



Ohio Administrative Code

Rule 901:11-4-02 Licensing.

Effective: January 18, 2024

(A) No person located in Ohio shall act as or hold the person's self out as a weigher, sampler, or tester; or milk hauler unless the person holds a valid license or registration issued by the director under section 917.09 of the Revised Code and this rule or resides out-of-state and is licensed by an out-of-state governmental agency.

(B) The following categories for each license or registration type are as follows:

(1) Weigher, sampler, or tester:

(a) In plant weigher;

(b) In plant sampler;

(c) Bulk tank weigher, sampler.

(2) Milk hauler;

(a) Bulk milk hauler;

(b) Can milk hauler.

(C) An application shall be submitted for each license type. A license fee of fifteen dollars shall accompany each license or registration application. After the initial issuance of a license or registration, an application and license fee set forth in this paragraph shall be submitted when an additional category within the license type is desired. A license or registration shall remain valid unless suspended, revoked or canceled.

(D) Prior to issuance of a weigher, sampler, or tester license, an applicant shall pass an examination



that is given in accordance with section 917.08 of the Revised Code and "Appendix B of the Pasturized Milk Ordinance" (2019).

(E) Under the authority of sections 917.09 and 917.091 of the Revised Code the director may issue a temporary weigher, sampler, or tester license or registration to an applicant upon determination that the applicant has met all qualifications for licensure except successful completion of an examination. A temporary weigher, sampler or tester license shall remain in effect for ninety days or the date of the next examination, whichever comes first.

(F) A person when licensed or registered as a milk hauler shall provide the director with a list adequately identifying all owned or leased bulk milk transport tanks or conveyances used to transport raw milk. Thereafter, the milk hauler shall provide the director with any additions, or deletions to such lists annually. The director shall assign an identification number for each bulk milk transport tank or conveyance. The milk hauler shall affix the assigned identification to the tank or conveyance in a manner prescribed by the director.

(G) Licenses or registrations are not transferable with respect to persons or locations.

(H) Licenses or registrations may be cancelled by the director, at no cost to the licensee or registrant, if the licensee or registrant:

- (1) Makes such a request of the director;
- (2) Transfers the licensed or registered activity to another person;
- (3) Does not perform the licensed category activity or registered activity for six months; or
- (4) Expired.

(I) Milk haulers located in Ohio shall pay the milk inspection fees prescribed by the milk sanitation board in accordance with section 917.031 of the Revised Code, in addition to the license or registration fee prescribed by section 917.09 of the Revised Code and this rule. Inspection fees shall be paid to the treasurer, state of Ohio, within fifteen days after the receipt of the invoice. Failure to



pay inspection fees shall be cause for license or registration revocation.

(J) Any license or registration issued under this rule may be denied, suspended, or revoked by the director for violation of sections 917.01 to 917.24 of the Revised Code or rules adopted under the Administrative Code. Except as provided by section 917.22 of the Revised Code and by this rule, the denial, suspension, or revocation of a license or registration is not effective until notice in writing of the violation has been given and a hearing afforded before the director.