WEST VIRGINIA CODE: §19-11E-17

§19-11E-17. Transfer of milk regulation authority from Department of Health to Department of Agriculture.

(a) Effective July 1, 2019, authority for the regulation, including enforcement, of Grade "A" milk is transferred to the commissioner from the Department of Health.

(b) Prior to July 1, 2019, the commissioner and the Department of Health shall enter into an agreement to provide for the orderly transition of regulatory operations from the Department of Health to the commissioner. Said agreement shall provide:

(1) For the transfer of records and equipment related to the milk regulation program to the commissioner;

(2) For the continued provision of services by staff of the Department of Health to the commissioner under the terms of the agreement;

(3) For transition, upon notice to Department of Health, of functions from the Department of Health to the commissioner; and

(4) For the completion of the transfer of all responsibilities from the Department of Health to the commissioner no later than December 31, 2019.

(c) During a period from July 1, 2019, to December 31, 2019, the Department of Health shall cooperate fully with the commissioner to ensure a smooth transition of authority, knowledge, and resources to guarantee that milk regulation in West Virginia suffers no gap or failure in regulation.

(d) All legislative rules issued by the Department of Health pursuant to its authority to regulate milk shall remain in effect until superseded by the commissioner’s regulations.

WV Legislature