# WEST VIRGINIA CODE: §19-11E-2

**§19-11E-2. Definitions.**

"Adulterated" means milk or the products manufactured from milk meeting one or several of the conditions listed in §19-11E-7 of this code.

"Clean" means the condition where no residue remains on a surface that will, or is likely to, cause adulteration or other contamination.

"Commissioner" means the Commissioner of Agriculture of the State of West Virginia or his or her duly authorized agent.

"Distribute" means the act of transporting, holding for sale, offering for sale, selling, bartering, parceling out, giving, or otherwise disposing of milk.

"Embargo" means an order to withdraw milk from distribution. An embargo shall detain such milk or milk product and prohibit the transportation or distribution of milk as provided in §19-11E-8 of this code.

"Manufacture" means pasteurizing, ultrapasteurizing, formulating, or compounding milk; or packaging or preparing said product for distribution; or other methods of preparing milk for consumption.

"Milk" means the lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy mammals. The term may include the components of milk, including cream. For purposes of this article, the term "milk" does not include raw milk.

"Milk producer" means any person who operates a dairy farm and who provides, sells, or offers milk for sale.

"Person" means any individual, partnership, association, fiduciary, firm, company, corporation, or any organized group of persons whether incorporated or not. The term "person" extends to the agents, servants, officers, and employees of the person.

"Receiving station" means any place, premises, or establishment where milk in unpackaged form is received, collected, handled, stored, or cooled and prepared for further transporting.

"Transport" means the movement of milk or milk products from one facility to another in a manner that maintains adequate temperatures and protects the product from freezing temperatures, exposure to the sun, and from sources of contamination.

"Transfer station" means any place, premises, or establishment where milk is transferred directly from one transport tank to another.

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"Transport tank" means any tank which is used for the pickup of milk or the transportation of milk to or from any milk producer, dairy plant, receiving station, or transfer station.

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