

**MARK-UP VERSION OF**  
**AMENDMENT TO SANTA BARBARA COUNTY CODE**  
**CHAPTER 16 – FOOD AND FOOD PRODUCTS, ARTICLE II “MILK”**

**Article II. Milk**

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~~Sec. 16-7. State law definitions adopted.~~

~~Sec. 16-8. Permit required.~~

~~Sec. 16-9. Market milk and related products regulated.~~

~~Sec. 16-10. Milk inspection service—Created.~~

~~Sec. 16-11. Same—Health officer to supervise.~~

~~Sec. 16-12. Inspection fees.~~

~~Sec. 16-13. Area plants and farms affected.~~

~~Sec. 16-14. Sale of unpasteurized milk prohibited; exceptions.~~

~~Sec. 16-15. Tuberculin test for cows required.~~

~~Sec. 16-16. Enforcement of article; rules and regulations.~~

**Sec. 16-7. State law definitions adopted.**

The definition of the words "milk," "raw milk," "cream," "pasteurized," and "certified" shall be as defined in the State Agricultural Code.

*(Ord. No. 1587, § 3)*

**Sec. 16-8. Permit required.**

Subject to the provisions of section 506 of the Agricultural Code, every person before engaging in the business of producing, processing, selling or distributing market milk or related products shall obtain a permit from the health officer for each dairy farm, milk products plant or place of business, whichever is applicable. The health officer may, after notice to the holder of such permit, revoke the same for violation of this article.

*(Ord. No. 1202, § 3)*

**Sec. 16-9. Market milk and related products regulated.**

It shall be unlawful for any person to process, sell, offer for sale, distribute or process for sale any market milk or related products as defined in division 4 of the State Agricultural Code, including amendments thereto hereafter made, without complying with the applicable provisions of such Code as amended, and of this article.

*(Ord. No. 1202, § 2)*

**Sec. 16-10. Milk inspection service—Created.**

There is hereby created a milk inspection service for Santa Barbara County in accordance with the provisions of division 4, chapter 3, article 2 of the Agricultural Code of California.

*(Ord. No. 452, § 1; Ord. No. 1587, § 1)*

**Sec. 16-11. Same—Health officer to supervise.**

The health officer shall have supervision over the milk inspection service, and he shall maintain the same so as to meet the approval of the director of agriculture of the state as provided in division 4, chapter 3, article 2 of the Agricultural Code of California.

*(Ord. No. 452, § 2; Ord. No. 1587, § 2)*

**Sec. 16-12. Inspection fees.**

Every milk products plant in any way processing or handling market milk or related products shall as an inspection fee pay to the health officer an amount equal to one mill per gallon of milk received at the established place of business of such milk processing plant to be processed as Class 4 milk as defined by section 4226 of the State Agricultural Code; provided, that in the event such plant is what is generally known as a bulk plant where milk is received, cooled and transshipped without other processing, the fee shall be eight tenths of one mill per gallon; provided, however, that the minimum fee for any milk products plant of any type or any bulk plant shall be twelve dollars per month, and the maximum fee for any milk products plant of any type or any bulk plant shall be forty dollars per month. Every milk products plant, whether or not located within the area under the jurisdiction of the milk inspection service maintained by the county shall pay to the health officer a fee of twelve dollars per month for each dairy farm within the area under the jurisdiction of the milk inspection service maintained by the county from which market milk is received; provided, that where such dairy farm delivers to more than one milk products plant, the fee shall be proportioned on an equitable basis in proportion to the gallonage delivered to the several plants. The auditor-controller shall make an investigation to be completed by September 1, 1961, as to the actual cost to the county of inspecting the dairy farms and milk products plants, including bulk plants for which the county has been designated as the milk inspections service and shall certify such facts to the health officer who shall thereupon, if necessary, adjust the fees herein specified to such amounts as will equal the actual cost to the county of the making of such inspections according to the certification of the auditor-controller as aforesaid. The auditor-controller shall thereafter likewise not less often than once each year make a similar investigation and certification as to the actual cost of inspection, and the health officer shall thereupon, if necessary, adjust such fees accordingly. The fees herein provided shall be due on the twentieth of each month for the amounts accruing during the preceding calendar month, and if not so paid prior to the end of the month in which they become due shall become delinquent thereon and shall have added thereto a penalty equal to five percent of the regular fee for each month or fraction thereof until paid.

*(Ord. No. 1202, § 4)*

**~~Sec. 16-13. Area plants and farms affected.~~**

~~The provisions of this article shall apply only to that area of the county and the milk products plants, dairy farms and places of business therein within the approved milk inspection service as set forth in the State Agricultural Code for which the county has been or may hereafter be designated and assigned by the director of agriculture of the state as the agency to conduct the milk products plant inspection or dairy farm inspection, or both.~~

~~(Ord. No. 1202, § 5)~~

**~~Sec. 16-14. Sale of unpasteurized milk prohibited; exceptions.~~**

~~It shall be unlawful for any person, or his agent or employee to sell, offer for sale, distribute or have in possession for sale or distribution, within the county milk or cream for human consumption until it has been pasteurized, with the following exceptions:~~

- ~~(a) Certified milk or cream;~~
- ~~(b) Raw milk held for sale to wholesalers or processing plants for pasteurization;~~
- ~~(c) Milk produced by family cows for family consumption.~~

~~(Ord. No. 452, § 4; Ord. No. 1587, § 3)~~

**~~Sec. 16-15. Tuberculin test for cows required.~~**

~~Milk for human consumption in county shall be drawn from cattle that have passed a tuberculin test. Such test shall be under the supervision of the Department of Agriculture of the state and shall be repeated annually if no reacting animals are found in the herd. Reacting animals shall be removed from the herd immediately and the remaining healthy animals retested within six months thereafter. No new animals shall be admitted to the herd without first having passed a tuberculin test.~~

~~(Ord. No. 452, § 5; Ord. No. 1587, § 4)~~

**~~Sec. 16-16. Enforcement of article; rules and regulations.~~**

~~The health officer shall enforce all the provisions of this article and he shall have power to formulate and enforce rules and regulations for that purpose.~~

~~(Ord. No. 452, § 3)~~