

RAW MILK AND RAW MILK PRODUCTS PRODUCTION AND SALES:
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

The Alaska Department of Environmental Conservation proposes to adopt regulation changes in Title 18 Chapter 32 of the Alaska Administrative Code, dealing with Milk and Milk Products by adding a new section (18 AAC 32.070) Raw Milk and Raw Milk Products Production and Sales, and other conforming edits and clarifications to the chapter. The amendment includes the following:

- Changing 18 AAC 32.060 by adding new language under (3) that allows the sale of raw milk and raw milk products under 18 AAC 32.070.
- Changing 18 AAC 32 by adding a new section, 18 AAC 32.070 Raw Milk and Raw Milk Products Production and Sales, including provisions regarding:
 - (a) identifying that raw sheep, goat, or cow milk producers are not subject to all other provisions of the Milk and Milk Products Chapter except as identified in 18 AAC 32.070;
 - (b) facility requirements;
 - (c) container requirements;
 - (d) operating requirements;
 - (e) absence of drug residue requirements;
 - (f) transfer requirements;
 - (g) sale limitations;
 - (h) routine screening requirements;
 - (i) healthy animal requirements;
 - (j) voluntary testing of raw milk and raw milk products provisions;
 - (k) record retention requirements;
 - (l) inspection and audit authority;
 - (m) detention procedures;
 - (n) compliance with other statutes and regulations; and,
 - (o) definitions.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments electronically via our public notice site at <http://dec.alaska.gov/comment/>. The full contents of all submitted comments are considered public records and will be posted online in full during the public comment period. If you are unable to submit comment via this site, you may submit them by mail to Shannon Miller, Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK 99501. Additionally, the Department of Environmental Conservation will accept comments by facsimile at (907) 269-7654, or by electronic mail at shannon.miller@alaska.gov. The comments must be received not later than 11:59 p.m. on February 22, 2022.

You may submit written questions relevant to the proposed action to Shannon Miller, Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK 99501 or by email to shannon.miller@alaska.gov. The questions must be received at least 10 days before the end of the public comment period. The Department of Environmental Conservation will aggregate its response to substantially similar questions and make the questions and responses available on the

Alaska Online Public Notice System and <https://dec.alaska.gov/eh/vet/regulations/raw-milk-and-products/>. The Department of Environmental Conservation may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs an accommodation in order to participate in this process, please contact ADEC HR Manager Brian Blessington at (907) 269-6272 or TDD Relay Service 1-800-770-8973/TTY or dial 711 no later than February 11, 2022 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System, <https://dec.alaska.gov/eh/vet/regulations/raw-milk-and-products/>, or by contacting Shannon Miller by email at shannon.miller@alaska.gov or by phone at (907) 269-6066.

After the public comment period ends, the Department of Environmental Conservation will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

Statutory authority: AS 03.05.011; AS 03.05.050; AS 17.20.005; AS 17.20.010; AS 17.20.020; AS 17.20.040; AS 17.20.050; AS 17.20.070; AS 17.20.072; AS 17.20.180; AS 17.20.190; AS 17.20.220; AS 17.20.230; AS 17.20.240; AS 17.20.250; AS 17.20.260; AS 17.20.270; AS 17.20.280; AS 44.46.020

Statutes being implemented, interpreted, or made specific: AS 03.05.011; AS 03.05.030; AS 03.05.040; AS 03.05.050; AS 17.20.005; AS 17.20.010; AS 17.20.020; AS 17.20.040; AS 17.20.050; AS 17.20.070; AS 17.20.072; AS 17.20.180; AS 17.20.190; AS 17.20.220; AS 17.20.230; AS 17.20.240; AS 17.20.250; AS 17.20.260; AS 17.20.270; AS 17.20.280; AS 44.46.020

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

The Department of Environmental Conservation keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Department of Environmental Conservation notices of proposed regulation changes. To be added to or removed from the list, send a request to the Department of Environmental Conservation, Environmental Health Program Coordinator Shannon Miller at shannon.miller@alaska.gov, giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Date: January 17, 2022

/s/
Jason W. Brune, Commissioner