Rules and Regulations of the State of Georgia

Department 369 AGRICULTURAL COMMODITY COMMISSION FOR MILK

Current through Rules and Regulations filed through October 27, 2026

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ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date.

Chapter 369-1, entitled "Marketing Order for Milk," containing Rules 369-1-.01 through 369-1-.14, was filed and effective on June 30, 1965.

Paragraph (1) of Rule 369-1-.09 has been amended. Filed June 16, 1966; effective July 5, 1966.

Rules 369-1-.01, 369-1-.02, 360-1-.03, 369-1-.04, 369-1-.08, 369-1-.10, 369-1-.11, 369-1-.12, 369-1-.13, and 369-1-.14 have been amended by adding the authority of Georgia Laws 1969, p. 763, as amended. Filed March 6, 1975; effective March 26, 1975.

Rules 369-1-.05, 369-1-.06, 369-1-.07, and 369-1-.09 have been amended. Said Rules have been further amended by the addition of the authority of Georgia Laws 1969, p. 763, as amended. Filed March 6, 1975; effective March 26, 1975.

Rules 369-1-.05 and 369-1-.09 have been amended. Filed December 29, 1980; effective January 18, 1981.

Cite as Ga. Comp. R. & Regs. R. dept. 369, ADMINISTRATIVE HISTORY

Chapter 369-1. MARKETING ORDER FOR MILK.

Rule 369-1-.01. Product Affected.

Milk.

Cite as Ga. Comp. R. & Regs. R. 369-1-.01
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Product Affected" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.02. Area of Production Affected.

The entire State of Georgia.

Cite as Ga. Comp. R. & Regs. R. 369-1-.02
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Area of Production Affected" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.03. Scope of Operation.

(1) Research

(2) Promotion

(3) Education

Cite as Ga. Comp. R. & Regs. R. 369-1-.03
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Scope of Operation" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.04. Extent of Operation.

The extent of operation under the statutory authority shall be as determined by the Commission within the limitations of the statutory authority. The Commission shall have the right to determine the activities of the Commission and the expenditure of funds under any one or all of the areas permitted under the statutory authority.

Cite as Ga. Comp. R. & Regs. R. 369-1-.04
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Extent of Operation" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.05. Term of Operation.

The term of operation as amended shall commence January 18, 1981 and shall terminate January 17, 1984 unless extended as provided by law.

Cite as Ga. Comp. R. & Regs. R. 369-1-.05
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Term of Operation" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.
Amended: Filed December 29, 1980; effective January 18, 1981.

Rule 369-1-.06. Method of Approval.

The approval shall be by a 30-day referendum of producers as authorized and provided by Section 15, Georgia Laws 1969, pp. 763, 780 as amended.

Cite as Ga. Comp. R. & Regs. R. 369-1-.06
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Method of Approval" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.07. Time of Approval.

Upon conclusion of a public hearing on this proposed amendment to be held on August 6, 1974, the Commissioner or Commission shall make a finding based upon the testimony and evidence received, whether a referendum shall be had. If the Commissioner or Commission finds that a referendum shall be had, he or they shall declare that a 30-day referendum period be established. At the conclusion of such a referendum period, the Commissioner or Commission shall count and tabulate the ballots received. If from such tabulation, the Commissioner or Commission declares that the requisite number of producers, who produce the requisite volume of milk have voted in favor of this amendment, the Commissioner or Commission shall make this amendment effective.

Cite as Ga. Comp. R. & Regs. R. 369-1-.07
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763. as amended.
History. Rule entitled "Time of Approval" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.08. Affected Procedures.

This Order shall apply to all producers of milk in this State who produce milk for sale within and without this State.

Cite as Ga. Comp. R. & Regs. R. 369-1-.08
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Affected Procedures" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.09. Method of Finance.

Projects undertakings and expenses incurred under this Order shall be financed by an assessment and levy of one (1) percent of the average Federal Order Number Seven (7) blend price at 3.5 percent butterfat, for the previous year, of all milk produced in this State for sale. The assessment and levy shall be against the producer of milk. Upon the approval of the requisite number of producers and effective as of January 18, 1981, a levy and assessment of one (1) percent of the average Federal Order Number Seven (7) blend price at 3.5 percent butterfat, for the previous year is hereby made. Such levy shall continue of force and effect until this Order is suspended or superseded as provided by law and during the time that this Order remains of force and effect.

Cite as Ga. Comp. R. & Regs. R. 369-1-.09
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Method of Finance" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.
Amended: Filed December 29, 1980; effective January 18, 1981.

Rule 369-1-.10. Method of Collection.

The levy and assessment provided by this Order shall be collected from producers. As an aid in such collection, handlers, distributors and others purchasing milk from producers shall deduct the amount of such levy and assessment during each pay period and remit the same to the Commissioner of Agriculture for the account of the producer.

Cite as Ga. Comp. R. & Regs. R. 369-1-.10
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Method of Collection" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.11. Administration and Enforcement.

The Commissioner of Agriculture shall administer and enforce the provisions of this Order, particularly as to the collection of levies and assessments.

Cite as Ga. Comp. R. & Regs. R. 369-1-.11
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Administration and Enforcement" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.12. Expenditure of Funds.

The Commission is hereby authorized to expend funds of the Commission as it deems necessary to defray the costs and expenses incurred under this Order. The Commission is further authorized to expend funds to defray the actual cost and expenses of the Commission, including employees, special committees, advisory boards and individuals to aid, advise and assist the Commission in the performance of its duties.

Cite as Ga. Comp. R. & Regs. R. 369-1-.12
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Expenditure of Funds" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.13. Contracts.

The Commission may enter into contracts as it deems necessary and advisable in the performance of its duties under the provisions of this Order, including, but not limited to, contracts with the Georgia Milk Producers, Inc. for the performance of duties and services, as the Commission shall deem necessary and proper.

Cite as Ga. Comp. R. & Regs. R. 369-1-.13
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Contracts" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.

Rule 369-1-.14. Records.

It shall be the duty and responsibility of each affected person or handler to keep adequate records to reflect the true amount of milk produced, sold or purchased by him, and to make such records available for inspection and audit by the Commission and the Commissioner.

Cite as Ga. Comp. R. & Regs. R. 369-1-.14
Authority: Ga. L. 1961, p. 301 as amended; Ga. L. 1969, p. 763, as amended.
History. Original Rule entitled "Records" was filed and effective on June 30, 1965.
Amended: Filed March 6, 1975; effective March 26, 1975.