

PROPOSED REGULATION OF THE STATE DAIRY COMMISSION

LCB File No. R023-16

NEW REGULATIONS

Chapter 584 of NAC is hereby amended by adding thereto a new section to read as follows:
“Distributor” defined.

1. “Distributor” means any person, whether or not the person is a producer or an association of producers, who purchases or handles fluid milk, fluid cream or any other dairy product for sale, including brokers, agents, co-partnerships, cooperative corporations, and incorporated and unincorporated associations.

2. The term does not include any of the following:

(a) Any retail store that is not engaged in processing and packaging fluid milk or fluid cream or does not purchase, transport into the state, or otherwise receive for resale, fluid milk, fluid cream or any other dairy product from sources outside this state.

(b) Any establishment, where fluid milk or fluid cream is sold only for consumption on the premises, that is not engaged in processing and packaging fluid milk or fluid cream.

(c) Any person who owns or controls one or more retail stores or owns or controls one or more establishments where fluid milk or fluid cream is sold for consumption on the premises.

(d) Any producer who delivers fluid milk or fluid cream only to a distributor.

AMENDED REGULATIONS

NAC 584.0361 is hereby amended to read as follows:

NAC 584.0361 Labels. (NRS 584.067, 584.103, 584.135)

1. All bottles, containers and packages enclosing dairy products must be labeled or marked in accordance with the standards of identity adopted by reference in NAC 584.0103 in addition to the requirements of the Federal Food, Drug and Cosmetic Act ~~], and any subsequent regulation developed thereunder that have been approved by the Executive Director for use in this State. Any subsequent regulation shall be deemed approved by the Executive Director unless, after review and consultation with the Commission, the Executive Director files an objection to the regulation with the Office of the Secretary of State within 60 days after the date of adoption of the regulation by the Federal Government].~~

2. All proposed labels must be submitted to the Commission and approved before being printed or used.

[Bd. of Health, Frozen Dessert Reg. § IV, eff. 5-12-61]—(NAC A by Dairy Comm’n by R151-01, 12-17-2001, eff. 1-1-2002)

NAC 584.0381 is hereby amended to read as follows:

NAC 584.0381 Suspension, revocation and reissuance of permits. (NRS 584.067, 584.103, 584.210)

1. A permit may be summarily suspended by the Executive Director when a condition is found which constitutes an imminent health hazard and prompt action is necessary to protect the public health.

2. A permit may be revoked by the Commission for serious or repeated violations of chapter 584 of NRS or NAC 584.0111 to 584.0551, inclusive.

3. Upon receipt of a satisfactory application after suspension of a permit because of an unsatisfactory bacterial condition or cooling temperature, the Commission will take further samples. ~~The Commission will reissue the permit whenever the average of the last four sample results indicates the necessary compliance.~~ *Upon satisfactory bacterial counts and/or cooling temperatures the Commission will reissue the permit.*

4. If the suspension of a permit is because of a violation of any of the requirements of sanitation and control of quality adopted by reference in NAC 584.02415, other than bacterial condition or cooling temperature, the application must be accompanied by a statement signed by the applicant attesting that the violated item or items of the specifications have been remedied. Upon receipt of an application and statement, the Commission will make a reinspection, and thereafter as many additional reinspections as it may deem necessary to assure that the applicant is again complying with the requirements. If the findings indicate compliance, the Commission will reissue the permit.

[Bd. of Health, Frozen Dessert Reg. § VIII, eff. 5-12-61]—(NAC A 10-30-97; A by Dairy Comm’n by R151-01, 12-17-2001, eff. 1-1-2002)

NAC 584.0421 is hereby amended to read as follows:

NAC 584.0421 Sales of adulterated or misbranded manufactured dairy products. (NRS 584.067, 584.103)

1. A person shall not manufacture, ~~freeze, sell, offer or expose for sale~~, *sell* or have in possession with intent to sell, any manufactured dairy product which is adulterated or misbranded.

2. Imitation ice cream or ice milk made of vegetable fat must be plainly labeled as being imitation ice cream or ice milk.

3. Any adulterated, misbranded or improperly labeled manufactured dairy product may be impounded by the Commission and disposed of in accordance with state law.

4. As used in this section, “adulterated” means any dairy product for which one or more of the conditions prescribed in 21 U.S.C. § 342 exist.

[Bd. of Health, Frozen Dessert Reg. § II, eff. 5-12-61]—(NAC A by Dairy Comm’n by R151-01, 12-17-2001, eff. 1-1-2002; R082-11, 5-30-2012)

NAC 584.4071 is hereby amended to read as follows:

NAC 584.4071 Fees. (NRS 584.067)

1. The Commission will charge and collect fees for annual permits in accordance with the following schedule:

For a dairy producing:	
1,000 gallons or less per day.....	\$75
1,001 to 3,000 gallons per day.....	100
More than 3,000 gallons per day.....	150
For a milk plant producing:	
Less than 2,000 gallons per day.....	150

2,000 to 10,000 gallons per day.....	300
More than 10,000 gallons per day.....	500
For a dairy foods manufacturing plant:	
Under 1,000 square feet.....	150
1,000 to 3,000 square feet.....	180
3,001 to 5,000 square feet.....	230
Over 5,000 square feet.....	280
For a single service plant.....	115
For a milk tank truck.....	65
For a hauler of milk.....	20

[Bd. of Health, Grading of Milk Reg. §§ 13.1 & 13.2, eff. 7-20-82]—(NAC A 6-23-86; 9-13-91; A by Dairy Comm’n by R151-01, 12-17-2001, eff. 1-1-2002)

NAC 584.5792 is hereby amended to read as follows:

NAC 584.5792 Report of distributor’s monthly remittance. (NRS 584.067, 584.547)

1. Each distributor subject to the stabilization and marketing plan set forth in NAC 584.5551 to 584.6712, inclusive, shall submit to the Commission, on a form prescribed and furnished by the Commission, or on a facsimile of the form, a monthly remittance report showing the distributor’s monthly distribution of ~~fluid milk, fluid cream, butter and fresh dairy by products.~~ *assessed dairy products.*

2. The monthly remittance report must be submitted to the Commission at its office in ~~Reno~~ *Sparks* on or before the 20th day of the month following the month during which the ~~fluid milk, fluid cream, butter and fresh dairy by products~~ *assessed dairy products* were distributed.

[Dairy Comm’n, Stabiliza. & Mktg. Plans]—(NAC A 8-26-96; R082-11, 5-30-2012)—
(Substituted in revision for NAC 584.5541)

NAC 584.6092 is hereby amended to read as follows:

NAC 584.6092 Additional prohibited practices; discounts. (NRS 584.067, 584.547, 584.585)

1. No distributor, ~~peddler distributor, retail store or~~ representative of a distributor, ~~peddler distributor~~ or retail store may engage in the unfair practice of extending to certain customers special prices, equipment or services not made available to all customers who purchase dairy products ~~or substitute dairy products~~ of like quantity under like terms and conditions.

2. Except as otherwise provided in NRS 584.582 and 584.583, a distributor or retail store may give discounts on the purchase or sale of dairy products.

[Dairy Comm’n, Stabiliza. & Mktg. Plan - ENMA Art. V § A, eff. 9-15-79]—(NAC A 8-26-96; R093-99, 12-3-99; R082-11, 5-30-2012)

NAC 584.6161 is hereby amended to read as follows:

NAC 584.6161 Distributor’s license: Consideration at public meeting; appearance by applicant. (NRS 584.067, 584.547) Each application for the original issuance of a distributor’s license ~~or for the amendment of a distributor’s license~~ will be considered at a public meeting of the Commission. An applicant is not required to appear at the meeting unless requested by the Executive Director or a member of the Commission but may appear to provide additional information relevant to the application.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. V part § D, eff. 9-1-80]—(NAC A 8-22-86; 8-26-96; R003-11, 10-26-2011)

NAC 584.6261 is hereby amended to read as follows:

NAC 584.6261 ~~{Processing distributor}~~ **Distributor** required to file statement. (NRS 584.067, 584.547, 584.583)

1. Each ~~{processing}~~ distributor shall *upon request*, file with the Commission the statement of costs required by subsection 5 of NRS 584.583. ~~{The statement must be filed with the Commission at its office in Reno no later than December 31 of each year. The statement must cover the entire calendar year or the fraction of the calendar year during which the processing distributor was in operation, as shown by his or her monthly reports to the Commission for the purposes of assessment.}~~

2. ~~{A statement of costs must be filed for each licensed processing plant.}~~ The statement must separately show the cost for each container size of each product distributed, regardless of whether the product was processed, manufactured or purchased for resale.

3. The statement must separately show the dock cost, wholesale delivered cost and retail delivered cost.

~~{4. Any significant change in costs during a calendar year must be reported when the change occurs if the change substantially affects the unit cost of any fluid milk product or by product. The statement of costs must be amended from time to time by additional filings in order to correct any errors or make the filings current. Each amendment must clearly state the period and product or products covered.}~~

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. VI § C, eff. 9-1-80]—(NAC A 8-26-96; R150-01, 12-17-2001, eff. 1-1-2002)

NAC 584.6281 is hereby amended to read as follows:

NAC 584.6281 Statement as prima facie evidence of costs. (NRS 584.067, 584.547, 584.583) For enforcement of this plan, the Commission will consider the filed statement of costs of a ~~{processing}~~ distributor to be prima facie evidence of his or her costs for the period reported on the statement.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. VI § C, eff. 9-1-80]—(Substituted in revision for NAC 584.346)

NAC 584.6311 is hereby amended to read as follows:

NAC 584.6311 **New products or operations.** (NRS 584.067, 584.547, 584.583) Before commencing the sale of *new* dairy products, a ~~{processing}~~ distributor must file a statement of costs covering each item which he or she ~~{processes}~~ *distributes*. Where new products are being manufactured or new operations are begun and the distributor is unable to submit sufficient cost data as required by NAC 584.6261 to 584.6362, inclusive, the distributor must file projected cost data which is acceptable to the Commission.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. VI § C, eff. 9-1-80]—(NAC A 8-26-96)

NAC 584.6362 is hereby amended to read as follows:

NAC 584.6362 **Determination of costs.** (NRS 584.067, 584.547, 584.583) To determine costs pursuant to NRS 584.583, a ~~{processing}~~ distributor shall use generally accepted principles of accounting ~~{and reduce all figures to the fourth decimal place}.~~

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. VI § C, eff. 9-1-80]—(NAC A 8-26-96)—(Substituted in revision for NAC 584.6291)

NAC 584.6392 is hereby amended to read as follows:

NAC 584.6392 Distributor's price list: Retail prices; distributor's or dock prices. (NRS 584.067, 584.547) Before selling or offering or agreeing to sell any dairy product, each distributor who processes or manufactures fluid milk, fluid cream, butter or fresh dairy by-products ~~and each peddler distributor~~ shall file with the Commission separate price lists for retail prices and distributor's or dock prices for each marketing area in which such products are distributed. A separate price must be filed for each size of each product distributed. The price of like products distributed under different brand names or trademarks must be separately filed. No price may be filed for any product at less than the cost of the product.

(Added to NAC by Dairy Comm'n, eff. 9-5-83; A by R150-01, 12-17-2001, eff. 1-1-2002)

NAC 584.6432 is hereby amended to read as follows:

NAC 584.6432 Monthly usage report of producer. (NRS 584.067, 584.547)

1. For the purpose of computing usage:

(a) Each milk plant, whether owned by one or more interests, is an individual plant pool.

(b) Milk is deemed to have received Class I usage unless the distributor furnishes proof satisfactory to the Commission that it received a different usage.

2. A distributor shall furnish each producer from whom he or she receives milk a monthly report of purchases of milk. The report must state the quantity, price and usage of each purchase and all deductions and withholdings. The report must accompany either the second or final payment of each month to the producer. The report must be made on forms furnished by the Commission.

3. In addition to the monthly report required by subsection 2, a distributor who receives milk ~~of a particular breed and markets it as milk of a particular breed~~ shall furnish each producer from whom he or she receives the milk a ~~separate~~ monthly report of purchases of that milk, providing the same information required by subsection 1. The report must accompany either the second or final payment of each month to the producer. The report must be made on forms furnished by the Commission.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - WNMA Art. IV § A, eff. 8-1-79]—(Substituted in revision for NAC 584.7741)

NAC 584.6482 is hereby amended to read as follows:

NAC 584.6482 Establishment of minimum price for fluid milk and fluid cream to be paid to producer by distributor. (NRS 584.067, 584.547)

1. Except as otherwise provided in this subsection, the minimum price for fluid milk and fluid cream to be paid to a producer by a distributor located in the Northern Nevada Marketing Area is the minimum price established for fluid milk and fluid cream set each month by the State of California Department of Food and Agriculture *or Federal Milk Market Order* for the Northern California Marketing Area. If the minimum price for fluid milk and fluid cream established for the Northern California Marketing Area is revised, the Commission will review the revised price to determine whether it is acceptable. Unless the Commission, within 5 days after the price for the Northern California Marketing Area is revised, determines that the revised price is unacceptable, the revised price for the Northern California Marketing Area shall be

deemed the minimum price for fluid milk and fluid cream to be paid to a producer by a distributor located in the Northern Nevada Marketing Area. The minimum price for fluid milk and fluid cream to be paid to a producer by a distributor located in the Northern Nevada Marketing Area may be obtained at no cost:

(a) By mail, from the State Department of Agriculture, Attn: Division of Food and Nutrition, State Dairy Commission, 405 South 21st Street, Sparks, Nevada 89431;

(b) By telephone, at (775) 353-3758;

(c) By electronic mail, at fnd@agri.nv.gov; or

(d) On the Internet, at <http://dairy.nv.gov>.

2. Except as otherwise provided in this subsection, the minimum price for fluid milk and fluid cream to be paid to a producer by a distributor located in the Southern Nevada Marketing Area is the advanced pricing factors or the component prices set each month by the United States Department of Agriculture, as applicable, plus the class differential set by the Commission. The minimum price for fluid milk and fluid cream to be paid to a producer by a distributor located in the Southern Nevada Marketing Area may be obtained at no cost:

(a) By mail, from the State Department of Agriculture, Attn: Division of Food and Nutrition, State Dairy Commission, ~~2300 McLeod~~ **2300 E St Louis Avenue**, Las Vegas, Nevada 89104;

(b) By telephone, at (702) 668-4585;

(c) By electronic mail, at fnd@agri.nv.gov; or

(d) On the Internet, at <http://dairy.nv.gov>.

(Added to NAC by Dairy Comm'n, eff. 8-26-96; A by R121-99, 9-27-99, eff. 10-1-99; R067-00, 6-2-2000; R150-01, 12-17-2001, eff. 1-1-2002; R017-07, 10-31-2007; R082-11, 5-30-2012; R109-13, 6-23-2014)

REPEALED REGULATIONS

NAC 584.2771 is hereby repealed:

NAC 584.2771 Tuberculosis. (NRS 584.067, 584.208)

1. Each animal in a certified herd must be tested for tuberculosis and satisfactorily pass the test before any milk from the animal is sold. Each animal must be retested at least once every 12 months. The test must be performed by a licensed veterinarian who is certified to administer the test by the Division of Animal Industry of the Department.

2. Any animal found to be infected after the test must be disposed of in accordance with the requirements approved by the Division of Animal Industry of the Department. A certificate signed by the veterinarian or attested to by the Commission constitutes evidence of the test.

3. A veterinarian performing a test for tuberculosis shall make a complete record of the test, and the record must be kept on file at the dairy for 3 years. A summary of the test must be filed with the Commission.

4. A hoofed mammal that reacts to a tuberculosis test must be removed from the herd immediately upon discovery of the reaction, and the milk must be discarded. The barn and exercise yards used by the animal must be cleaned and disinfected in a manner approved by the Division of Animal Industry of the Department.

[Bd. of Health, Raw Milk Reg. §§ 11.5-11.5.2, eff. 1-7-82]—(NAC A 10-30-97; A by Dairy Comm'n by R151-01, 12-17-2001, eff. 1-1-2002; R082-11, 5-30-2012)

NAC 584.2781 is hereby repealed:

NAC 584.2781 Brucellosis. (NRS 584.067, 584.208)

1. All herds approved for the production of certified raw milk must be officially accredited as free of brucellosis and maintained free of that disease. The herd must be tested at intervals not to exceed every 90 days by the ring test in a state which is accredited to be free of brucellosis. All herds producing certified milk in states that are not so accredited must be tested by the ring test at intervals of not more than 35 days. The blood sera of each hoofed mammal in a herd must be tested for agglutination at intervals of not more than 12 months. All tests must be approved by the U.S. Department of Agriculture or by the Division of Animal Industry of the Department.

2. After the tests are performed, any hoofed mammal which reacts to the test must be removed from the milking herds and disposed of by a method approved by the Division of Animal Industry. Animals which are suspected of being infected with brucellosis must be removed from the milking string and either sold for slaughter or retested at intervals of not less than 30 days until free of brucellosis before being readmitted to the milking string.

3. If a ring test of a milk supply is positive, each hoofed mammal in the herd must be given a blood test and the tests for the herd must be negative before any milk from the herd may be sold as certified raw milk. After a hoofed mammal has reacted to such a test, the animal and its herd must be retested for blood agglutinins until a negative test of the complete herd indicates complete freedom from brucella infection.

[Bd. of Health, Raw Milk Reg. §§ 11.6-11.6.2, eff. 1-7-82]—(NAC A by Dairy Comm'n by R082-11, 5-30-2012)

NAC 584.5561 is hereby repealed:

NAC 584.5561 “Bona fide charity” defined. (NRS 584.067, 584.547) “Bona fide charity” means any entity which is organized and operated primarily for religious, charitable, scientific, literary or educational purposes, or for the prevention of cruelty to children or animals, and from which no part of the net earnings inures to the benefit of any private shareholder or natural person.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. I part § B, eff. 9-8-78]—(Substituted in revision for NAC 584.202)

NAC 584.5641 is hereby repealed:

NAC 584.5641 “Peddler-distributor” defined. (NRS 584.067, 584.547) “Peddler-distributor” means a distributor, other than a retail distributor, who purchases dairy products for resale.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. I part § B, eff. 9-8-78]—(NAC A 8-26-96)

NAC 584.5671 is hereby repealed:

NAC 584.5671 “Processing distributor” defined. (NRS 584.067, 584.547) “Processing distributor” means a peddler-distributor who processes fluid milk, fluid cream or other dairy products.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. I part § B, eff. 9-8-78]—(NAC A 8-26-96)

NAC 584.5691 is hereby repealed:

NAC 584.5691 “Retail distributor” defined. (NRS 584.067, 584.547) “Retail distributor” means any retail store which purchases or receives for resale, milk or dairy products from sources outside this State which do not have a valid license issued under chapter 584 of NRS.

[Dairy Comm’n, Stabiliza. & Mktg. Plan - ENMA Art. I part § B, eff. 9-8-78]—(Substituted in revision for NAC 584.224)

NAC 584.5751 is hereby repealed:

NAC 584.5751 “Wholesale customer” defined. (NRS 584.067, 584.547) “Wholesale customer” means any customer of a processing distributor or a peddler-distributor, other than a home delivery customer.

[Dairy Comm’n, Stabiliza. & Mktg. Plan - ENMA Art. I part § B, eff. 9-8-78]—(Substituted in revision for NAC 584.234)

NAC 584.5971 is hereby repealed:

NAC 584.5971 Loans to wholesale customers by distributors. (NRS 584.067, 584.547, 584.585)

1. Except as otherwise provided in subsection 2, a distributor shall not make or renew a loan of money to a current or prospective wholesale customer or in any way assist such a customer to obtain a loan of money.

2. A distributor may make or renew a loan of money to a prospective wholesale customer or a member of a cooperative grocery which is a current wholesale customer if:

(a) The distributor advises the Commission that he or she wishes to make or renew the loan;

(b) The loan is appropriately secured and requires payment of the prevailing market rate of interest;

(c) The loan is not contingent upon the purchase of dairy products; and

(d) The Commission approves the loan

[Dairy Comm’n, Stabiliza. & Mktg. Plan - ENMA Art. V § A, eff. 9-15-79]—(NAC A 8-26-96)

NAC 584.6061 is hereby repealed:

NAC 584.6061 Sales of merchandise other than dairy products to wholesale customers by distributors. (NRS 584.067, 584.547, 584.585) A distributor shall not:

1. Extend credit to a wholesale customer on merchandise other than dairy products on more favorable terms and conditions than the terms and conditions extended by comparable sellers of that merchandise to comparable buyers of that merchandise in the same area.

2. Sell merchandise other than dairy products to a wholesale customer at a price which is less than the price offered by comparable sellers of that merchandise to comparable buyers of that merchandise in the same area.

[Dairy Comm’n, Stabiliza. & Mktg. Plan - ENMA Art. V § C, eff. 9-15-79]—(NAC A 8-26-96)

NAC 584.6071 is hereby repealed:

NAC 584.6071 Contract for sale or lease of property between distributor and wholesale customer. (NRS 584.067, 584.547, 584.585)

1. A contract for the sale or lease of any personal or real property between a distributor and a wholesale customer must be in writing.

2. The sale price or lease payment prescribed in such a contract must be an amount comparable to the fair market value or fair market rental, respectively, of the property at the time of the sale or lease.

3. A distributor shall file with the Commission a copy of each such contract within 10 days after its execution, and shall retain the contract for not less than 3 years after the expiration of the lease or the payment of the purchase price.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. V § C, eff. 9-15-79]—(NAC A 8-26-96)

NAC 584.6082 is hereby repealed:

NAC 584.6082 Participation by wholesale customer in profits or losses of distributor. (NRS 584.067, 584.547) If a wholesale customer purchases milk or other dairy products from a distributor and participates in any profits or losses of the distributor, or an entity which owns the distributor, the distributor or entity shall file the following information with the Commission within 30 days after the distribution of any profits or losses:

1. The qualifications required of wholesale customers for participation in profits and losses;
2. The name and address of each wholesale customer who has participated in such a distribution;
3. The amount of profit or loss expressed in monetary terms distributed to each such wholesale customer;
4. The basis for the distribution of profits and losses to wholesale customers; and
5. Any other information which the Commission may find to be necessary for full understanding of all the transactions between the distributor and wholesale customer.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. VI part § A, eff. 9-1-80]—(Substituted in revision for NAC 584.6241)

NAC 584.6181 is hereby repealed:

NAC 584.6181 Distributor's license: Amendment to include new brand or label. (NRS 584.067, 584.547, 584.595) A distributor who intends to distribute, manufacture, process, sell or offer for sale under a new brand name or label any fluid milk product which he or she has not previously distributed, manufactured, processed, sold or offered for sale in the marketing area must submit a written request to the Commission to amend the distributor's license to reflect the addition of the new brand or label to his or her line of dairy products. The request must include the cost and price of the product.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. V part § D, eff. 9-1-80]—(NAC A 10-24-83; 8-26-96; R082-11, 5-30-2012)

NAC 584.6331 is hereby repealed:

NAC 584.6331 Peddler-distributors and retail distributors required to file statement. (NRS 584.067, 584.547, 584.583) Each peddler-distributor or retail distributor shall file with the Commission an annual statement of costs in a manner to be prescribed by the Commission.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. VI § C, eff. 9-1-80]—(NAC A 8-26-96)

NAC 584.6452 is hereby repealed:

NAC 584.6452 Distributor's contract: Optional provisions. (NRS 584.067, 584.547)
Nothing in this plan restricts a distributor from:

1. Entering into a contract to purchase milk from any producer, regardless of whether a contract already exists between the distributor and producer, except that the contract must expire on December 31 after the date on which it was made.
 2. Renewing or refusing to renew any contract with a producer or from putting any provision pertaining to renewal in a contract.
 3. Increasing or decreasing the production of the distributor's own herd.
- [Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. IV § C, eff. 9-15-79]—(NAC A 8-26-96)—(Substituted in revision for NAC 584.5831)

NAC 584.6457 is hereby repealed:

NAC 584.6457 Written contract required for certain purchases by distributor. (NRS 584.067, 584.547)

1. A distributor shall not purchase any fluid milk in excess of 200 gallons monthly from a producer or association of producers unless a written contract has been entered into with the producer or association of producers.
2. A distributor who enters into a contract pursuant to subsection 1 shall, within 15 days after entering into the contract, file a copy of the contract with the Commission.
3. Every written contract by a distributor to purchase milk must contain the following statement:

The law of the State of Nevada and the regulations of the State Dairy Commission supersede any conflicting provision of this contract.

[Dairy Comm'n, Stabiliza. & Mktg. Plan - ENMA Art. IV § C, eff. 9-15-79]—(NAC A 8-26-96)—(Substituted in revision for NAC 584.5851)