

**32.25 MILK, CREAM, SKIM MILK, AND BUTTERMILK BOUGHT BY WEIGHT; TESTING METHODS.**

Subdivision 1. **Milk fat, protein, and solids not fat bases of payment; tests.** Milk must be purchased from producers using a formula based on one or more of the following:

- (1) payment of a standard rate with uniform differentials for milk testing above or below 3.5 percent milk fat;
- (2) payment of a standard rate for the pounds of milk fat contained in the milk;
- (3) payment of a standard rate for the pounds of protein contained in the milk;
- (4) payment of a standard rate for the pounds of solids not fat contained in the milk; or
- (5) payment of standard rates based on other attributes of value in the milk.

In addition, an adjustment may be made on the basis of milk quality and other premiums.

Testing procedures for determining the percentages of milk fat, protein, and solids not fat must comply with the Association of Analytical Chemists approved methods or be as adopted by rule.

Subd. 2. **Apparatus to conform to specifications.** All glassware, test bottles, pipettes, acid measures, chemicals, scales, and other apparatus used in the operation of these tests shall conform to the specifications set forth for the particular test method.

Subd. 3. **Penalties for violations.** Any person

- (1) who shall employ any test other than those tests authorized by rule promulgated by the commissioner, or any methods other than the standard official methods for determining the milk fat content of milk or cream, or
- (2) who shall incorrectly sample milk or cream purchased or sold, or
- (3) who shall incorrectly weigh milk or cream purchased or sold, or
- (4) who shall incorrectly grade milk or cream purchased or sold, or
- (5) who shall make a false entry of the weight, or test result, or grade of any milk or cream purchased or sold, or
- (6) who shall incorrectly sample, weigh, test, or record or report weights or tests of skim milk or buttermilk purchased or sold, or
- (7) who shall underread the tests, or
- (8) who shall falsify the reading of the tests, or
- (9) who shall manipulate the reading of the tests, or
- (10) who shall falsely state, certify, or use in the purchase or sale of milk or cream a misreading of such tests, whether the tests or actual reading shall have been made by such person or by any other person, shall be guilty of a misdemeanor.

**History:** (3815) 1921 c 495 s 26; 1927 c 154 s 1; 1941 c 327 s 1; 1945 c 164 s 1; 1947 c 461 s 1; 1955 c 521 s 1; 1961 c 147 art 5 s 2; 1963 c 90 s 1; 1965 c 310 s 2,3; 1984 c 509 s 1; 1985 c 248 s 70; 1993 c 367 s 27; 1999 c 154 s 1