

Service Milk Code, a copy of which shall be on file in the office of the department.

**Ag 80.16 Penalties.** Violations of this regulation shall be prosecuted and punished as provided by the Wisconsin Statutes. When an act is a violation of both this regulation and an applicable statute, the person committing such act may be prosecuted under either provision. Each and every violation of the provisions of this regulation shall constitute a separate offense.

**Ag 80.17 Scope of regulation.** (1) None of the provisions of this regulation shall be construed to prohibit the use of the grade designations as specified in this regulation for any milk or milk products which are sold or offered or exposed for sale to any out-of-state market or to a consumer or to any store, cafe, soda fountain, hotel, restaurant, or similar establishment in this state if such milk and milk products are produced and/or processed in compliance with the provisions of a substantially equivalent regulation under the supervision of a duly authorized health department and if, upon survey for certification of compliance, the production and processing operations maintain a rating as provided in section Ag 80.03 (2) and (3).

(2) None of the provisions of this regulation shall be construed as invalidating any local ordinance requirement that the local health authorities shall satisfy themselves that the health authorities having jurisdiction over the production and processing are properly enforcing the provisions of a substantially equivalent regulation.

**Ag 80.18 Fees, inspection service.** (1) To assure compliance with this regulation the state will provide a service for the continuous inspection of the milk and milk products, and of the premises and plants where such milk and milk products are produced and processed, which service shall be performed by trained and duly qualified milk sanitarians.

(2) Persons holding a permit and engaging in milk production and/or processing operations desiring to qualify under this regulation shall agree to pay to the state the cost of such inspection service at rates to be established from time to time by the department; provided, that the cost of the inspection service rendered to individual producers shall be paid by plants processing and/or distributing such milk and the milk products made therefrom.