are transferred directly from one milk tank truck to another.

(7) "Department" means the Illinois Department of Public Health.

(8) "Director" means the Director of the Illinois Department of Public Health.

(9) "Embargo or hold for investigation" means a detention or seizure designed to deny the use of milk or milk products which may be unwholesome or to prohibit the use of equipment which may result in contaminated or unwholesome milk or dairy products.

(10) "Imminent hazard to the public health" means any hazard to the public health when the evidence is sufficient

to show that a product or practice, posing or contributing to a significant threat of danger to health, creates or may create a public health situation (1) that should be corrected immediately to prevent injury and (2) that should not be permitted to continue while a hearing or other formal proceeding is being held.

(11) "Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the State of Illinois, or any political subdivision or department thereof, or any other entity.

(12) "Enforcing agency" means the Illinois Department of Public Health or a unit of local government electing to administer and enforce this Act as provided for in this Act.

(13) "Permit" means a document awarded to a person for compliance with the provisions of and under conditions set forth in this Act.

(14) (Blank).

(15) (Blank).

(16) (Blank).

(17) "Certified pasteurizer sealer" means a person who has satisfactorily completed a course of instruction and has demonstrated the ability to satisfactorily conduct all pasteurization control tests, as required by rules adopted by the Department.

(18) "Unpasteurized milk" means milk that has not been pasteurized or homogenized in accordance with the Grade "A" Pasteurized Milk Ordinance as adopted by the United States Public Health Service - Food and Drug Administration and is not subject to the labeling requirements of the Ordinance.

(Source: P.A. 97-135, eff. 7-14-11; 98-958, eff. 1-1-15.)