



**MONTANA  
ADMINISTRATIVE  
REGISTER**



**DEPARTMENT OF LIVESTOCK**

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**NOTICE OF PROPOSED RULEMAKING**

**MAR NOTICE NO. 2025-19.1**

**Summary**

Amendment of ARM 32.8.101 pertaining to the adoption and incorporation by reference of milk sanitation documents

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**No Hearing Scheduled**

If the agency receives requests for a public hearing on the proposed rulemaking from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed rulemaking; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register.

The estimated number of persons directly affected by the proposed rulemaking is 53.

**Comments**

Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to the contact information listed below. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing in writing to the contact information listed below. Comments must be received by Monday, April 28, 2025, at 5:00 p.m.

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## Accommodations

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Monday, April 7, 2025, at 5:00 p.m.

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## Contact

Lindsey Simon, Department of Livestock  
(406) 444-7631  
MDOLcomments@mt.gov  
TTY: (800) 253-4091  
Fax: (406) 444-4316

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## Rulemaking Actions

### AMEND

The rule proposed to be amended is as follows, stricken matter interlined, new matter underlined:

### **32.8.101 DEFINITIONS AND ADOPTION OF GRADE A PASTEURIZED MILK ORDINANCE AND ASSOCIATED DOCUMENTS**

- (1) remains the same.
- (2) The Department of Livestock adopts and incorporates by reference as rules of the department the following:
  - (a) "Grade A Pasteurized Milk Ordinance, ~~2019~~ 2023 Recommendations of the United States Public Health Service/Food and Drug Administration" (PMO) together with attached recommended administrative procedures, appendices, and index, except sections 16 and 17.
  - (b) "Methods of Making Sanitation Ratings of Milk Supplies," ~~2019~~ 2023 edition issued by the U.S. Public Health Service/Food and Drug Administration (MMSR).
  - (c) "Evaluation of Milk Laboratories," ~~2019~~ 2023 edition (EML).
  - (d) "Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers," ~~2019~~ 2023 edition.

(3) remains the same.

(4) Copies of related federal ordinances and associated documents are on file with the department at 301 North Roberts Street, P.O. Box 202001, Helena, Montana 59620-2001, and are carried by each sanitarian employed by the department.

(5) remains the same.

**Authorizing statute(s):** 81-2-102 MCA

**Implementing statute(s):** 2-4-307, 81-2-102, MCA

### **Reasonable Necessity Statement**

The department proposes to amend the above-stated rule to update the milk sanitation documents adopted and incorporated by reference to the most up-to-date versions dated 2023.

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### **Small Business Impact**

Pursuant to 2-4-111, MCA, the agency has determined that the rule changes proposed in this notice will not have a significant and direct impact upon small businesses.

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### **Bill Sponsor Notification**

The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

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### **Interested Persons**

The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, email, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Written requests may be mailed or delivered to the contact person listed in this notice or may be made by completing a request form at any rules hearing held by the agency.

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**Rule Reviewer**

Lindsey Simon, Legal Counsel

**Approval**

Michael Honeycutt, Executive Officer