

**§2901-B. Trademark for milk and milk products**

The department shall adopt rules permitting the use of the certification trademark provided for in section 443-B on milk or milk products. The initial rules must include limitations relating to the use of milk from cows that have been treated with recombinant bovine somatotropin, referred to in this section as "rbST." The rules must include a requirement that the department receive written consent from producers to draw blood from their milking herd, examine historical milk production records, inspect medicine storage places and perform other inspections reasonably necessary to verify compliance with the trademark criteria. [PL 2005, c. 382, Pt. F, §1 (AMD).]

**1. Notice by producer.** If the criteria for use of the certification trademark include absence of the use of rbST, a milk producer in this State who sells milk to a milk plant that uses the trademark must notify that milk plant before using rbST within the milking herd of the producer's dairy farm. Notification to the milk plant must be made at least 45 days before using rbST. Notification must be made by certified mail and sent to the milk plant's employee responsible for milk procurement at the plant location where the milk is processed. For purposes of this section, "possession of rbST" means use.

[PL 1999, c. 679, Pt. A, §4 (AMD).]

**2. Failure to provide notice.** If a Maine milk producer fails to give the milk plant the notice required in subsection 1, the milk plant is not required to comply with the notice requirements of section 2903-A before refusing to continue to purchase milk under any contract with that milk producer.

[PL 1999, c. 679, Pt. A, §4 (AMD).]

**SECTION HISTORY**

PL 1993, c. 663, §1 (NEW). PL 1999, c. 679, §A4 (AMD). PL 2005, c. 382, §F1 (AMD).

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