



Agency Legislative Proposal - 2018 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): **HERD SHARES**

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture
Liaison: Jason E. Bowsza Phone: 860-713-2526 E-mail: Jason.Bowsza@ct.gov
Lead agency division requesting this proposal: Bureau of Regulatory Services
Agency Analyst/Drafter of Proposal: Jason E. Bowsza

Title of Proposal: AN ACT REPEALING HERD SHARES WITHIN THE PRODUCTION OF MILK AND RAW MILK PRODUCTS
Statutory Reference: Sec. 22-129 Prohibitions on sale offering for sale, barter, exchange, distribution or processing. (Milk and Milk Products)
Proposal Summary: This proposal will eliminate the exemption that allows for the exchange or transfer of raw milk among people engaged in an animal ownership arrangement. (PA-15-101) Click here to enter text.

PROPOSAL BACKGROUND

◇ Reason for Proposal

<i>Please consider the following, if applicable:</i> <ol style="list-style-type: none"> (1) <i>Have there been changes in federal/state/local laws and regulations that make this legislation necessary? No.</i> (2) <i>Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Yes. Data from those states indicate an increase in foodborne illness related to the consumption of raw milk from herd sharing programs (MI, TN).</i> (3) <i>Have certain constituencies called for this action? No.</i> (4) <i>What would happen if this was not enacted in law this session? A public health threat will remain in place.</i> <p>Click here to enter text.</p>

- ◇ **Origin of Proposal** **New Proposal** **Resubmission**



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package? **We are attempting to reverse the bill that passed unanimously in the 2015 session.**
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal? **No. Public Act 15-101 should be eliminated.**
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation? **Former Sen. Clark Chapin.**
- (4) What was the last action taken during the past legislative session? **The Environment Committee did not raise the concept. This continues to be a significant public health concern.**

Click here to enter text.

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** (please list for each affected agency)

Agency Name: None
Agency Contact (name, title, phone): Click here to enter text.
Date Contacted: Click here to enter text.

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency’s Comments
 N/A

Will there need to be further negotiation? YES NO

◇ **FISCAL IMPACT** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)
 NONE

State
 NONE

Federal
 NONE



Additional notes on fiscal impact

Click here to enter text.

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

None

Insert fully drafted bill here

Sec. 22-129. Prohibitions on sale, offering for sale, barter, exchange, distribution or processing. Exceptions. Penalties. (a) The Commissioner of Agriculture or the commissioner's duly authorized agent shall prohibit the sale or offering for sale or distribution of any cheese, milk or other milk product which is insanitary or detrimental to health, and which has not been produced, processed, cared for or handled in the manner prescribed in this chapter and in chapter 431 and by the regulations of the Milk Regulation Board.

(b) The following are prohibited: (1) The sale, offering for sale or offering for barter or exchange any milk, milk product or cheese that is adulterated, (2) the adulteration of any milk, milk product or cheese, (3) the sale, offering for sale, offering for barter or exchange, manufacturing, distributing or processing any milk, milk product or cheese from any facility not licensed pursuant to section 22-229, or (4) the sale, offering for sale, distributing, offering for barter or exchange any milk for pasteurization, retail raw milk or retail raw milk cheese from any dairy farm not registered pursuant to section 22-172 or 22-173a.

(c) The provisions of this section shall not apply to: (1) The production of milk, milk products, raw milk or raw milk products and the manufacture of cheese for personal consumption or for consumption by immediate family members, or (2) the transfer or exchange of raw milk between persons who are parties to the same shared animal ownership agreement. For purposes of this subsection, "shared animal ownership agreement" means any contractual arrangement in which a person: (A) Acquires an ownership interest in a milk-producing animal, (B) agrees to pay or reimburse another person or otherwise accept financial responsibility for the care and boarding of such milk-producing animal, and (C) is entitled to receive a share of the raw milk produced by such milk-producing animal.

(d) Nothing in this section shall prevent the commissioner from seeking any other remedy provided by law.

(e) Any person who violates any order issued by the commissioner or the commissioner's duly authorized agent pursuant to this section shall, for a first violation, have committed an infraction



and, for a second or subsequent violation committed within one year of a prior violation, be guilty of a class A misdemeanor.



Agency Legislative Proposal - 2018 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): Restraint and Disposal Orders, rabies statute fixes

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.bowsza@ct.gov

Lead agency division requesting this proposal: Department of Agriculture Bureau of Regulatory Services

Agency Analyst/Drafter of Proposal: Wayne Kasacek/jason e. bowsza

Title of Proposal: AAC the Control of Rabies

Statutory Reference: 22-358 and 22-359

Proposal Summary:

The proposal cleans up existing statutes pertaining to the quarantine and disposal of dogs doing damage, and pertaining to the control of rabies. These changes will make the two statutes more clear and simpler to enforce. The proposal removes rabies quarantine language from 22-358, the section that deals with animals that bite or attack, and moves that language to section 22-359, which is more appropriate. Moving the quarantine language from 22-358 to 22-359 clarifies that 22-358 deals with dangerous dogs and other animals, and that 22-359 deals with management and control of rabies.

PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? **No, but veterinary standards as determined by the Center for Disease Control have changed, and the proposal makes statutory changes to reflect those changing standards.**
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? **unknown**
- (3) Have certain constituencies called for this action? **No, but the changes will be a benefit for local animal control officers and animal owners.**
- (4) What would happen if this was not enacted in law this session? **The statutes will continue to be vague, outdated, and difficult to execute and enforce.**

[Click here to enter text.](#)



◇ **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

N/A

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: Click here to enter text.
Agency Contact (name, title, phone): Click here to enter text.
Date Contacted: Click here to enter text.

Approve of Proposal **YES** **NO** **Talks Ongoing**

Summary of Affected Agency’s Comments

Click here to enter text.

Will there need to be further negotiation? **YES** **NO**

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal *(please include any municipal mandate that can be found within legislation)*

none

State

none

Federal

none

Additional notes on fiscal impact

Click here to enter text.



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

This will make the statutes pertaining to the control of rabies more clear. The proposal also updates the animal health standards to reflect new recommended standards for the quarantine of domestic animals potentially exposed to rabies.

Insert fully drafted bill here

Sec. 22-358. Killing of dogs doing damage. Biting or attacking dogs, cats or other animals. [Quarantine of biting dogs, cats or other animals. Notice. Seizure. Euthanasia and examination of potentially rabid animals.] Complaints by persons sustaining damage by a dog to their poultry, ratite, domestic rabbit, companion animal or livestock. Orders. Appeals. (a) Any owner or keeper, or the agent of any owner of any domestic animal, companion animal or poultry, or the Chief Animal Control Officer, any animal control officer, any municipal animal control officer, any regional animal control officer or any police officer or state policeman, may kill any dog [which he observes] while it is in the act of biting or attacking, pursuing or worrying any such domestic animal, companion animal or poultry. Such owner or keeper who kills such dog shall make complaint concerning the circumstances of the attack to any state, municipal or regional animal control officer or any police officer of the town where such attack occurred. Any such officer to whom such complaint is made shall investigate such complaint.

(b) Any person who is [bitten, or who shows visible evidence of attack] protecting themselves or another person from physical harm during an attack or who is bitten or attacked by a dog, cat or other animal when such person is not upon the premises of the owner or keeper of such dog, cat or other animal may kill such dog, cat or other animal during such attack. Such person shall make complaint concerning the circumstances of the attack to the Chief Animal Control Officer, any animal control officer or the municipal animal control officer or regional animal control officer or any police officer of the town [wherein such dog, cat or other animal is owned or kept.] where such bite or attack occurred. Any such officer to whom such complaint is made shall immediately make an investigation of such complaint. Any state, municipal or regional animal control officer or any police officer may kill any biting or attacking dog, cat or other animal to protect themselves or another person from physical harm.

(c) [If such officer finds that the complainant has been bitten or attacked by such dog, cat or other animal when the complainant was not upon the premises of the owner or keeper of such dog, cat or other animal the officer shall quarantine such dog, cat or other animal in a public pound or order the owner or keeper to quarantine it in a veterinary hospital, kennel or other building or enclosure approved by the commissioner for such purpose. When any dog, cat or other animal has bitten a person on the premises of the owner or keeper of such dog, cat or other animal, the Chief Animal Control Officer, any animal control officer, any municipal animal control officer or any regional animal control officer may quarantine such dog, cat or other animal on the premises of the owner or keeper of such dog, cat or other animal. The commissioner, the Chief Animal Control Officer, any animal control officer, any municipal animal control officer or any regional animal control officer may make any order concerning the restraint or disposal of any biting dog, cat or other animal as the



commissioner or such officer deems necessary. Notice of any such order shall be given to the person bitten by such dog, cat or other animal within twenty-four hours. The owner of such animal shall pay all fees as set forth in section 22-333. On the fourteenth day of such quarantine the dog, cat or other animal shall be examined by the commissioner or someone designated by the commissioner to determine whether such quarantine shall be continued or removed. Whenever any quarantine is ordered under the provisions of this section, notice thereof shall be given to the commissioner and to the person bitten or attacked by such dog, cat or other animal within twenty-four hours. Any owner or keeper of such dog, cat or other animal who fails to comply with such order shall be guilty of a class D misdemeanor. If an owner or keeper fails to comply with a quarantine or restraining order made pursuant to this subsection, the Chief Animal Control Officer, any animal control officer, any municipal animal control officer or any regional animal control officer may seize the dog, cat or other animal to ensure such compliance and the owner or keeper shall be responsible for any expenses resulting from such seizure. Any person aggrieved by an order of any municipal animal control officer, the Chief Animal Control Officer, any animal control officer or any regional animal control officer may request a hearing before the commissioner within fourteen days of the issuance of such order. Any order issued pursuant to this section that requires the restraint of an animal shall be effective upon its issuance and shall remain in effect during any appeal of such order to the commissioner. After such hearing, the commissioner may affirm, modify or revoke such order as the commissioner deems proper. Any dog owned by a police agency of the state or any of its political subdivisions is exempt from the provisions of this subsection when such dog is under the direct supervision, care and control of an assigned police officer, is currently vaccinated and is subject to routine veterinary care. Any guide dog owned or in the custody and control of a blind person or a person with a mobility impairment is exempt from the provisions of this subsection when such guide dog is under the direct supervision, care and control of such person, is currently vaccinated and is subject to routine veterinary care.] In the interest of public safety, if after investigation any state animal control officer or any municipal or regional animal control officer in the municipality or region in which a dog bite or attack occurs determines that a person has been bitten or attacked by a dog, such officer may make any order concerning the restraint or disposal of such biting or attacking dog as such officer deems necessary. In determining the type of order issued or conditions of restraint imposed, such animal control officer shall consider, as applicable, the ability of the owner or keeper to control the dog, the severity of injury inflicted by the biting or attacking dog, the viciousness of the bite or attack, past bite or attack history of the dog, whether the bite or attack took place off of the property of the owner or keeper of the biting dog, whether the biting or attacking dog was improperly provoked, and whether the biting or attacking dog was in the act of protecting its owner or keeper from physical harm. Any owner or keeper of a dog subject to an order issued pursuant to this subsection, or the bite or attack victim may appeal such order pursuant to subsection (d) of this section.

(d) The following shall apply to any order issued pursuant to this section:

- (1) In the interest of public safety, whenever an order issued pursuant to this section requires the restraint of a dog, the order shall be effective upon its issuance and shall remain in effect during any appeal of such order;
- (2) In the interest of public safety, whenever an order issued pursuant to this section requires the disposal of a dog, the issuing officer shall take physical custody and retain possession of the dog subject to the order during any appeal of such order;
- (3) A copy of any order issued pursuant to this section shall be given to the person bitten or attacked, or to the owner or keeper of an animal which has been bitten or attacked within twenty-four hours;



- (4) Within thirty days of issuing an order the authority which issued the order shall schedule and hold a pre-hearing meeting with the owner or keeper of the dog subject to the order to determine if the matter is in dispute. At such meeting the owner or keeper of the dog subject to the order and their legal counsel if so accompanied, the animal control officer issuing the order and the animal control officer's appointing authority or their designee may stipulate to an alternate order to resolve the matter. After the pre-hearing meeting is held and concluded any owner or keeper of a dog, or the victim of a bite or attack who is aggrieved by an order issued by any state, municipal or regional animal control officer pursuant to this section may request a hearing before the commissioner. Such request for a hearing shall be in writing and made within fourteen days of the date the pre-hearing meeting is held and concluded. In any hearing before the commissioner the authority issuing the order shall bear the burden of proof by a preponderance of the evidence in the record;
- (5) Any order issued pursuant to this section shall include the date, time and place where the pre-hearing meeting shall occur and a statement informing the owner or keeper of the dog, the victim or the owner or keeper of an animal which has been bitten or attacked of their right to appeal following the pre-hearing meeting;
- (6) The results of the pre-hearing meeting, including the date of the pre-hearing meeting, and whether and how the matter was resolved, shall be signed by all parties and provided to the commissioner within ten days of the date of the pre-hearing meeting;
- (7) Any owner or keeper of a dog, who without good cause as determined by the commissioner, fails to attend the pre-hearing meeting or a hearing held by the Connecticut Department of Agriculture shall forfeit their right to appeal and the order shall become final;
- (8) Any such hearing held pursuant to this section shall be conducted pursuant to Chapter 54 and the regulations of the Connecticut Department of Agriculture. After such hearing, the commissioner may affirm, modify or revoke such order as the commissioner deems proper;
- (9) The owner or keeper of dog subject to an order issued pursuant to this section shall pay all fees as set forth in section 22-333. If an owner or keeper of a dog subject to an order issued pursuant to this section fails to comply with the order any state, municipal or regional animal control officer may seize the dog prior to or during the pendency of the pre-hearing meeting or appeal and after the completion of the appeal of such order to ensure such compliance and the owner shall be responsible for any expenses resulting from such seizure; and
- (10) Any owner or keeper of a dog subject to an order issued pursuant to this section who fails to comply with the order shall be guilty of a class D misdemeanor.

[(d)](e) Any dog, while [actually] biting, attacking, worrying or pursuing deer, may be killed by the Chief Animal Control Officer or an animal control officer or by a conservation officer or special conservation officer appointed by the Commissioner of Energy and Environmental Protection, or by any police officer or state policeman. The owner or keeper of any dog found biting, attacking, worrying or pursuing a deer shall be guilty of a class D misdemeanor.

[(e)](f) Any person who kills any dog, cat or other animal in accordance with the provisions of this section shall not be held criminally or civilly liable therefor.

[(f) The owner of any dog, cat or other animal which has bitten or attacked a person and has been quarantined pursuant to subsection (c) of this section may authorize the humane euthanization of such dog, cat or other animal by a licensed veterinarian at any time before the end of the fourteenth day of such quarantine. Any such dog, cat or other animal so euthanized before the end of the fourteenth day of quarantine shall be



examined for rabies by the Connecticut Department of Public Health virology laboratory or any other laboratory authorized by the Department of Public Health to perform rabies examinations. The veterinarian performing the euthanasia shall be responsible for ensuring that the head of the euthanized animal is delivered by him or his designated agent within forty-eight hours to an appropriate laboratory designated by said department for rabies examination.

(g) Repealed by P.A. 05-175, S. 24.]

[(h)](g) A person who sustains damage or physical injury [by a dog] to such person's poultry, ratite, domestic rabbit, companion animal or livestock as defined in section 22-278 by a biting or attacking dog shall make complaint concerning circumstances of the bite or attack by such dog on any such animal or livestock to the Chief Animal Control Officer, any animal control officer or the municipal animal control officer or regional animal control officer of the town in which [such dog is owned or kept.] the bite or attack occurred. An officer to whom such complaint is made shall immediately investigate such complaint. [If such officer finds that the complainant's animal has been bitten or attacked by a dog when the attacked animal was not on the premises of the owner or keeper of the attacking dog and provided the complainant's animal was under the control of the complainant or on the complainant's property, such officer, the commissioner, the Chief Animal Control Officer or any animal control officer may make any order concerning the restraint or disposal of such attacking dog as the commissioner or such officer deems necessary. An owner or keeper of such dog who fails to comply with such order shall be guilty of a class D misdemeanor. If the owner or keeper of such dog fails to comply with an order made pursuant to this subsection, the Chief Animal Control Officer or any animal control officer, municipal animal control officer or regional animal control officer may seize the dog to ensure such compliance, and the owner or keeper of such dog shall be responsible for any expenses resulting from such seizure. A person aggrieved by an order of the Chief Animal Control Officer or any animal control officer, municipal animal control officer or regional animal control officer made pursuant to this subsection may request a hearing before the commissioner not later than fourteen days after the issuance of such order. After such hearing, the commissioner may affirm, modify or revoke such order as the commissioner deems proper. A dog owned by a police agency of the state or any of its political subdivisions is exempt from the provisions of this section when such dog is under the direct supervision, care and control of an assigned police officer, has been vaccinated annually and is subject to routine veterinary care.] In the interest of public safety or the safety of other animals, if after investigation such animal control officer finds the bitten or attacked animal was under the control of the owner or keeper or the owner's competent agent or was on the property of the owner or keeper, such officer may issue any order requiring the restraint or disposal of such biting or attacking dog as such officer deems necessary. In determining the type of order issued or conditions of restraint imposed, such animal control officer shall consider the ability of the owner or keeper to control the biting or attacking dog, the severity of injury inflicted by the attacking dog, the viciousness of the attack, past bite or attack history of the dog, whether the biting or attacking dog was improperly provoked, and whether the biting or attacking dog was in the act of protecting its owner or keeper from physical harm. Any owner or keeper of a dog subject to an order issued pursuant to this subsection or the owner or keeper of the bitten or attacked animal may appeal such order pursuant to subsection (d) of this section.



(h) Any dog or other animal owned by the United States military, a law enforcement agency of the United States or a law enforcement agency of this state or any of its political subdivisions shall be exempt from the provisions of this section when such dog or other animal is owned by or in the custody and control of such agency and under the direct supervision, care and control of an assigned handler. Any guide dog or other animal owned by or in the custody and control of a blind person or a person with a mobility impairment shall be exempt from the provisions of this section when such guide dog or other animal is under the direct supervision, care and control of such person.

(i) All appeals pending before the commissioner that have not been heard shall be subject to the pre-hearing meeting and reporting requirements and all other applicable provisions as set forth in subsection (d) of this section.

Sec. 22-359. Control of rabies. Regulations. (a) The commissioner or the commissioner's designee may make such orders for the adequate confinement, quarantine, control, humane euthanasia, testing for rabies or destruction of any dog, cat or other animal as [he deems] is deemed necessary to prevent the spread of rabies and to protect the public therefrom. [provided, notwithstanding the provisions of section 22-358, a] A local director of health may order the [destruction] humane euthanasia of any unowned animal which is not currently vaccinated for rabies for the purpose of rabies testing if the director finds that the animal has bitten a person and the health or life of such person may be threatened. [Any person who fails to comply with any order made under the provisions of this section shall be fined not more than one hundred dollars. The commissioner, the Chief Animal Control Officer, any animal control officer or any municipal animal control officer may quarantine any animal in a public pound, veterinary hospital, kennel or other building or enclosure approved by the commissioner for such purpose, if in the determination of the commissioner or such officer, such animal is rabid or is suspected of being rabid, or has been bitten by, or may have been bitten by, or has been in contact with or exposed to, a rabid animal or an animal suspected of carrying rabies or any wild animal as defined in subsection (d) of this section. The length of such quarantine period shall be determined by the commissioner or the State Veterinarian who shall take into account the age, general health and vaccination history of the animal as well as current accepted veterinary practices. Any suspected or confirmed case of rabies shall be reported to the commissioner by a local director of health or board of health or any veterinarian within twenty-four hours of receipt of such information.]

(b) Any state, municipal or regional animal control officer may quarantine or order the confinement of any dog, cat or other animal in a public pound, veterinary hospital, kennel or other building or enclosure adequate for the confinement of such animal and approved by the state veterinarian for such purpose, if in the determination of such animal control officer, such dog, cat or other animal is rabid or is suspected of being rabid, or has been bitten by, or may have been bitten by, or has been in contact with or exposed to a rabid animal or an animal suspected of being infected with rabies or any wild animal as defined in subsection (g) of this section. The length of such quarantine or confinement period shall be determined by the state veterinarian who shall take into account the age, general health, rabies vaccination status of the animal and current national recommendations for the prevention and control of rabies.

(c) Whenever a person, companion animal or other animal has been bitten or attacked by a dog, cat or ferret, any state, municipal or regional animal control officer shall quarantine such biting or attacking dog, cat or



ferret for ten (10) days. During such quarantine such biting or attacking dog, cat or ferret shall be observed for clinical signs of rabies. On the tenth day of such quarantine the dog, cat or ferret shall be examined by the state veterinarian or a person designated by the state veterinarian to determine whether such quarantine shall be continued or removed. The quarantine of a biting dog, cat or ferret shall conform to one of the following: (1) when the bitten or attacked person, companion animal or other animal was not upon the premises of the owner or keeper of the biting or attacking dog, cat or ferret, the biting or attacking dog, cat or ferret shall be quarantined in a public pound or in a veterinary hospital or in a commercial kennel approved by the state veterinarian for such purpose, or (2) when the bitten or attacked person, companion animal or other animal was on the premises of the owner or keeper of the biting or attacking dog, cat or ferret the biting or attacking dog, cat or ferret shall be quarantined in a public pound or in a veterinary hospital or in a commercial kennel approved by the state veterinarian for such purpose, or the dog, cat or ferret may be quarantined or confined on the premises of the owner or keeper of the biting or attacking dog, cat or ferret when such place, pen or building is adequate for the confinement of such animal and acceptable to the municipality or agency issuing the quarantine order.

(d) The management, confinement, quarantine or disposition of biting or attacking animals other than dogs, cats or ferrets shall be determined by the state veterinarian who shall take into account the age, general health, rabies vaccination status of the biting or attacking animal and current national recommendations for the prevention and control of rabies.

[(b)](e) Any dog, cat or other animal held in quarantine which is clinically diagnosed as rabid by [two licensed veterinarians, at least one of whom shall be engaged in private practice] two licensed and practicing veterinarians or the state veterinarian shall be humanely euthanized immediately without prior notice to the owner or keeper of same. No person who [kills] humanely euthanizes any animal in accordance with this subsection shall be held criminally or civilly liable therefor. The owner or keeper of any biting animal which has been quarantined or confined pursuant to this section may authorize the humane euthanasia of such animal by a licensed veterinarian at any time before the end of the quarantine or confinement period for the purpose of testing such animal for rabies. Any animal so euthanized shall be examined for rabies by the Connecticut Department of Public Health virology laboratory or any laboratory authorized by the Connecticut Department of Public Health. The veterinarian performing the euthanasia shall be responsible for ensuring that the head of the euthanized animal is delivered to the appropriate laboratory for rabies examination within forty-eight hours of being euthanized. The costs of quarantine, veterinary examination, rabies vaccination, euthanasia and rabies testing shall be the responsibility of the owner or keeper of any animal quarantined or confined pursuant to this section.

[(c)](f) Any animal, other than a dog, which is quarantined pursuant to this section which is not claimed by its owner or keeper within five days after the expiration [within the period] of such quarantine may be sold or given away by the municipal or regional animal control officer, [if he finds] provided that the animal is in good health. The animal may only be sold or given away as a pet to a person who satisfies [the]such officer that the animal will be given a good home and proper care. The municipal or regional animal control officer may retain possession of such animal for such additional period of time [as he may deem]as deemed advisable in order to place such animal. Any animal, other than a dog, which is quarantined pursuant to this section which is not



claimed by its owner or keeper within five days after the expiration of such quarantine and which is not sold or given away by the municipal or regional animal control officer, [within five days of the expiration of such quarantine,] may be disposed of at the direction of the [State Veterinarian]state veterinarian. No person who disposes of any animal in accordance with this subsection shall be held criminally or civilly liable therefor.

[(d)](g) [The commissioner, any animal control officer] Any state, municipal or regional animal control officer, or any state or municipal police officer may immediately kill any wild animal which is displaying behavior which causes the commissioner, the state veterinarian, or such animal control officer to reasonably conclude that such animal is rabid. For purposes of this [subsection,] section "wild animal" means any mammal which is *ferae naturae* or wild by nature.

[(e)](h) The commissioner shall institute such measures as the commissioner deems necessary to prevent the transmission of rabies associated with animals in public settings, including, but not limited to, fairs, shows, exhibitions, petting zoos, riding stables, farm tours, pet shops and educational exhibits.

[(f)](i) The commissioner [shall] may adopt regulations, in accordance with chapter 54, to implement the provisions of [subsection (e) of this section.] this section. Such regulations may include quarantine or confinement requirements for animals exposed to or potentially exposed to rabies, requirements for the vaccination of animals against rabies, identification of animals, identification of owners or keepers of such animals, animal enclosures, posting of public advisories, reporting of rabies exposure incidents, records deemed necessary and proper relating to the vaccination of animals against rabies, and any other methods determined by the commissioner to prevent the transmission of rabies. Such regulations may consider the species of animal, the characteristics of the public settings and the nature and type of contact the public may have with animals.

(j) Any suspected or confirmed case of rabies shall be reported to the state veterinarian by the testing diagnostic laboratory or a local director of health or any licensed veterinarian within twenty-four hours of receipt of such information.

(k) Any person who fails to comply with any quarantine or confinement order issued pursuant to this section shall be fined two hundred fifty dollars. Any dog, cat or other animal subject to a quarantine or confinement order issued pursuant to this section whose owner or keeper fails to comply with such quarantine order may be seized by any state, municipal or regional animal control officer and held in quarantine until such quarantine is complete and the dog, cat or other animal is examined by a licensed veterinarian. All costs associated with a failure to comply with a quarantine or confinement order issued pursuant to this section, including but not limited to the costs of seizure, care, handling, veterinary examination and rabies vaccination shall be paid by the owner or keeper of such animal prior to releasing such animal.

(l) Any dog or other animal owned by the United States military, a law enforcement agency of the United States or a law enforcement agency of this state or any of its political subdivisions shall be exempt from the provisions of this section when such dog or other animal owned by or in the custody and control of such agency and is currently vaccinated for rabies and is subject to routine veterinary care. Any guide dog or other animal owned by or in the custody and control of a blind person or a person with a mobility impairment shall be exempt from



the provisions of this section when such guide dog or other animal is currently vaccinated for rabies and is subject to routine veterinary care.



Purpose:

C.G.S. § 22-358:

The concepts of disposal and restraint orders issued on an attacking or biting animal that has demonstrated a vicious propensity and the protection of public health by issuing quarantines to observe a biting animal for clinical signs of rabies have resulted in a confused C.G.S. § 22-358. This proposal removes rabies quarantine language from C.G.S. § 22-358 and places it in the control of rabies statute, C.G.S. § 22-359.

This proposal provides definitive guidance to Animal Control officers pertaining to the factors to be considered when determining the need for a disposal or restraint order on a dog which has demonstrated an aggressiveness and/or a vicious propensity by biting or attacking people or other animals.

Subsections (a) and (b), modernize language and provide more specific situations when a dog may be killed during and attack on people, livestock or other domestic animals.

Much of subsection (c) deals with mandatory quarantines for observation for clinical signs of rabies. We propose that C.G.S. § 22-359, which is the rabies control statute, is the more appropriate place for this language. What remains has been re-written for clarity and involves the issuance of restraint and disposal orders on attacking and biting dogs. The proposal requires animal control officers to consider the circumstances, nature of the attack(s) or bite(s), the viciousness of the attack(s) or bite(s), and the ability of owner's to control aggressive dogs in determining the type of order issued and conditions placed in restraint orders. It includes the provision for either the dog owner or keeper, or the victim to appeal the order. (new subsection (d))

New subsection (d) provides for the process to issue restraint or disposal orders, notification of rights to appeal, and provides for the holding of a dog during the appeal of a disposal order. Our goal in this subsection is to provide a more timely process for resolving disputes involving restraint or disposal orders. To accomplish this, the department proposes requiring the municipality and dog owner(s) to meet prior to initiating an appeal to the department. At this meeting the parties may resolve the issue. We have found that in many cases these matters can be resolved prior to a hearing. If the issue is not resolved at the pre-hearing meeting, then the appeal may be made to the department following the current procedures.

New subsection (f), formally subsection (e), is unchanged.

Original subsection (f) is transferred to C.G.S. § 22-359.

New subsection (g) originally subsection (h), concerns itself with dogs that attack other animals. This proposal rewrites the language of when an attacking dog may be subject to an order of restraint or disposal, and the opportunity to appeal, similar to the rationale for an attack on a person.

New subsection (h) exempts dogs owned by law enforcement, the blind and mobility impaired.



New subsection (i) of this proposal sends appeals that are on the department's docket as of the effective date of this proposal back to the municipality that issued the order to follow the process in this proposal for a pre-hearing meeting and appeal.

C.G.S. § 22-359 Concerns measures for the prevention and control of rabies in animals.

The provisions of this proposed legislation are consistent with nationally recognized and accepted guidelines and principals of animal rabies prevention and control.

Rabies is a fatal viral disease with serious public health implications. All mammals are believed to be susceptible to the disease, and for the purposes of this proposed legislation, use of the term animal refers to mammals. In Connecticut, rabies is considered endemic in certain species of wild animals including but not limited to raccoons, skunks, bats, fox and coyotes which serve as a reservoir for the virus.

The rabies virus is usually transmitted from animal to animal through bites. The incubation period is highly variable. In domestic animals, it is generally 3 to 12 weeks, but can range from several days to months, rarely exceeding 6 months. Rabies is communicable during the period of salivary shedding of rabies virus. Experimental and historic evidence documents that dogs, cats, and ferrets shed the virus for a few days prior to the onset of clinical signs of infection. The duration of viral shedding in species other than dogs, cats, and ferrets has not been determined.

Because pets and other domestic animals can be infected when they are bitten by rabid wild animals, prevention and control of rabies in these animals is a guiding principle in reducing the risk of human rabies. In addition to vaccination against rabies, post-exposure vaccination and management of domestic animals is essential in controlling spread of the virus among domestic animals and to humans. The proposed legislation provides the enforcement authority necessary to accomplish this.

The rabies vaccines currently available are labeled and approved for use only in dogs, cats, ferrets, cattle, sheep and horses. There are currently no known effective rabies antiviral drugs.

This proposal removes rabies quarantine language from section 22-358, the section that deals with animals that bite or attack and moves that language to section 22-359 which is more appropriate. Moving the quarantine language from C.G.S. § 22-358 to C.G.S. § 22-359, clarifies that C.G.S. § 22-358 as a statute that deals with dangerous dogs and other animals and that C.G.S. § 22-359 deals with management and control of rabies.

This proposal splits subsection (a) into separate subsections for clarity.

Subsection (a) contains some minor language changes. Local directors of health are authorized to order the humane euthanasia of unowned animals when a public health threat due to rabies is detected.

Subsection (b), which was extracted from subsection (a), provides for the quarantine of animals which are bitten by or have been exposed to potentially rabid animals. Subsection (b) of this proposal provides for



the state veterinarian to determine the quarantine and management of animals bitten by or exposed to potentially rabid animals. The care and management of animals which have been bitten by or exposed to potentially rabid animals varies considerably among the different species. The care and management of these animals must undergo a risk analysis based on several factors including but not limited to: the rabies vaccination status of the biting and bitten animal; evidence of a wound; the nature of the incident whether blood or saliva may have been introduced into a wound; the outcome of the mandatory quarantine of the biting animal if quarantined; whether the biting animal is available for diagnostic testing and the results of those tests. The state veterinarian conducts the risk analysis. Based on the risk and using recommendations from public health authorities such as those published in the Compendium of Animal Rabies Prevention and Control by the National Association of State Public Health Veterinarians, the state veterinarian can determine the quarantine period for these animals.

Subsection (c) provides for the mandatory quarantine of biting dogs, cats and ferrets for the purpose of observation for the clinical signs of rabies. This section was originally found in C.G.S. § 22-358.

This proposal shortens the mandatory quarantine of biting dogs, cats and ferrets from fourteen (14) days (in C.G.S. § 22-358) to ten (10) days, the length of time currently recommended by the National Association of State Public Health Veterinarians and the CDC.

Subsection (d) provides for the management of biting animals other than dogs, cats, and ferrets. The management of these biting animals depends on the species, the circumstances of the exposure, the epidemiology of rabies in the area, the exposing animal's history and current health status, and the animal's potential for exposure to rabies. The shedding period for rabies virus is undetermined for most species.

Subsections (e) through (i) ((b) through (f) in the original statute) were reworded with modern language. It also made adoption of regulations permissive (note regulations re: rabies in public settings are on the books).

Subsection (j) was extracted from the original subsection (a) and requires reporting confirmed rabies cases to the state veterinarian.

Subsection (k) was extracted from original subsection (a). The language increases the fine for failure to comply with this section from \$100 to \$250. It added a procedure for seizing an animal when the owner fails to cooperate to ensure it is properly quarantined.

Subsection (l) provides exemptions for dogs and other animals owned by law enforcement and the blind provided they are under their control, currently vaccinated for rabies and subject to routine veterinary care.



Agency Legislative Proposal - 2018 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): Connecticut Grown Standards

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture
Liaison: Jason E. Bowsza Phone: 860-713-2526 E-mail: Jason.bowsza@ct.gov
Lead agency division requesting this proposal: Office of the Commissioner
Agency Analyst/Drafter of Proposal: Jason E. Bowsza

Title of Proposal: AAC Farm of Origin Labelling Requirements in Schools
Statutory Reference: C.G.S. 22-38d
Proposal Summary: The proposal would require the disclosure of the farm of origin for any product sold as “Connecticut Grown” in Connecticut schools. Any wholesale or retail vendor selling food under the presumption that it is “Connecticut Grown” will be required to provide details as outlined in section 22-38(c), including but not limited to the farm of origin, the farmer/business that produced the product, and the address of the farmer/business. The intention of the bill is to reduce the number of wholesale/retail suppliers mislabeling out-of-state product as “Connecticut Grown,” thereby hurting local producers.

PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?. **This proposal seeks to support local producers who are in compliance with changing laws such as the Food Safety Modernization Act, and to dissuade the purchase of product sold by producers who are falsely claiming to be from Connecticut.**
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? **unknown**
- (3) Have certain constituencies called for this action? **Yes, local producers, particular urban producers, are concerned about a competitive disadvantage in favor of out-of-state producers who falsely represent themselves as being Connecticut growers**
- (4) What would happen if this was not enacted in law this session? **Connecticut producers would continue to be at a competitive disadvantage compared to out-of-state producers who mislabel their product.**

[Click here to enter text.](#)

◇ Origin of Proposal New Proposal Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

[Click here to enter text.](#)

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: n/a

Agency Contact (name, title, phone): [Click here to enter text.](#)

Date Contacted: [Click here to enter text.](#)

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

[Click here to enter text.](#)

Will there need to be further negotiation? YES NO

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal *(please include any municipal mandate that can be found within legislation)*

none

State

none

Federal

none

Additional notes on fiscal impact

[Click here to enter text.](#)



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

This would strengthen competitive advantages for local (Connecticut) producers when selling Connecticut grown material to local school districts

Insert fully drafted bill here

Sec. 22-38d. Farm to school program. Connecticut-Grown for Connecticut Kids Week. (a) There is established, within the Department of Agriculture, a farm to school program. In consultation with the Department of Education, the program shall facilitate and promote the sale of Connecticut-grown farm products by farms to school districts, individual schools and other educational institutions under the jurisdiction of the Department of Education. Through the farm to school program, the Department of Agriculture shall (1) encourage and solicit Connecticut farmers to sell their products to such districts, schools and other educational institutions, (2) develop and regularly update a database of farmers interested in selling their products to Connecticut schools, including the types and amounts of products the farmers want to sell and the time periods during which the farmers want to sell, (3) in consultation with the Department of Education, facilitate purchases from local farmers by such interested districts, schools and other educational institutions. Any person or business who sells any farm product as “Connecticut Grown” in a local school district shall offer proof to the purchaser that the product is actually from Connecticut. Such proof shall include, but not be limited to, the name of the person or business that produced the product, the farm name and the farm address, and (4) provide outreach and guidance to farmers concerning the value of and procedure for selling their products to such interested districts, schools and other educational institutions.

(b) The Department of Education, in consultation with the Department of Agriculture, school food service directors and interested farming organizations, shall (1) establish a week-long promotional event, to be known as Connecticut-Grown for Connecticut Kids Week, in late September or early October each year, that will promote Connecticut agriculture and foods to children through school meal and classroom programs, at farms, farmers' markets and other locations in the community, (2) encourage and solicit school districts, individual schools and other educational institutions under its jurisdiction to purchase Connecticut-grown farm products, (3) provide outreach, guidance and training to districts, parent and teacher organizations, schools and school food service directors concerning the value of and procedure for purchasing and incorporating into their regular menus Connecticut-grown farm products, (4) in consultation with the Department of Agriculture, arrange for local, regional and state-wide events where potential purchasers and farmers can interact, and (5) arrange for interaction between students and farmers, including field trips to farms and in-school presentations by farmers.



Agency Legislative Proposal - 2018 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): **AAC the Federal Farmland Preservation Program and the Agricultural Conservation Easement Program**

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.bowsza@ct.gov

Lead agency division requesting this proposal: Agricultural Development and Resource Preservation

Agency Analyst/Drafter of Proposal: Jason E. Bowsza

Title of Proposal: AA Amending the Farmland Preservation Program

Statutory Reference: 22-26cc(j)

Proposal Summary:

In the 2014 Agriculture Act, Congress replaced the Farm and Ranchland Protection Program with its successor, the Agricultural Conservation Easement Program. Connecticut previously adopted the Farm and Ranchland Protection Program language into state statute. This proposal seeks to adopt the Agricultural Conservation Easement Program and any successor programs into state statute as well, in order to capitalize on federal partnerships – and money – associated with farmland preservation. The proposal leaves in place the reference to the Farm and Ranchland Protection Program because some qualifying projects under that program are still underway.

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

Please consider the following, if applicable:

- (1) **Have there been changes in federal/state/local laws and regulations that make this legislation necessary?** Yes
- (2) **Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?** Unknown, but almost certainly. The change in the language is necessary to maintain the flow of federal money back to the state for preservation work
- (3) **Have certain constituencies called for this action?** This proposal is being put forward after discussions with the Office of the Attorney General.
- (4) **What would happen if this was not enacted in law this session?** Failure to enact this proposal would result in a loss of tens of millions of dollars in federally reimbursed funding for farmland preservation projects.

[Click here to enter text.](#)



◇ **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

Click here to enter text.

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** (please list for each affected agency)

Agency Name: Click here to enter text.
Agency Contact (name, title, phone): Click here to enter text.
Date Contacted: Click here to enter text.

Approve of Proposal **YES** **NO** **Talks Ongoing**

Summary of Affected Agency’s Comments

Click here to enter text.

Will there need to be further negotiation? **YES** **NO**

◇ **FISCAL IMPACT** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)
none

State
22-26cc(j). Passage of this proposal would allow the state to continue partnering with the federal government on preservation projects, which could mean tens of millions of dollars in reimbursed federal funds coming back to the state. Failure to pass this would jeopardize that funding.

Federal
none



Additional notes on fiscal impact

[Click here to enter text.](#)

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

The proposal simply adds to the existing statute enabling language pertaining to the successor program(s) to the federal Farm and Ranchland Protection Program. On the state level, the program would not change. This simply allows the financial partnership between the state and federal governments to continue.

Insert fully drafted bill here

(j) The commissioner, when acquiring the development rights of any agricultural lands on behalf of the state, may incorporate deed requirements in accordance with the provisions of the federal Farm and Ranch Lands Protection Program, 7 CFR 1491.1, et seq. or under the Agricultural Conservation Easement Program, 7 CFR 1468.1, et seq., or under any successive federal farmland protection program.



Agency Legislative Proposal - 2018 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): [Click here to enter text.](#)

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.bowsza@ct.gov

Lead agency division requesting this proposal: Commissioner’s Office

Agency Analyst/Drafter of Proposal: Jason E. Bowsza

Title of Proposal: An Act Concerning Milk Substitute Products

Statutory Reference: 22-129; 22-153

Proposal Summary:

The intention of the proposal is to prevent the false characterization of milk substitutes as dairy products. The practice of referring to products such as soy milk, almond milk, rice milk and muscle milk is misleading. The legislation seeks to limit the designation of “milk” to only those products that meet the federal definition, as defined by 21 CFR 131.110.

PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) **Have there been changes in federal/state/local laws and regulations that make this legislation necessary?** no
- (2) **Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?** Yes. South Dakota has passed the Artificial Dairy Products Act. The purpose of the act is to protect the public from confusion, fraud, and deception and to prohibit practices inimical to the general welfare, and to promote the fair marketing of essential foods.
- (3) **Have certain constituencies called for this action?** Available space in the dairy case has a direct result on the marketing opportunity for Connecticut-produced milk. Connecticut dairy farmers are very interested in market expansion opportunities, including the reclamation of dairy case space in grocery stores that has been inappropriately provided to non-dairy products.
- (4) **What would happen if this was not enacted in law this session?** Connecticut dairy farmers would continue to be disadvantaged by non-dairy products misrepresented as dairy products and consuming limited dairy case space. Connecticut dairy farm families continue to struggle to make ends meet due to nearly unsustainably low federal milk prices.

[Click here to enter text.](#)

◇ Origin of Proposal

New Proposal

Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

[Click here to enter text.](#)

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** (please list for each affected agency)

Agency Name: [Click here to enter text.](#)

Agency Contact (name, title, phone): [Click here to enter text.](#)

Date Contacted: [Click here to enter text.](#)

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

[Click here to enter text.](#)

Will there need to be further negotiation? YES NO

◇ **FISCAL IMPACT** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)

n/a

State

n/a

Federal

n/a

Additional notes on fiscal impact

[Click here to enter text.](#)



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

Click here to enter text.

Insert fully drafted bill here

Sec. 22-129. Prohibitions on sale, offering for sale, barter, exchange, distribution or processing. Exceptions. Penalties. (a) The Commissioner of Agriculture or the commissioner's duly authorized agent shall prohibit the sale or offering for sale or distribution of any cheese, milk or other milk product which is insanitary or detrimental to health, and which has not been produced, processed, cared for or handled in the manner prescribed in this chapter and in chapter 431 and by the regulations of the Milk Regulation Board.

(b) The following are prohibited: (1) The sale, offering for sale or offering for barter or exchange any milk, milk product or cheese that is adulterated, (2) the adulteration of any milk, milk product or cheese, (3) the sale, offering for sale, offering for barter or exchange, manufacturing, distributing or processing any milk, milk product or cheese from any facility not licensed pursuant to section 22-229, [or] (4) the sale, offering for sale, distributing, offering for barter or exchange any milk for pasteurization, retail raw milk or retail raw milk cheese from any dairy farm not registered pursuant to section 22-172 or 22-173a; or (5) the misrepresentation of any product as "milk" that does not meet the definition of 21 CFR 131.110, exclusive of goats.

(c) The provisions of this section shall not apply to: (1) The production of milk, milk products, raw milk or raw milk products and the manufacture of cheese for personal consumption or for consumption by immediate family members, or (2) the transfer or exchange of raw milk between persons who are parties to the same shared animal ownership agreement. For purposes of this subsection, "shared animal ownership agreement" means any contractual arrangement in which a person: (A) Acquires an ownership interest in a milk-producing animal, (B) agrees to pay or reimburse another person or otherwise accept financial responsibility for the care and boarding of such milk-producing animal, and (C) is entitled to receive a share of the raw milk produced by such milk-producing animal.

(d) Nothing in this section shall prevent the commissioner from seeking any other remedy provided by law.

(e) Any person who violates any order issued by the commissioner or the commissioner's duly authorized agent pursuant to this section shall, for a first violation, have committed an



infraction and, for a second or subsequent violation committed within one year of a prior violation, be guilty of a class A misdemeanor.

Sec. 22-153. Misbranded or adulterated milk, milk product or cheese. Acceptance of milk, milk product or cheese from dealer with suspended or revoked permit. Civil penalty. (a) No person shall, by himself, his employee or agent, sell or exchange, or offer for sale or exchange, or have in his possession with intent to sell or exchange any milk which is misbranded or any milk, milk product or cheese diluted with water or adulterated by any foreign substance, or shall knowingly sell, distribute, exchange or offer for sale any milk, milk product or cheese not produced in compliance with the provisions of this chapter or chapter 431, or that is represented as “milk” but does not meet the definition of milk as defined in 21 CFR 131.110, exclusive of goat milk .

(b) No municipality or subdivision thereof shall require a dealer to place on any bottle, container or label any words, designs or illustrations which are not approved, required or permitted by the Milk Regulation Board.

(c) Milk, milk products or cheese shall be deemed to be misbranded when they are not labeled with the name and address of the dealer, the common name of the product and any other labeling prescribed by the general statutes or the regulations of the Milk Regulation Board. The display or appearance of words, designs or illustrations on the label which are not so approved or prescribed shall also constitute misbranding.

(d) No milk dealer licensed pursuant to section 22-229 shall accept milk, milk products or cheese from any person, firm or corporation whose license or permit to produce, distribute or process milk, milk products or cheese is suspended or has been revoked.

(e) Any person who violates any provision of this section may be assessed a civil penalty in accordance with the provisions of section 22-7.