

Ag 80

STATE OF WISCONSIN )  
STATE DEPARTMENT OF AGRICULTURE ) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, D. N. McDowell, Director of the State Department of Agriculture, and custodian of the official records of said department, do hereby certify that the annexed order repealing and recreating rules relating to Grade A milk and milk products (Wis. Adm. Code ch. Ag 80) was duly adopted by this department on August 31, 1959.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Capitol, in the city of Madison, this 31st day of August, A. D. 1959.

D. N. McDowell  
Director

Docket No. 568.  
G. O. 202.

ORDER OF THE STATE DEPARTMENT OF AGRICULTURE  
REPEALING AND RECREATING RULES

Pursuant to authority vested in the State Department of Agriculture by sections 93.07 (1) and 97.046, Wis. Stats., the State Department of Agriculture hereby repeals and recreates rules as follows:

Chapter Ag 80 of the Wisconsin administrative code is repealed and recreated to read:

Chapter Ag 80

GRADE A MILK AND MILK PRODUCTS

Ag 80.01 Definitions. In addition to those definitions prescribed in sections 97.02 and 97.046, Wis. Stats., the following shall apply in the interpretation and the enforcement of this chapter:

- (1) Department is the State Department of Agriculture and its authorized representatives.
- (2) Certifying agency is the State Board of Health and its authorized representatives.
- (3) Milk and milk products are Grade A milk and Grade A milk products.

(4) Ungraded milk and milk products are those which do not meet the requirements prescribed in this chapter.

(5) Sour cream is cream the acidity of which is more than 0.20 per cent, expressed as lactic acid. A harmless stabilizer may be added.

(6) Whipping cream is cream which contains not less than 30 per cent milk fat.

(7) Half and half is a product consisting of a mixture of milk or skim milk and cream which contains not less than 12 per cent milk fat. Nonfat dry milk may be added.

(8) Whipped cream is cream to which a harmless gas has been added to cause whipping of the product. It may also contain sugar, other harmless flavoring, and a harmless stabilizer.

(9) Concentrated milk is a fluid product, unsterilized and unsweetened, resulting from the removal of a considerable portion of the water from milk. When recombined with water, in accordance with instructions printed on the container, the resulting product conforms with the standards for milk fat and solids not fat of milk.

(10) Concentrated milk products are homogenized concentrated milk, fortified milk, concentrated skim milk, concentrated flavored milk, concentrated flavored drink, and similar concentrated products made from concentrated milk or concentrated skim milk, as the case may be, and which, when recombined with water in accordance with instructions printed on the container, conform with the definitions of the corresponding milk products.

(11) Chocolate milk or chocolate flavored milk is milk

sweetened and flavored with chocolate or cocoa. It may contain added salt, nonfat dry milk and a harmless stabilizer, and contains not less than 3.3 per cent milk fat.

(12) Chocolate drink, chocolate flavored drink, or chocolate dairy drink is skim milk, sweetened and flavored with chocolate or cocoa. It may contain added salt, nonfat dry milk and a harmless stabilizer.

(13) Cultured buttermilk is a product obtained by ripening pasteurized milk or pasteurized skim milk by means of lactic acid producing culture, or made from reconstituted skim milk. It contains not less than 8.25 per cent of milk solids not fat. Butterfat granules, sodium citrate, salt, nonfat dry milk and a harmless stabilizer may be added.

(14) Cultured milk is a fluid or semifluid product resulting from the souring or treatment, by a lactic acid or other culture, of pasteurized milk, pasteurized reconstituted milk, or pasteurized concentrated milk. It contains not less than 8.25 per cent milk solids not fat and not less than 3.3 per cent milk fat. A harmless stabilizer may be added.

(15) Fortified milk and milk products are those the vitamin or mineral content of which has been increased, per quart, to at least the following:

400 U.S.P. units in the case of Vitamin D.

2000 U.S.P. units in the case of Vitamin A.

1 mgm. in the case of B<sub>1</sub> or Thiamin.

2 mgm. in the case of B<sub>2</sub> or Riboflavin.

10 mgm. in the case of Niacin.

10 mgm. in the case of Iron.

0.1 mgm. in the case of Iodine.

Nonfat dry milk or concentrated skim milk may be added.

(16) Homogenized milk is milk which has been treated in such a manner as to insure breakup of the fat globules to such an extent that, after 48 hours of quiescent storage, no visible cream separation occurs on the milk. The word "milk" shall be interpreted to include homogenized milk.

(17) "Pasteurization", "pasteurized" and similar terms refer to the process of heating every particle of milk or skim milk to at least 145° F., and other milk products to at least 150° F., and holding at such temperature continuously for at least 30 minutes; or heating every particle of milk and skim milk to at least 161° F., and other milk products to at least 166° F., and holding at such temperature continuously for at least 15 seconds; provided, this definition shall not prohibit any other process which has been demonstrated to be equally efficient and which is approved by the department.

(18) Raw milk and raw milk products are Grade A milk and milk products which have not been pasteurized.

(19) Average bacterial plate count and average direct microscopic count shall be taken to mean the logarithmic average, and average cooling temperature shall be taken to mean the arithmetic average of the respective results of the last four consecutive samples, taken upon separate days.

Ag 80.02 Certification. (1) Surveys for certification of compliance rating shall be made by the certifying agency at approximate two-year intervals. Determination of compliance shall be made in accordance with the methods of the U. S. Public Health Service for making milk shed ratings. A rating of 90% shall be required for each dairy plant, its dairy farms and enforcement. Prior to the issuance of a license the department shall determine whether the applicant meets the requirements for a 90% rating of its dairy plant and farms. When a licensee rates below 90% but not below 85% he shall be granted a probationary period of 90 days to increase his rating; provided that one additional extension can be made. When a rating is below 85%, a hearing shall be held and license may be suspended or revoked.

(2) Grade A license or permit issued by the department may be temporarily suspended upon violation by the holder of any of the provisions of this regulation, or for interference with the department in the performance of its duties. A license or permit shall be revoked upon serious or repeated violations.

(3) Any licensee or permittee whose license or permit has been suspended may at any time make application for its reinstatement.

(4) Upon receipt of an application for reinstatement based on correction of a violation of any bacteriological or cooling temperature standard, the department shall take two samples within one week and reinstatement will be approved upon compliance with such standards; provided, if samples are not available because of suspension of permit to operate, or for other reasons, the

department may issue a temporary permit upon satisfying itself by inspection of the facilities and the operating methods that the conditions responsible for the violation have been corrected, with final reinstatement of license or permit conditional upon subsequent bacteriological or temperature findings.

(5) In case the license or permit suspension was due to a violation of an item other than bacteriological standards or cooling temperature, the application for reinstatement must be accompanied by a statement signed by the applicant to the effect that the violated item of the specifications has been conformed with. Within one week of the receipt of such an application and statement, the department shall make a reinspection of the applicant's establishment and thereafter as many additional reinspections as it may deem necessary to assure that the applicant is again complying with the requirements, and, in case the findings justify, the license or permit will be reinstated.

Ag 80.03 Labeling. Fortified milk and milk products shall be plainly labeled to show the number of units or milligrams of added vitamins and minerals per quart and the addition of any nonfat dry milk or concentrated skim milk.

Ag 80.04 Inspection. (1) Prior to the issuance of a license and at least once every 6 months thereafter the department shall cause to be inspected dairy farms and plants. When a violation of any requirement is found a second inspection shall be made, but not before the lapse of 3 days. The second inspection shall determine compliance. Any violation of the same requirement on such reinspection shall be cause for immediate suspension of license or permit.

(2) Milk producers and dairy plant operators shall, upon the request of the department, permit access to all parts of the establishment, and every plant operator shall furnish, upon request, for official use only, a true statement of the actual quantities of milk and milk products purchased and sold, together with a list of sources of milk and milk products, records of inspections and tests, and recording thermometer charts.

Ag 80.05 Examination of milk and milk products. (1) During each 6-month period at least 4 samples of milk from each milk producer, and at least 4 samples of milk, cream and homogenized milk from each dairy plant shall be taken on separate days from supplies in their possession and examined by the department; provided, the department may accept the results of nonofficial laboratories which have been accredited by the certifying agency. Samples of other milk products may be taken and examined by the department as often as it deems necessary. Samples may be taken at any time prior to the final delivery of the milk or milk products. Samples of milk and milk products from stores, restaurants and other places where milk or milk products are sold shall be examined as often as the department may require. Proprietors of such places shall furnish the department, upon request, with the names of all dairy plants or distributors from whom their milk and milk products are obtained.

(2) Bacterial plate counts, direct microscopic counts, coliform determinations, phosphatase tests, and other laboratory tests shall conform to the procedures in "Standard Methods for the Examination of Dairy Products", Tenth Edition (1953), copies of



which are on file at the offices of the state department of agriculture, secretary of state and revisor of statutes, and which may be obtained from American Public Health Association, Inc., 1790 Broadway, New York 19, N. Y. Examinations may include such other chemical and physical determinations as the department may deem necessary for the detection of adulteration. Bioassays and analyses of the vitamin and mineral content of fortified milk and milk products shall be made when required by the department, in a laboratory approved by the department for such examination.

(3) Whenever the average bacterial count or the average cooling temperature exceeds the limit herein prescribed, the department shall send written notice thereof to the licensee or permittee and shall take an additional sample, but not before the lapse of 3 days, for determining a new average. Violation of the standards by the new average or by any subsequent average during the remainder of the current 6-month period shall be cause for immediate suspension of the license or permit unless the last individual result is within prescribed limits.

(4) Whenever more than 1 of the last 4 consecutive coliform counts of samples taken on separate days exceed the limit herein prescribed, the department shall send written notice thereof to the licensee or permittee and shall take an additional sample, but not before the lapse of 3 days. License or permit may be immediately suspended when such additional sample exceeds the prescribed limit, or when the prescribed limit is again exceeded during the remainder of the current 6-month period by more than 1 of the last 4 consecutive samples, unless the coliform count of

the last sample is within the prescribed limit.

(5) In case of violation of the pasteurization requirements, as evidenced by the phosphatase test, the cause of underpasteurization shall be determined and corrected before milk or milk products from the dairy plant can again be sold as pasteurized milk or milk products.

Ag 80.06 Milk standards. (1) Milk shall be produced upon dairy farms conforming with the standards in section Ag 80.07. The average bacterial plate count or the average direct microscopic clump count of milk received from the farm shall not exceed 200,000 per milliliter. Between receipt at the dairy plant and pasteurization the count shall not exceed 400,000 per milliliter. The average bacterial plate count of cream and half and half shall not exceed 200,000 per milliliter at the place of separation or 400,000 per milliliter at any time prior to pasteurization.

(2) Milk and milk products shall be pasteurized, cooled and placed in the final container in a dairy plant conforming with the standards in section Ag 80.08. Efficient pasteurization shall be evidenced by satisfactory phosphatase tests. After pasteurization their average bacterial plate count, except for cultured milk products, shall not exceed 30,000 per milliliter; provided, the average bacterial plate count of cream and half and half shall not exceed 60,000 per milliliter. The coliform count of milk and milk products shall not exceed 10 per milliliter.

Ag 80.07 Farm standards. (1) Cows, health. (a) The animals in herds shall have been tested for tuberculosis within 6 years prior to the time any milk is sold or offered for sale, and at

least every 6 years thereafter. Said tests and retests shall be made and any reactors disposed of in accordance with requirements of the U. S. Department of Agriculture for tuberculosis-free accredited herds. A certificate identifying each animal, signed by the veterinarian and filed with the department, shall be evidence of the above tests.

(b) Milk and milk products shall be from herds the owners of which comply with the brucellosis control program in section 95.26, Wis. Stats.

(c) Cows which show a complete induration of one quarter or extensive induration in one or more quarters of the udder upon physical examination, whether secreting abnormal milk or not, shall be permanently excluded from the milking herd; provided, this shall not apply in the case of a quarter that is completely dry. Cows giving bloody, stringy, or otherwise abnormal milk, but without entire or extensive induration of the udder, shall be excluded from the herd until re-examination shows that the milk has become normal.

(d) For other diseases such tests and examinations as the department may require shall be made at intervals and by methods prescribed by it, and any diseased animals or reactors shall be disposed of as it may require.

(2) Milking stable. (a) Lighting. A milking barn, stable or parlor shall be provided. It shall have adequate light, properly distributed for day or night milking.

(b) Air space and ventilation. Such sections of the milking

barn, stable or parlor where cows are kept or milked shall be well ventilated and shall be so arranged as to avoid overcrowding.

(c) Floors, animals. The floors and gutters of that portion of the barn, stable or parlor in which cows are milked shall be constructed of concrete or other impervious and easily cleaned material. Floors and gutters shall be graded to drain properly and shall be kept clean and in good repair. No swine, sheep, goats or fowl shall be housed or permitted in the milking stable or parlor; provided, if horses, dry cows, calves or bulls are stabled therein, they shall be confined in stalls, stanchions or pens, which shall be kept clean and in good repair.

(d) Walls and ceilings. The interior walls and the ceilings of the milking barn, stable or parlor shall be smooth, shall be whitewashed or painted as often as may be necessary, and shall be kept clean and in good repair. In case there is a second story above the milking barn, stable or parlor, the ceiling shall be tight. If feed is ground or mixed, or sweet feed is stored in a feed room or feed-storage space adjoining the milking space, it shall be separated therefrom by a dust-tight partition and door.

(3) Cow yard. The cow yard shall be graded, drained and kept so that there are no standing pools of water nor accumulations of organic wastes. In loafing or pen type stables manure droppings shall be removed or clean bedding added at sufficiently frequent intervals to prevent the accumulation of manure on cows' udders and flanks and the breeding of flies. Swine shall not be commingled with dairy cattle.

(4) Manure disposal. Manure shall be removed and stored or

disposed of in such manner as best to prevent the breeding of flies therein and the access of cows to piles thereof.

(5) Milk house or room, construction and equipment. (a) A milk house or milk room shall be provided in which the cooling, handling and storing of milk and milk products and the washing, bactericidal treatment and storing of milk containers, utensils and equipment other than that which is cleaned in place shall be done. The milk house or room shall have a tight floor constructed of concrete or other impervious material, in good repair and graded to provide drainage.

(b) It shall have walls and ceilings of such construction as to permit easy cleaning, and shall be well painted or finished.

(c) It shall be well lighted and ventilated.

(d) It shall have openings effectively screened, including outward-opening, self-closing doors, unless other effective means are provided to prevent the entrance of flies.

(e) It shall be used for no other purposes than those specified above except as may be approved by the department; shall not open directly into a stable or into any room used for domestic purposes; shall have water piped into it; shall have adequate facilities for heating water and for cleaning; shall be equipped with two-compartment, stationary wash and rinse vats. Cleaning and other operations shall be located and conducted so as to prevent any contamination of the milk or of cleaned equipment.

(f) Floors, walls, ceilings and equipment of the milk house or room shall be kept clean. Means necessary for the control of flies, other insects and rodents shall be used.

(6) Toilet. Every dairy farm shall have one or more sanitary toilets located, constructed and maintained so that the waste is inaccessible to flies and does not pollute the ground surface or contaminate any water supply. It shall comply with the sanitary rules of the State Board of Health.

(7) Water supply. Water for dairy purposes shall be from a supply which is properly located, protected and operated, and is easily accessible, adequate and of a safe sanitary quality.

(8) Utensils. (a) Construction. Multi-use containers, equipment or other utensils used in the handling, storage or transportation of milk or milk products shall be made of smooth, non-absorbent, non-corrodible, non-toxic material and of such construction as to be easily cleaned, and shall be in good repair; joints and seams shall be welded or soldered flush. Woven wire cloth shall not be used for straining milk. If milk is strained, filter pads shall be used and shall not be reused. Milk pails obtained hereafter shall be of the seamless hooded type. Single-service containers, closures and filter pads used shall have been manufactured, packaged, transported and handled in a sanitary manner.

(b) Cleaning. Multi-use containers, equipment (including that which is cleaned in place) and other utensils used in the handling, storage or transportation of milk and milk products shall be thoroughly cleaned after each usage.

(c) Bactericidal treatment. Multi-use containers, equipment (including that which is cleaned in place) and other utensils used in the handling, storage or transportation of milk or milk

products shall, before each usage, be subjected to an effective bactericidal process with steam, hot water, chemicals or hot air.

(d) Storage. Containers and other utensils used in the handling, storage or transportation of milk or milk products shall, unless stored in bactericidal solutions, be so stored as to drain dry and so as not to become contaminated before being used.

(e) Handling. After bactericidal treatment, containers and other milk and milk products utensils shall be handled in such a manner as to prevent contamination of any surface with which milk or milk products come in contact.

(9) Milking. (a) Milking shall be done in the milking barn, stable or parlor. Udders and teats of all milking cows shall be clean and wiped with an effective bactericidal solution at the time of milking. Abnormal milk shall be kept out of the milk supply and shall be so handled and disposed of as to preclude infection of the cows and contamination of milk utensils.

(b) Flanks, bellies and tails of milking cows shall be free from visible dirt at the time of milking. Brushing shall be completed before milking commences.

(c) Milkers' hands shall be washed clean, rinsed with an effective bactericidal solution, and dried with a clean towel immediately before milking and following any interruption in the milking operation. Wet hand milking is prohibited. Convenient facilities shall be provided for the washing of milkers' hands. No person with an infected cut or lesion on hands or arms shall milk cows or handle milk or milk utensils.



(10) Clean clothing. Milkers and milk handlers shall wear clean outer garments while milking or handling milk, milk products, containers, utensils or equipment.

(11) Milk stools. Milk stools and surcingles shall be kept clean.

(12) Removal of milk. Each pail or can of milk shall be removed immediately to the milk house or straining room. No milk shall be strained or poured in the barn unless it is protected from flies and other contamination.

(13) Cooling. Milk shall be cooled immediately after completion of milking to 50° F. or less and maintained at that temperature until delivered and dumped, except morning's milk delivered and dumped before 8:00 A. M. standard time.

(14) Surroundings. The immediate surroundings of the dairy farm shall be kept clean and free of health nuisance.

Ag 80.08 Plant standards. (1) Floors. The floors of rooms in which milk or milk products are handled or stored or in which milk utensils are washed shall be constructed of concrete or other equally impervious and easily cleaned material and shall be smooth, properly drained, provided with trapped drains, and kept clean and in good repair.

(2) Walls and ceilings. Walls and ceilings of rooms in which milk or milk products are handled or stored, or in which milk utensils are washed, shall have a smooth, washable, light-colored surface, and shall be kept clean and in good repair.

(3) Doors and windows. Unless other effective means are



provided to prevent the access of flies, openings to the outer air shall be effectively screened and doors shall be self-closing.

(4) Lighting and ventilation. Rooms shall be well lighted and ventilated.

(5) Miscellaneous protection from contamination. (a) Dairy plant operations shall be so located and conducted as to prevent any contamination of milk or of cleaned equipment. Means necessary for the elimination of flies, other insects and rodents shall be used. There shall be separate rooms for:

1. The pasteurizing, processing, cooling and bottling operations, and

2. The washing and bactericidal treatment of containers.

(b) Cans of raw milk shall not be unloaded directly into the pasteurizing room. Rooms in which milk, milk products, cleaned utensils or containers are handled or stored shall not open directly into any stable or living quarters. The dairy plant, milk containers, utensils and equipment shall be used for no other purposes than the processing of milk and milk products and the operations incident thereto, except as may be approved by the department.

(6) Toilet facilities. Every dairy plant shall be provided with toilet facilities conforming to the rules of the State Board of Health and of the Industrial Commission. Toilet rooms shall not open directly into any room in which milk, milk products, equipment or containers are handled or stored. The doors of toilet rooms shall be self-closing. Toilet rooms shall be kept

in a clean condition, in good repair, and well ventilated. A placard containing section Ag 80.13 and a sign directing employees to wash their hands before returning to work shall be posted in all toilet rooms used by employees.

(7) Water supply. The water supply shall be easily accessible, adequate, and of a safe, sanitary quality.

(8) Hand-washing facilities. Convenient hand-washing facilities shall be provided, including hot and cold running water, soap and sanitary towels. Hand-washing facilities shall be kept clean. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his hands.

(9) Construction and repair of containers and equipment. Multi-use containers and equipment, including piping, with which milk or milk products come in contact shall be of smooth, impervious, non-corrodible, non-toxic material, so constructed and located as to be easily cleaned; and shall be kept in good repair. Single-service containers, gaskets and other articles used shall have been manufactured, packaged, transported and handled in a sanitary manner.

(10) Plumbing and disposal of wastes. Wastes shall be properly disposed of. Plumbing and equipment shall be so designed and installed as to prevent contamination of the water supply and of milk equipment by backflow and shall comply with the Wisconsin Plumbing Code.

(11) Cleaning and bactericidal treatment of containers and equipment. Milk and milk products containers and equipment, except single-service containers, shall be cleaned thoroughly after each

usage. Containers shall be subjected to an effective bactericidal process after each cleaning, and equipment immediately before each usage. When empty and before being returned to a producer by a dairy plant, each container shall be thoroughly cleaned and subjected to an effective bactericidal process.

(12) Storage of containers and equipment. After bactericidal treatment bottles, cans and other multi-use milk or milk products containers and equipment shall be stored in such manner as to be protected from contamination.

(13) Handling of containers and equipment. Between bactericidal treatment and usage and during usage, containers and equipment shall not be handled or operated in such manner as to permit contamination of the milk. Pasteurized milk or milk products shall not be permitted to come in contact with equipment with which raw milk or milk products have been in contact, unless the equipment has first been thoroughly cleaned and subjected to an effective bactericidal process.

(14) Pasteurization equipment. Pasteurizers shall have temperature indicating and recording instruments, space heaters and space thermometers. Entry ports shall have protective shields. High temperature short-time pasteurizers shall have milk flow stop devices or milk flow diversion valves.

(15) Storage of caps, parchment paper and single-service containers. Milk bottle caps or cap stock parchment paper for milk cans, and single-service containers and gaskets shall be purchased and stored only in sanitary tubes, wrappings and cartons, shall be kept therein in a clean, dry place until used, and shall be

handled in a sanitary manner.

(16) Cooling. Milk and milk products received for pasteurization shall immediately be cooled in sanitary equipment to 50° F. or less and maintained at that temperature until pasteurized, unless they are to be pasteurized within 2 hours after receipt; and pasteurized milk and milk products, except those to be cultured, shall be immediately cooled in sanitary equipment to a temperature of 50° F. or less and maintained thereat until delivery.

(17) Bottling. Bottling, packaging or canning of milk and milk products shall be done at the place of pasteurization.

(18) Overflow milk. Overflow milk or milk products shall not be sold for human consumption.

(19) Capping. Capping of milk or milk products shall be done in a sanitary manner. Hand capping is prohibited. The cap or cover shall protect the pouring lip to at least its largest diameter.

(20) Personnel, health. A physician shall examine and take a careful morbidity history of every person connected with a dairy plant, or about to be employed, whose work brings him in contact with the production, handling, storage or transportation of milk, milk products, containers or equipment. If such examination or history suggests that such person may be a carrier of or infected with the organisms of typhoid or paratyphoid fever or any other communicable disease likely to be transmitted through milk, he shall secure appropriate specimens of body discharges and cause them to be examined in a laboratory approved by state health authorities for such examination, and if the results justify such persons shall be barred from such employment. Such persons shall

furnish such information, submit to such physical examinations, and submit such laboratory specimens as required by the State Board of Health for the purpose of determining freedom from infection. No person with an infected cut or lesion on hands or arms shall handle milk, milk products, milk containers or milk equipment.

(21) Personnel, cleanliness. Persons coming in contact with milk, milk products, containers or equipment shall wear clean outer garments and shall keep their hands clean while thus engaged.

Ag 80.09 Vehicles. (1) Vehicles used for the transportation of milk or milk products shall be enclosed as provided in section Ag 30.02 and be so constructed and operated as to protect their contents from the sun, from freezing and from contamination. The name of the dairy plant or distributor shall be prominently displayed on each vehicle.

(2) Milk tank trucks shall comply with construction, cleaning, bactericidal treatment, storage and handling requirements of subsections (9), (11), (12) and (13) of section Ag 80.08. After loading with milk or cream and until delivery, they shall be sealed with a wire and lead seal. Each tank shipment shall be accompanied by a bill of lading stating the amount of milk shipped, the shipping point, the receiving point, the names of the shipper and consignee, and whether the contents are raw, pasteurized or otherwise heat-treated. Copies thereof shall be kept on file by the shipper, the consignee and the carrier for a period of 6 months. The requirements for sealing and a bill

of lading shall not apply to tank trucks used for transporting milk from dairy farms to a dairy plant.

Ag 80.10 Facilities for ungraded products. (1) No dairy plant shall permit any milk or milk products to come in contact with equipment with which ungraded milk or milk products have been in contact unless such equipment has first been thoroughly cleaned and subjected to an effective bactericidal treatment.

(2) No dairy plant shall receive or process any ungraded milk or milk products unless it shall install and separately identify the following equipment:

(a) A separate weigh can for such milk and milk products.

(b) Separate holding tank and storage facilities in which such ungraded milk and milk products are held prior to processing.

(c) A separate pipe line between the weigh can or that part thereof used for the receipt and holding tank used for the storage of the ungraded milk or milk products prior to processing.

Ag 80.11 Transferring or dipping milk; delivery containers.

(1) Except as permitted in this section, no milk producer, milk hauler or dairy plant operator shall transfer milk or milk products from one container to another on the street or in any vehicle or store, or in any place except a bottling or milk room especially used for that purpose. The sale of dip milk is prohibited.

(2) Milk and milk products which are sold in containers in quantities of one gallon or less shall be delivered in standard milk bottles or in single-service containers of equivalent sizes.

(3) The delivery of any such milk or milk products to and the collection of containers for any such milk or milk products from



residences in which cases of communicable disease transmissible through milk supplies exist shall be subject to special requirements of the department and the local health officer.

Ag 80.12 Future dairy plants. (1) Dairy plants hereafter constructed, reconstructed or extensively altered shall conform in their construction to the requirements of this chapter. Plans for dairy plants hereafter constructed, reconstructed or extensively altered shall be submitted to the department and its written approval obtained before work is begun.

Ag 80.13 Notification of disease. No person who is affected with any disease in a communicable form or is a carrier of such disease shall work for any milk producer or dairy plant operator in any capacity which brings him in contact with the production, handling, storage or transportation of milk, milk products, containers or equipment; and no milk producer or dairy plant operator shall employ in any such capacity any such person or any person suspected of being affected with any disease in a communicable form or of being a carrier of such disease. Any producer or plant operator upon whose farm or in whose plant any communicable disease occurs, or who suspects that any employee has contracted any disease in a communicable form or has become a carrier of such disease, shall notify the local health officer and the department immediately.

Ag 80.14 Procedure when infection suspected. When suspicion arises as to the possibility of transmission of infection from any person concerned with the handling of milk or milk products, the department may require any or all of the following measures:

(1) The immediate exclusion of that person from milk handling.

(2) The immediate exclusion of the milk supply concerned from distribution and use.

(3) Adequate medical and bacteriological examination of the person, of his associates, and of his and their body discharges.

Ag 80.15 Enforcement interpretation. (1) This chapter shall apply only to persons who are subject to the Grade A milk law (section 97.046, Wis. Stats.). It shall be enforced in accordance with like provisions in the Milk Ordinance and Code -- 1953 Recommendations of the Public Health Service, U. S. Department of Health, Education, and Welfare.

(2) The inspection of dairy farms and plants, and the examination of milk and milk products, provided for in this chapter will not be performed by the department with respect to milk and milk products which are produced and processed under the inspection of another governmental unit and are entitled to reciprocal recognition as provided in section 97.046 (6) (b), Wis. Stats.

(3) The exemption in section 97.046 (2) (c), Wis. Stats., for "incidental sales" of ungraded milk and cream to consumers at farms and dairy plants shall not include any sales which are regularly made in the course of business or are preceded by any advertising thereof, or offer to or solicitation of members of the public, but shall include any sales to employees or to persons shipping milk to the dairy plant.

Ag 80.16 Inspection fees. Inspection fees shall be paid



in advance, semiannually, to the department by each dairy plant operator whose milk and milk products are under the continuous inspection of the department. Fees shall become payable on the first day of January and July of each year. Fees of dairy plant operators who have not previously been under the inspection of the department shall be paid prior to the granting of license. The amounts of the semiannual fees shall be \$100 for each dairy plant and \$7.50 for each dairy farm from which milk is received. Initial fees in such amounts shall be payable on October 1, 1959, and credit shall be allowed thereon, pro rata, for Grade A inspection fees paid to the department in advance pursuant to the voluntary Grade A inspection program prescribed in chapter Ag 80 prior to the effective date hereof.

The rules contained herein shall take effect on October 1, 1959.

Dated: August 31, 1959.

STATE DEPARTMENT OF AGRICULTURE

By /s/ D. N. McDowell

Director