COMPLIANCE SECTION

CONSUMER SAFETY BRANCH

MILK & DAIRY



FY26 ANNUAL ANALYSIS
FINAL ENFORCEMENT ACTIONS

Pursuant to 25 Texas Administrative Code 1.553(a)(1)(2)

Overview

The Milk and Dairy Program ensures Texas consumers have a safe and wholesome milk supply. To fulfill this mission, the Program, through a team of professionals, work to ensure applicable laws, rules, codes and ordinances are meted uniformly to facilities conducting regulated activities. One of the primary regulatory onus of the Program is the requirement for all facilities selling raw milk and raw milk products to the public be licensed by the Department. This license assures the public that the dairy is regulated. The Program ensure Texas consumers receive safe and wholesome milk supply via inspection of facilities to affirm that appropriate requirements have been met. Additionally, the Program collect product samples and test them for viability, quality and safety. The Program also approve or deny plans for new or modified construction; review plans for new facilities and/or new or modified equipment installations. The Program issues warning letters for violations and monitors analyses from laboratories across Texas. When conditions are found that prone to have (significant) public health concern for the consumer, the Program takes disciplinary actions, as needed.

Overview continued

Additional information are assess-able via the links below:

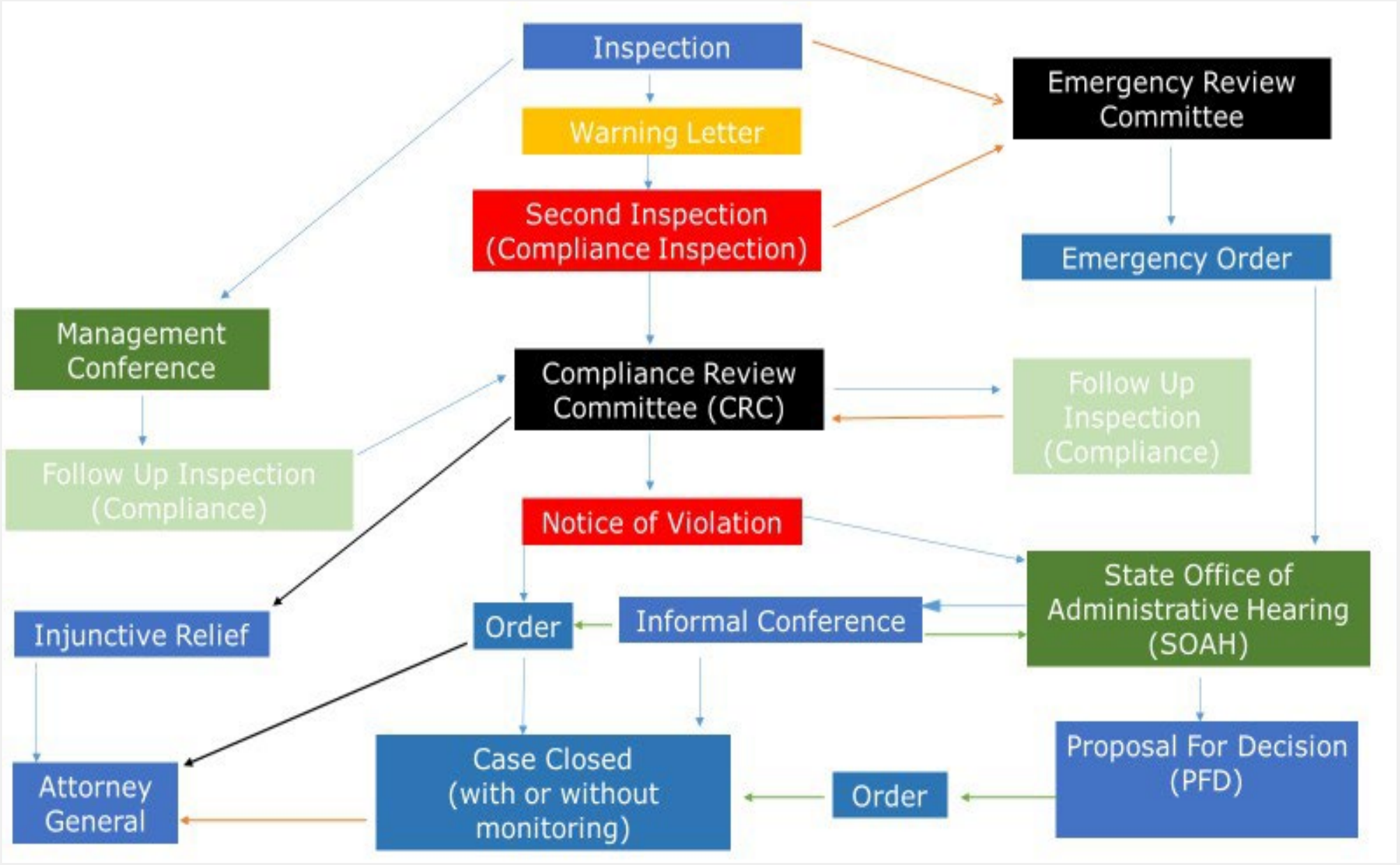
https://www.dshs.texas.gov/milk-dairy-unit/about-the-milk-dairy-unit

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Milk and Dairy License Types

2001 - Dairy Producers
2002 - Milk Transport Tankers
2003 - Milk Plants
2004 - Frozen Desserts
2005 - Transfer and Receiving Station
2006 - Retail Raw
2007 - Non Grade A Products
2008 - Mfg Single Service
2009 - Certified Sampler
2010 - Sampling Surveillance Officer
2011 - Certified Sealer
2012 - Bulk Tank Unit
2013 – Laboratory
2050 - Milk and Dairy Inspection Billing
2080 - Milk and Dairy Inspectors
2090 - Milk Coop

Milk and Dairy Compliance Flowchart



Cases referred to Compliance

- 3 (3) cases were referred in total:
  - Three (3) cases were triaged through Compliance Review Committee (CRC)

CRC	3
Total	**2**

Outcomes

After triage at CRC:

- One (1) Attorney General (AG) referral for Injunctive Relief was cleared to be issued

- Two (2) cases were returned to Program for additional actions to be taken before Compliance can assume the cases.

Informal Conference (IC)

One (1) case was heard at an IC:

- One (1) case was settled after the IC with an Agreement between the Department and the Respondent

State Office of Administrative Hearings (SOAH)

Compliance referred one (1) case to SOAH, at the request of the Respondent pursuant to HSC Sec. 431.055(a) and Chapter 2001, Government Code.

SOAH REFERRAL	1

- All Respondents were offered the opportunity to have their case(s) presented before an Administrative Law Judge.

Orders & Agreements Processed

- One (1) Agreed Order/ Acceptance Order (AO)
  - An Agreed Order is issued after an informal conference to document and memorialize the settlement agreement reached between a Respondent and the Department.
  - An Acceptance Order is issued when a Respondent accepts the proposed disciplinary action in the Department's Notice.
- Zero (0) Default Order (DO)
  - A Default Order is issued after the Respondent has not complied with the Department or has not responded to the Departments Notice.
- One (1) Attorney General (AG) Referrals
  - 1 case was referred to the AG for further administrative and/or judicial remedies on Respondents who failed to and/or refuse to comply with a final order.

Cases Closed With or Without Monitoring

Cases that have a finalized Order or an Agreement are either:

- Closed with monitoring
  - Terms and conditions to be met are still pending
- Closed without monitoring
  - All terms and conditions are met

Cases closed with or without monitoring cont.

Cases closed with monitoring : 1

Cases closed without monitoring: 0

Cases withdrawn: 0

Penalty Amount Proposed/ Assessed

$5,000.00

TEXAS
Health and Human Services

Texas Department of State Health Services

Penalty Amount Remitted/ Collected

$1,000.00

TEXAS
Health and Human Services

Texas Department of State Health Services

Thank You