

No. 496, A.]

[Published August 23, 1955.

**CHAPTER 580**

AN ACT to repeal 97.02 (5) (g) and 97.35; and to create 97.045 (6), (7) and (8) and 97.047 of the statutes, relating to milk pasteurization and dispensing of consumers' milk.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 97.02 (5) (g) of the statutes is repealed.

SECTION 2. 97.045 (6), (7) and (8) of the statutes are created to read:

97.045 (6) (a) Pasteurization is the process of heating every particle of milk or milk products to at least 143 degrees Fahrenheit and holding continuously at such temperature for at least 30 minutes; or to at least 161 degrees Fahrenheit and holding continuously at such temperature for at least 15 seconds; provided that nothing contained in this subsection shall be construed as proscribing any other process which has been demonstrated to be equally efficient and is approved by the department.

(b) All consumers' milk after pasteurization shall be cooled immediately to 50 degrees Fahrenheit or less and maintained thereat until delivery.

(c) Efficient pasteurization shall be evidenced by a satisfactory phosphatase test.

(d) At no time after pasteurization and before delivery shall consumers' milk other than buttermilk or cultured buttermilk have a bacterial plate count which exceeds 30,000 per milliliter nor a coliform count exceeding 10 per milliliter; provided that the bacterial plate count of pasteurized cream and half and half shall not exceed 60,000 per milliliter and the coliform count shall not exceed 10 per milliliter.

(7) (a) All pasteurizers shall be equipped with temperature indicating and recording instruments, space heaters and space thermometers.

(b) Recording thermometer charts shall be preserved for a period of 3 months.

(c) High temperature short-time pasteurizers shall be equipped with milk flow stop devices or milk flow diversion valves.

(d) All coolers, holding tanks, and pasteurizers shall be constructed of sanitary type material; shall be covered, and all entry ports shall be equipped with protective shields.

(8) All containers in which consumers' milk is sold at retail shall be filled in the plant in which such milk is pasteurized. No person in connection with the sale of consumers' milk shall transfer it from a bulk container to a household container, either by dipping or pouring from one container to another, except that cream and half and half sold for immediate consumption on the premises may be transferred to a serving container from the original container filled in the plant in which such cream or half and half was pasteurized. Notwithstanding the provisions of this subsection, consumers' milk may be sold from bulk tanks or bulk dispensers which meet the following requirements:

(a) All milk contact equipment shall be constructed of sanitary type material.

(b) No surface except the delivery orifice with which milk or milk products come in contact shall, while in use, be accessible to manual contact, droplet infection, dust, flies, rodents or other contamination.

(c) The filling orifice or spout shall be equipped with a protective shield.

(d) All parts of the bulk tanks or bulk dispensers with which milk comes in contact shall be cleaned and subjected to effective bactericidal treatment at the consumers' milk plant.

(e) Bulk tanks or bulk dispensers shall be filled in the consumers' milk plant where the milk is pasteurized and sealed in such manner as to make it impossible to refill without breaking the seal.

(f) The bulk tanks or bulk dispensers shall be refrigerated in such manner that the temperature of the milk shall be 50 degrees Fahrenheit or less at all times.

SECTION 2a. 97.047 of the statutes is created to read:

97.047 GRADE A MILK STANDARDS. Effective July 1, 1957, all milk and fluid milk products sold for consumption in fluid form shall be produced, processed and distributed in accordance with definitions and standards for Grade A milk and milk products as set forth in the milk ordinance and code, 1953 recommendations of the public health service, U. S. department of health, welfare and education, publication No. 229.

SECTION 3. 97.35 of the statutes is repealed.

Approved August 18, 1955.

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