

SECTION 2. Grade A Milk Ordinance

The health officer having jurisdiction within the territorial limits of the City of Lebanon, Indiana, in the performance of his duties under Section 1 of this ordinance, shall adopt as standards to be followed, the provision in paragraph HDP<sup>4</sup>H entitled "Grade A Milk and Milk Products" of regulations of the Indiana State Board of Health duly passed on September 13, 1945, and filed with the Secretary of State on October 18, 1945, as amended by the State Board of Health on February 19, 1954, and filed with the Secretary of State on March 17, 1954, of the regulations of the State Board of Health entitled "Regulations Relating to Dairy Products Including Definitions and Standards of Identity."

Grade A Milk and Milk Products, as referred to in the aforesaid regulation shall in this ordinance be taken to mean and include: Raw and pasteurized milk, extra rich milk, Jersey milk, Guernsey milk, homogenized milk, flavored milk, skimmed milk, flavored skimmed milk, buttermilk, creamed buttermilk, cultured buttermilk, creamed cultured buttermilk, goat's milk, milk fat, light cream, whipping cream, a mixture of milk and cream, cottage cheese, creamed cottage cheese, concentrated milk and any other product made by the addition of any substance to milk or to any of these products and used for similar purposes and designated as a milk product by the health officer.

For the purpose of interpreting the aforesaid requirements until January 1, 1957, the unabridged form of Public Health Bulletin No. 220 entitled "The 1939 Edition of the Milk Ordinance and Code Recommended by the U.S. Public Health Service", shall be used. After that date the unabridged form of the Public Health Service publication # 229 entitled "The 1953 Milk Ordinance and Code Recommended by the Public Health Service", shall be used. Two copies of said Regulations of the Indiana State Board of Health and said publication in effect shall be on file in the office of the health officer for public inspection.

SECTION 3. The Sale of Ungraded Milk or Milk Products Prohibited  
No person shall within the municipality of Lebanon, Indiana, or its police jurisdiction, produce, sell, offer or expose for sale, or have in possession with intent to sell, any milk or milk product which is ungraded. It shall be unlawful for any person, elsewhere than in a private home, to have in possession any ungraded milk or milk product: PROVIDED, that in an emergency the sale of ungraded pasteurized milk or pasteurized milk products may be authorized by the health office, upon the approval of the State health authority, in which case they shall be labeled "ungraded".

SECTION 4. Permits-It shall be unlawful for any person to bring into, sent into, or receive into the municipality of Lebanon, Indiana or its police jurisdiction, for sale, or to sell, or offer for sale therein, or to have in storage where milk or milk products are sold or served, any milk or milk products defined in this ordinance, who does not possess a permit from the health officer of the municipality of Lebanon, Indiana.

Every milk producer, milk hauler, milk distributor, and operator of a milk plant shall secure a permit. Only a person who complies with the requirements of this ordinance shall be entitled to receive and retain such a permit. Permits shall not be transferable with respect to persons and/or locations.

Such a permit may be temporarily suspended by the health office upon violation by the holder of any terms of this ordinance, or for interference with the health officer in the performance of his duties, or may be revoked after an opportunity for a hearing by the health officer upon serious or repeated violations. Any person, firm or corporation shall have the right to take an appeal from any decision of the health officer to the Coone County Circuit Court, as in other civil cases.

SECTION 4a Permit Fees. The permit fee for the sale or disposal of milk or milk products in the City of Lebanon, Indiana shall be as follows:

Every such person, firm or corporation, as referred to in Section 4 hereof, shall pay a flat license fee of \$35.00 per year for each truck or other vehicle used in transporting or delivering milk or other vehicle used in transporting or delivering milk or other dairy products to distributors or ultimate consumers within the corporate limits of said City and every such truck or vehicle shall display a suitable license tag issued by the City evidencing the payment of such license. The permit fee shall be due on the 10th. day of January, 1957, and on the same date of every year thereafter.

These fees shall be paid to the City Clerk of the City of Lebanon, Indiana, and shall be used only for the salary, expenses and supplies of an enforcement officer.

SECTION 5. From and after the date on which this ordinance takes effect, no milk or milk products shall be sold to the final consumer, or to restaurants, soda fountains, grocery stores, or similar establishments, except Grade A Pasteurized milk or milk products as defined in the standards required to be adopted by this ordinance; Provided that when any milk distributor fails to qualify for the above grade, the health officer is