

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1349 Session of
1982

INTRODUCED BY O'CONNELL, HELFRICK AND STAPLETON, MARCH 17, 1982

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, MARCH 17, 1982

AN ACT

1 Amending the act of August 8, 1961 (P.L.975, No.436), entitled
2 "An act defining milk and its derivatives, prohibiting its
3 adulteration, regulating its labeling, sale and serving;
4 imposing powers and duties on the Department of Agriculture;
5 providing penalties and making repeals," defining
6 manufactured dairy products and changing penalties for
7 violations.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1.1, act of August 8, 1961 (P.L.975,
11 No.436), entitled "An act defining milk and its derivatives,
12 prohibiting its adulteration, regulating its labeling, sale and
13 serving; imposing powers and duties on the Department of
14 Agriculture; providing penalties and making repeals," is amended
15 by adding a definition to read:

16 Section 1.1. Definitions.--As used in this act--

17 * * *

18 "Manufactured dairy products" means butter, cheese (natural
19 or processed), dry whole milk, nonfat dry milk, dry buttermilk,
20 dry whey, evaporated milk (whole or skim), condensed whole and

1 condensed skim milk (plain or sweetened), and such other
2 products for human consumption, as may be designated by the
3 secretary.

4 * * *

5 Section 2. Section 8 of the act is amended to read:

6 Section 8. Penalties.--[Any person who shall violate any of
7 the provisions of this act, or any rule, regulation or order
8 made pursuant to this act, shall, for the first or second
9 offense upon conviction thereof in a summary proceeding, be
10 sentenced to pay a fine of not less than twenty-five dollars
11 (\$25) nor more than one hundred dollars (\$100) and costs of
12 prosecution, and, in default of payment of such fines and costs,
13 shall be sentenced to undergo imprisonment in the county jail
14 for not more than thirty days, and for a third or subsequent
15 offense within one year, shall be guilty of a misdemeanor, and
16 shall, upon conviction thereof, be sentenced to pay a fine of
17 not less than five hundred dollars (\$500) nor more than one
18 thousand dollars (\$1000) or to undergo imprisonment in the
19 county jail not exceeding one year, or both, in the discretion
20 of the court.] Any person violating any provision of this act or
21 the rules and regulations promulgated thereunder shall, upon
22 conviction, be guilty of a summary offense.

23 Section 3. This act shall take effect in 60 days.