

Part III.
**Regulations of the West Virginia Board
of Health.**

(As Amended to July 1, 1975)

**CHAPTER 6. REGULATIONS FOR MOBILE INTENSIVE CARE
PARAMEDICS**

**CHAPTER 1.
ENVIRONMENTAL HEALTH.**

Article

- A. Public Water Supply Operator Regulations, §§ 1-14.
- A. Swimming Pool and Bathing Beach Regulations, §§ 1-16.0.
- A. Tourist and Resort Camp Regulations, §§ 1-10.
- A. Organized Camp Regulations, §§ 1.0-27.0.
- B. Mobile Home Park Regulations, §§ 1-21.
- A. Small Sewage and Excreta Disposal Systems Regulations, §§ 1.0-13.0.
- A. Sewage Regulations, § 1.
- A. Waste Water Treatment Works Operator Regulations, §§ 1-17.
- A. Solid Waste Disposal Regulations, §§ 1-11.
- B. Child Care Center Regulations, §§ 1-14.

**ARTICLE 1.
MILK REGULATIONS.**

Sec.

- A. Permits.

SEC. 3. PERMITS.

Effective September 1, 1973 it shall be unlawful for any person who does not possess a permit from the State Department of Health or in the case of a raw producer dairy (direct shippers) possess a permit from the health officer of the county receiving the milk for processing to send, bring, receive, have for sale, sell, offer for sale, or to have in storage in the State of West Virginia any milk or milk product as defined in this regulation. Application(s) for such permit(s) shall be made to the appropriate Department of Health on a form prescribed and furnished by the State Department of Health.

Food service establishments, vending machines and similar establishments including grocery stores where milk or milk products are served or sold at retail, but not processed, are exempt from this requirement unless they are

acting as a (1) "bobtailer" or (2) are distributing or selling private labeled milk and/or milk products or (3) engaged in "platform pickup" of milk and/or milk products.

All other parts of Chapter 1, Article 1, Section 3 of the West Virginia Grade "A" Pasteurized Milk Regulations remain unchanged and unaffected by the amended portion of said regulation.

Only a person who complies with the requirements of this Ordinance shall be entitled to receive and retain such a permit. Permits shall not be transferable with respect to persons and/or locations. Permits for milk plants, receiving stations, transfer stations, distribution stations and/or facilities and distributors shall expire June 30th following the date of issuance.

The health officer shall suspend such permit, whenever he has reason to believe that a public health hazard exists; or whenever the permit holder has violated any of the requirements of this Ordinance; or whenever the permit holder has interfered with the health officer in the performance of his duties: *Provided*, That the health officer shall, in all cases except where the milk or milk product involved creates, or appears to create, an imminent hazard to the public health; or in any case of a willful refusal to permit authorized inspection, serve upon the holder a written notice of intent to suspend permit, which notice shall specify with particularity the violation(s) in question and afford the holder such reasonable opportunity to correct such violation(s) as may be agreed to by the parties, or in the absence of agreement, fixed by the health officer, before making any order of suspension effective. A suspension of permit shall remain in effect until the violation has been corrected to the satisfaction of the health officer.

Upon written application of any person whose permit has been suspended, or upon application within 48 hours of any person who has been served with a notice of intention to suspend, and in the latter case before suspension, the health officer shall within 72 hours proceed to a hearing to ascertain the facts of such violation or interference and upon evidence presented at such hearing shall affirm, modify, or rescind the suspension or intention to suspend.

Upon repeated violation(s), the health officer may revoke such permit following reasonable notice to the permit holder and an opportunity for hearing. This section is not intended to preclude the institution of court action as provided in Sections 5 and 6.

ARTICLE 5.

PUBLIC WATER SUPPLY REGULATIONS.

Sec. 9.0. REGISTRATION AND CERTIFICATION OF WATER PLANT OPERATORS.

Repealed by sub-section 1.1.1 of Article 5A of this chapter.