

Section 1 is effective after approval by the governing body of Ramsey county and the town board of White Bear the day after their compliance with Minnesota Statutes, section 645.021, subdivision 3.

Approved May 8, 1985

## CHAPTER 93 — S.F.No. 86

*An act relating to agriculture; changing requirements for certain adulterated milk or cream; providing a penalty; amending Minnesota Statutes 1984, section 32.21.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1984, section 32.21, is amended to read:

### **32.21 PURCHASE OR SALE OF UNWHOLESOME OR ADULTERATED MILK OR AND CREAM PROHIBITED.**

No person shall sell or knowingly buy unwholesome or adulterated milk or cream. Milk or cream that has not been well cooled and aerated, or to which a preservative has been added; milk drawn from cows kept in crowded conditions or in places not well ventilated or lighted, or which from any cause are filthy or insanitary, or from unclean or diseased cows, or those fed with garbage or any filthy, decayed, putrid, or unwholesome animal or vegetable substance; milk drawn from cows within 15 days before, or five days after calving; and milk or cream which has been kept in any place where bad air exists, and cream taken from unwholesome or adulterated milk, shall be deemed unwholesome and adulterated within the meaning of sections 32.21 and 32.22. Except where otherwise provided by law, milk from which any normal ingredient has been abstracted, or milk containing any substance not a normal constituent thereof, or containing less than three and one-fourth percent of butterfat, and cream in which there is less than 18 percent of butterfat, or which contains any foreign thickening or coloring substance, or any abnormal ingredient whatsoever, shall be deemed adulterated; nor shall any article of food be manufactured from unwholesome or adulterated milk or cream except as provided in section 32.22.

Subdivision 1. PURCHASE AND SALE PROHIBITION. A person may not sell or knowingly buy adulterated milk or cream.

Subd. 2. MANUFACTURER OF FOOD FOR HUMAN CONSUMPTION FROM ADULTERATED MILK OR CREAM PROHIBITED. An article of food for human consumption may not be manufactured from adulterated milk or cream, except as provided in section 32.22.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 3. ADULTERATED MILK OR CREAM. For purposes of this section and section 32.22, milk or cream is adulterated if:

- (1) milk is drawn in a filthy or unsanitary place;
- (2) milk is drawn from unhealthy or diseased cows;
- (3) milk is drawn from cows that are fed garbage or an unwholesome animal or vegetable substance;
- (4) milk is drawn from cows within 15 days before calving, or five days after calving;
- (5) milk or cream contains a substance that is not a normal constituent of the milk or cream, except as allowed in this chapter;
- (6) milk contains water in excess of that normally present in milk; or
- (7) milk or cream contains antibiotics or other bacterial inhibitory substances in amounts above the actionable levels established by rule or under section 32.415.

Subd. 4. PENALTIES. (a) A person, other than a milk producer, who violates this section is guilty of a misdemeanor.

(b) A milk producer may not change milk plants within 30 days, without permission of the commissioner, after receiving notification from the commissioner under paragraph (c) that the milk producer has violated this section.

(c) A milk producer who violates this section shall be subject to a civil penalty of \$100. The commissioner must notify the person violating this section by certified mail stating:

(1) the milk producer violating this section is on probation for one year after the date of violation; and

(2) the \$100 civil penalty is suspended unless the milk producer violates this section during the probation period, including changing milk plants within 30 days after the violation.

(d) A milk producer who violates this section a second time within a 12-month period is subject to a \$200 civil penalty. The commissioner must notify the milk producer violating this section stating:

(1) the milk producer is still on probation;

(2) the \$200 civil penalty is suspended, unless the milk producer violates this section during the probation period, including changing milk plants within 30 days after the violation; and

(3) the consequences of a third violation.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(e) A milk producer who violates this section three or more times within a 12-month period is subject to a fine of \$300.

(f) Penalties collected under this section shall be deposited in the milk inspection service account created in section 32.394, subdivision 9.

Approved May 9, 1985

### CHAPTER 94 — S.F.No. 143

*An act relating to real property; changing effective dates for provisions relating to validation of foreclosure sales; amending Minnesota Statutes 1984, section 582.27.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1984, section 582.27, is amended to read:  
582.27 **EFFECTIVE DATES.**

Subdivision 1. The following schedule specifies the dates to be applied to the provisions of section 582.25:

(A) As to the general provision of section 582.25, ~~May 1, 1978~~ 1984;

(B) As to clause (1), ~~May 22, 1979~~ the day following final enactment of this act;

(C) As to clause (2), ~~January 1, 1968~~ 1974;

(D) As to clause (5), ~~May 22, 1979~~ the day following final enactment of this act;

(E) As to clause (8), ~~May 22, 1979~~ the day following final enactment of this act;

(F) As to clause (10) (a), ~~May 22, 1979~~ the day following final enactment of this act.

Subd. 2. The date of the report of sale to which section 582.26 applies is ~~May 22, 1979~~ the day following final enactment of this act.

Subd. 3. The provisions of sections 582.25 to 582.27 shall not affect any action or proceeding pending on ~~August 1, 1979~~ 1985 or which shall be commenced before ~~February 1, 1980~~ 1986, in any of the courts of the state, involving the validity of such foreclosure.

Approved May 9, 1985

Changes or additions are indicated by underline, deletions by ~~strikeout~~.