

SILVAN B. LUTKEWITTE, III, CHAIRMAN
GEORGE D. BEDWICK, VICE CHAIRMAN
ARTHUR COCCODRILLI
JOHN F. MIZNER, ESQ.
LAWRENCE J. TABAS, ESQ.
KIM KAUFMAN, EXECUTIVE DIRECTOR
LESLIE A. LEWIS JOHNSON, CHIEF COUNSEL



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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

February 15, 2011

Honorable Elder A. Vogel, Jr., Majority Chairman
Senate Agriculture and Rural Affairs Committee
457 Main Capitol
Harrisburg, PA 17120

Re: Regulation #2-160 (IRRC #2777)
Department of Agriculture
Milk Sanitation

Dear Senator Vogel:

At our December 16, 2010 public meeting, we approved the above-captioned regulation and delivered the order to Honorable Russell Redding, Secretary, Department of Agriculture. Because the General Assembly had adjourned *sine die*, we were precluded from providing you with a copy of at that time.

Enclosed is a copy of our approval order. If you have any questions, please contact me.

Sincerely,

Kim Kaufman
Executive Director
sfh

SILVAN B. LUTKEWITTE, III, CHAIRMAN
GEORGE D. BEDWICK, VICE CHAIRMAN
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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

February 15, 2011

Honorable Lisa M. Boscola, Minority Chairman
Senate Agriculture and Rural Affairs Committee
458 Main Capitol
Harrisburg, PA 17120

Re: Regulation #2-160 (IRRC #2777)
Department of Agriculture
Milk Sanitation

Dear Senator Boscola:

At our December 16, 2010 public meeting, we approved the above-captioned regulation and delivered the order to Honorable Russell Redding, Secretary, Department of Agriculture. Because the General Assembly had adjourned *sine die*, we were precluded from providing you with a copy of at that time.

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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

February 15, 2011

Honorable John A. Maher, Majority Chairman
House Agriculture and Rural Affairs Committee
113 Ryan Office Building
Harrisburg, PA 17120

Re: Regulation #2-160 (IRRC #2777)
Department of Agriculture
Milk Sanitation

Dear Representative Maher:

At our December 16, 2010 public meeting, we approved the above-captioned regulation and delivered the order to Honorable Russell Redding, Secretary, Department of Agriculture. Because the General Assembly had adjourned *sine die*, we were precluded from providing you with a copy of at that time.

Enclosed is a copy of our approval order. If you have any questions, please contact me.

Sincerely,

Kim Kaufman
Executive Director
sfh

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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

February 15, 2011

Honorable Joseph A. Petrarca, Minority Chairman
House Agriculture and Rural Affairs Committee
220 Irvis Office Building
Harrisburg, PA 17120

Re: Regulation #2-160 (IRRC #2777)
Department of Agriculture
Milk Sanitation

Dear Representative Petrarca:

At our December 16, 2010 public meeting, we approved the above-captioned regulation and delivered the order to Honorable Russell Redding, Secretary, Department of Agriculture. Because the General Assembly had adjourned *sine die*, we were precluded from providing you with a copy of at that time.

Enclosed is a copy of our approval order. If you have any questions, please contact me.

Sincerely,

Kim Kaufman
Executive Director
sfh

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held December 16, 2010

Silvan B. Lutkewitte, III, Chairman
George D. Bedwick, Vice Chairman
Arthur Coccodrilli
S. David Fineman, Esq.
John F. Mizner, Esq.

Regulation No. 2-160 (#2777)
Department of Agriculture
Milk Sanitation


On July 21, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking rescinds 7 Pa. Code Chapter 59 and replaces it with a new Chapter 59a. The proposed regulation was published in the August 1, 2009 *Pennsylvania Bulletin* with a 60-day public comment period. At its October 7, 2010 public meeting, the Commission voted to disapprove the final-form regulation. On November 22, 2010, the Department submitted its report containing the revised final-form regulation to the Commission.

This final-form rulemaking reflects developments in the dairy industry, brings Pennsylvania's sanitation standards into alignment with federal standards and requirements, and consolidates and updates provisions addressing the production of raw milk for human consumption.

We have determined this regulation is consistent with the statutory authority of the Department (31 P.S. § 660(c) and 31 P.S. § 20.13) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.



Silvan B. Lutkewitte, III, Chairman