**Section 775.50 Permits**

*It shall be unlawful for any person to establish, maintain, conduct, or operate a dairy farm, milk plant, receiving station, or transfer station processing milk or milk products, to establish and operate a cleaning and sanitizing facility or milk tank truck, to haul or sample milk, or to act as a certified pasteurizer sealer within this State, or to bring in and distribute from out-of-state milk and milk products without first obtaining a permit from the Department.* (Section 5 of the Act)

a) The Department will grant and renew a permit for persons who maintain, conduct, or operate a milk plant, receiving station, transfer station, or cleaning and sanitizing facilities within the State of Illinois upon completion of an inspection that establishes compliance with the Act and this Part and upon payment of the fee required by Section 5.1 of the Act. Milk plants that maintain cleaning and sanitizing facilities on the same site as the plant do not have to obtain a separate permit for those facilities.

b) The Department will grant and renew a permit for persons who bring into and distribute pasteurized milk or milk products from another state that has administrative rules or requirements that provide for clean, sanitary and safe handling and processing of pasteurized milk and milk products to ensure protection equivalent to that provided by this Part upon receipt of an inspection report that establishes compliance with that state's administrative rules or requirements and upon payment of the fee required by Section 5.1 of the Act.

c) A permit will be granted to a milk hauler-sampler when the following conditions are met:

1) An inspection establishes that the milk hauler-sampler's equipment is in compliance with the provisions of the Act and this Part;

2) The milk hauler-sampler has successfully completed an examination administered by the Department; and

3) The milk hauler-sampler has paid the fee required by Section 5.1 of the Act.

d) A renewal permit will be granted to a milk hauler-sampler when an inspection establishes that the milk hauler-sampler's equipment and sampling procedures are in compliance with the provisions of the Act and this Part and upon payment of the fee required by Section 5.1 of the Act.

e) Dairy Farm Permits

1) A dairy farm permit is necessary when a farm does not presently hold a permit, when a change of ownership occurs and only the farm owner's name was on the permit, or when a change of tenant occurs and only the former tenant's name was on the permit.

2) A dairy farm permit will be granted to a dairy farm upon the completion of an inspection that establishes compliance with the Act and this Part. The inspection includes procedures for the establishment of a quality record. The quality record is established by the results of four samples taken at a rate of not more than two per week and on separate days within a three-week period.

3) Beginning July 1, 2016, a dairy farm with a dairy farm permit may sell or offer for sale for human consumption raw milk on the premises of the dairy farm in accordance with Section 775.55.

4) Beginning July 1, 2016, it is unlawful for any person who does not possess a dairy farm permit in accordance with Section 775.50 or a raw milk permit in accordance with Section 775.55 to produce, process, sell, offer for sale or distribute raw milk for human consumption.

5) Beginning July 1, 2016, a dairy farm producing raw milk for consumption only by family members living on the dairy farm shall be exempt from Section 775.55.

f) Certified Pasteurizer Sealer Permits will be issued in accordance with Section 775.115.

(Source: Amended at 40 Ill. Reg. 2964, effective January 29, 2016)