

Ag 30, 31


STATE OF WISCONSIN)
STATE DEPARTMENT OF AGRICULTURE) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, Elwyn Jones, Deputy 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 minimum standards for milk production (Wis. Adm. Code ch. Ag 30) and repealing rules relating to dairy plant sanitation (Wis. Adm. Code ch. Ag 31) was duly adopted by this department on December 1, 1960.

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 1st day of December, A. D. 1960.



Deputy Director

Docket No. 607.

ORDER OF THE STATE DEPARTMENT OF AGRICULTURE
REPEALING AND RECREATING AND REPEALING RULES

Pursuant to authority vested in the State Department of Agriculture by sections 93.07 (1), 97.04, 97.05, 97.34 and 97.37, Wis. Stats., the State Department of Agriculture hereby repeals and recreates and repeals rules as follows:

SECTION 1. Chapter Ag 30 of the Wisconsin administrative code is repealed and recreated to read:

Chapter Ag 30

MINIMUM STANDARDS FOR MANUFACTURING MILK

Note: Minimum standards for Grade A milk and milk products are issued under the authority of section 97.046, Wis. Stats., and are set forth in chapter Ag 80.

Ag 30.01 Definitions. As used herein, unless the context otherwise requires:

- (1) "Department" means the State Department of Agriculture.
- (2) "Plant" means a dairy plant defined in section 97.04, Wis. Stats., but shall not include a Grade A dairy plant.
- (3) "Product" means a dairy product defined in section

97.04, Wis. Stats.

(4) "Producer" means any person who owns or controls one or more cows from which he sells milk or cream, other than Grade A milk shipped to a Grade A dairy plant.

(5) "Person" and "operator" include corporations.

Production

Ag 30.02 Farm inspection. Every plant operator, prior to receiving milk or cream from any producer, shall inspect the farm premises of the producer. Thereafter, such inspection shall be made at least once each year and more frequently as necessity is indicated by the results of the tests used to determine the sanitary quality of milk or cream. Inspection of the producer's premises shall include checking to determine compliance with each of the farm sanitary requirements prescribed in section Ag 30.03. After each such inspection a copy of an accurately completed inspection report shall be furnished to the producer and he shall promptly correct conditions which fail to comply with requirements herein. Such reports shall be kept posted in a conspicuous place in the milk house. No producer shall sell or deliver milk or cream to a plant operator after he has refused him access for the purpose of inspecting his farm premises at any reasonable time.

Ag 30.03 Farm sanitary requirements. (1) Cows. Milk and cream offered for sale shall be from clean, healthy cows.

(2) Personnel. Only clean and healthy persons shall be permitted to milk the cows and to handle the milk or milk utensils.

(3) Dairy barns. (a) Floors and gutters of dairy barns where cows are milked shall be constructed of concrete or other impervious material. They shall be kept clean and in good repair. Walls and ceilings shall be kept clean and in good repair, and shall be whitewashed or painted as often as necessary to keep them in a sanitary condition. The barn where milking cows are kept or milked shall have adequate light and ventilation, and be so arranged as to avoid over-crowding. No swine, sheep, goats or fowl shall be permitted in the milking stable. Manure shall be removed daily from the milking stable and disposed of in such a manner as to be inaccessible to the milking herd.

(b) Loose-cow housing areas shall be so managed that manure, soiled bedding and waste feed are not stored therein or permitted to accumulate so as to cause the soiling of the cows' udders and flanks. The resting area shall be bedded and maintained in such manner that the manure pack is properly drained and that it provides reasonably firm footing for the animals. It shall be of sufficient size to provide at least 75 square feet per cow. The feeding area shall be separate from the bedded area and shall be paved. It shall be kept free from accumulated manure and waste. Accumulated manure shall be completely removed from the resting area before the start of the fly season and it shall be kept free from accumulated manure during the fly season.

(4) Cow yard. The cow yard shall be graded so as to be free

of standing pools of water. It shall be kept free from accumulations of manure. Swine shall not be permitted in the cow yard.

(5) Toilets. Toilets on every dairy farm shall be of a sanitary type, so constructed and maintained that waste is inaccessible to flies and rodents and does not pollute the surface soil or contaminate the water supply.

(6) Insects and rodents. The premises shall be maintained and the product and equipment handled so as to prevent contamination by insects or rodents.

(7) Water supply. An adequate supply of safe, clean water shall be provided for the cleaning of dairy utensils and equipment.

(8) Milk utensils and equipment. (a) Construction. Milk utensils and equipment used in the handling, storage and transportation of milk or cream shall be made of smooth, relatively non-absorbent material, and seams shall be soldered flush so as to be easily cleaned. They shall be kept in good repair. No galvanized or enamel ware utensils shall be used.

(b) Cleaning. Milk utensils and milk contact surfaces of equipment shall be rinsed with lukewarm water immediately after usage, then brushwashed with hot water containing an effective detergent and thoroughly rinsed. Before use they shall be sanitized with a safe, effective bactericide. Farm bulk tanks shall be similarly cleaned and sanitized. Other equally effective cleaning and sanitizing methods may be used.

(9) Milking. Flanks, bellies and tails of cows shall be

free from visible dirt at the time of milking. The udder and teats shall be wiped immediately before milking with a clean cloth or other absorbent material dipped in an effective sanitizing solution. Washing or spraying may be substituted if udder and teats are wiped dry. Abnormal milk shall be kept out of the milk supply. Milk from cows treated with antibiotics shall be excluded for such period of time as is necessary to make the milk free from antibiotics. Milkers' hands shall be washed clean. Wet-hand milking is prohibited. No dusty or objectionably strong-flavored feeds shall be fed to cows just before or during milking. Milk stools and surcingles shall be kept clean and stored in a clean place.

(10) Straining. Milk may be strained only through a clean, single-service filter.

(11) Cooling. Milk shall be cooled immediately after milking to 60° F. or lower, unless it is delivered to the plant within two hours after milking. The temperature of the milk shall not exceed 70° F. when delivered to the plant, unless it is delivered within two hours after milking.

(12) Milk house. (a) Producers of milk or cream shall have a milk house or milk room in which the cooling and storing of milk and cream and the cleaning, sanitizing and storing of milk containers and utensils shall be done. Such house or room shall not be used for any purpose likely to result in contamination. It shall be equipped with a cooling tank or cooling equipment and utensil cleaning, sanitizing and storage facilities.

Utensils shall be inverted separately (not nested) on a rack. The bottom bars of the rack shall be high enough to avoid contamination from below. Any type or design of tank or equipment for cooling which can be kept clean and sanitary may be used. The milk house or milk room shall be of construction which permits easy cleaning and have adequate drainage. The floor shall be of concrete or other impervious material. It may be a part of the barn or another building, but shall be partitioned, ceiled and screened to prevent the entrance of dust, dirt, flies and other pests or contamination. There shall be no entrance directly from the barn, except through a ventilated vestibule. Outer doors shall open outward and be self-closing, unless other effective means are provided to prevent the entrance of flies. There shall be ample light and adequate ventilation.

(b) When a bulk tank is used for holding and cooling milk, it shall be installed in the milk house or milk room. Such house or room shall have a trapped floor drain. The tank shall not be located over the floor drain or under a ventilator. It shall have at least 24 inches clearance at the milk outlet side, at least 18 inches clearance at two other sides, and a clearance at the bottom of at least 6 inches for flat-bottom tanks and 4 inches for round-bottom tanks; provided, that non-conforming tank installations made prior to January 1, 1961 may be approved by the department, in writing, if the tanks can be effectively cleaned and sanitized. A port opening for milk-conducting equipment, not more than 6 inches in diameter, shall be in an outside wall, and an exterior apron of concrete or other impervious

material, not less than 4 feet by 4 feet in size, shall be adjacent to the wall and centered on the opening. The base of the opening shall be at least 6 inches above the apron and the floor of the milk house or room. The opening shall have a tight-fitting cover which is self-closing. The milk house or milk room shall have a pressure water supply and a water heater of not less than 30-gallon capacity. When a cleaned-in-place stationary pipeline is used, the capacity of the water heater shall be at least 50 gallons if the length of the pipeline is not over 100 feet, 60 gallons if over 100 feet but not over 200 feet, and 80 gallons if over 200 feet.

(13) Farm bulk tanks. Bulk tanks used for holding and cooling milk at farms shall conform to the following sanitary standards of construction and cooling:

(a) Construction. The tank shall be self-draining. Its lining and other parts having contact with milk or having surfaces from which milk may drain or drop into the tank shall be made of stainless steel or other material that is smooth, non-toxic, relatively stable, relatively non-absorbent, corrosion-resistant, and capable of withstanding cleaning and bactericidal treatment. Milk contact surfaces shall be visible and easily accessible. Openings shall have covers which are self-draining. Openings and covers shall be constructed and installed so as to prevent drainage into the milk compartment. Each tank shall have an indicating thermometer, with a minimum range of 32° F. to 80° F., and a mechanical agitator which will insure homogeneity of the milk

that a temporary gross weight restriction is imposed for any highway which must be used to obtain the milk or cream. Nothing which may contaminate the milk or cream shall be hauled with the milk, cream or containers therefor. When skim milk, buttermilk or whey is being transported to the producers in the same vehicle used to transport milk or cream, the skim milk, buttermilk or whey shall be contained in a tank outside of the milk enclosure or in a sealed tank within the enclosure. Such sealed tank shall have exterior inlets and outlets. Cans used for the transportation of milk or cream shall not be used for the transportation of skim milk, buttermilk or whey to producers. No person transporting milk or cream shall unload any of the cans of such milk or cream, or any part thereof, at any place other than a plant unless such unloading point is enclosed to protect the milk or cream from extreme heat or cold and from dust or other contamination.

(2) Truck transport tanks, including sanitary piping, fittings and pumps, shall be cleaned and subjected to bactericidal treatment at least once each day. If the tank is not to be used immediately for the pick-up of another load of milk, it shall be washed promptly and given bactericidal treatment prior to use. The outside of the tank truck shall be maintained in a clean condition. Outside fittings and openings shall have metal dust covers. Effective January 1, 1963, tanks shall be cleaned in an enclosed heated room having an impervious, drained floor, equipped with warm water under pressure.

Ag 30.07 Bacteriological and sediment testing. (1) Every plant operator shall examine by sight and smell all milk and cream received by him. Bacteriological and sediment tests to determine the sanitary quality of such milk or cream shall be conducted at least once each month. Prior to receiving a producer's first delivery the plant operator shall conduct bacteriological and sediment tests of his milk or cream, unless such producer has furnished a copy of his latest test records at another plant, showing that his milk or cream was not of undergrade sanitary quality.

(2) Bacteriological tests may be the methylene blue, resazurin, bacterial plate count or direct microscopic clump count tests. The milk/^{or cream}is of undergrade sanitary quality:

(a) If the methylene blue test discloses any samples which are decolorized within 2-1/2 hours;

(b) If the resazurin test discloses any samples which are pink or white at the end of 1 hour's incubation; or

(c) If the bacterial plate count or direct microscopic clump count tests disclose any sample having a bacterial count in excess of 2,000,000 per milliliter.

(3) (a) Sediment tests to determine the sanitary quality of milk or cream in cans shall be conducted by drawing the head of the tester across the bottom of the can, simultaneously with the upstroke of the plunger. The tester shall be an off-bottom type of one pint capacity. If any can of milk or cream is found to be of undergrade sanitary quality, every can of the producer's

milk or cream shall be tested. Farm bulk tank milk shall be tested by the mixed sample method.

(b) The milk or cream is of undergrade sanitary quality whenever the wet sediment disc shows sediment in excess of that in a number 3 disc on a sediment grading chart which shows the following standard sediment discs:

A number 1 disc with no sediment.

A number 2 disc with 0.5 milligram of sediment.

A number 3 disc with 2.5 milligrams of sediment.

When one-pint samples from farm bulk tanks are used for testing by the mixed sample method, the number 2 and 3 standard sediment discs shown on the chart shall contain 1/8 of the sediment prescribed above.

Ag 30.08 Notice and rejection. (1) Milk or cream which is found to be watery, flaky, stringy, bloody, thick, gargety or otherwise adulterated or insanitary shall be rejected by the plant operator.

(2) (a) Whenever the milk or cream of any producer has been subjected to a bacteriological test and is of undergrade sanitary quality, the plant operator shall promptly notify the producer and within 5 days shall conduct another such test on milk or cream received from the producer. If the milk or cream of any producer is found to be of undergrade sanitary quality on three consecutive bacteriological tests, conducted at intervals of not more than 5 days, the plant operator shall reject further deliveries of milk or cream from such producer until a

bacteriological test discloses that his milk or cream is of sanitary quality; provided, if an inspection of his farm by the plant operator discloses no insanitary conditions, the next delivery may be accepted before such producer's milk or cream is rejected as required herein.

(b) When the milk or cream of any producer has been tested for sediment and found of undergrade sanitary quality, the plant operator shall promptly notify the producer and shall reject such milk or cream and any further deliveries from such producer until a sediment test discloses that his milk or cream is of sanitary quality; provided, if the producer's milk or cream is delivered in bulk commingled with that of other producers, the next delivery may be accepted before his milk or cream is rejected as required herein.

(3) Every plant operator shall warn each producer by notice in writing as to the sanitary quality of his milk or cream if:

(a) The methylene blue test discloses any samples which are decolorized in 5-1/2 hours but not decolorized in 2-1/2 hours.

(b) The resazurin test discloses any samples which are mauve (lavender) to purplish pink at the end of 1 hour's incubation.

(c) The bacterial plate count or direct microscopic clump count tests disclose any sample having a bacterial count of more than 200,000 per milliliter but not more than 2,000,000 per milliliter.

(d) The sediment test discloses sediment in excess of the

number 2 standard sediment disc.

(4) Upon written notice from the department that the milk or cream of a producer is of undergrade sanitary quality, the plant operator shall reject milk or cream received from such producer until bacteriological and sediment tests disclose that it is not of undergrade sanitary quality.

Ag 30.09 Test methods, standard. The procedures for performing sanitary tests, except where otherwise prescribed, shall be those in the book "Standard Methods for the Examination of Dairy Products", Eleventh Edition (1960), 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.

Ag 30.10 Records, reports. (1) Every plant operator shall keep for at least one year a record for each producer showing the results of farm inspections, the dates and results of all bacteriological and sediment tests, and the date and quantity of any insanitary or adulterated milk received from such producer. The plant operator shall furnish a producer or his authorized agent with a copy of such record upon his request.

(2) Not later than the fifteenth day of each month the plant operator shall report, in writing, to the department:

(a) The name and address of any producer whose milk or cream was rejected during the preceding month by reason of its being of undergrade sanitary quality or otherwise adulterated or insanitary, including a copy of the bacteriological, sediment or

other test records upon which such rejection was based.

(b) The name and address of any producer who, by reason of insanitary conditions disclosed by a farm inspection during the preceding month, failed to comply with the farm sanitary requirements in section Ag 30.03, including a copy of the farm inspection record disclosing such insanitary conditions.

Processing

Ag 30.11 Premises. Plant premises shall be kept in a clean and orderly condition, free from foul odors, smoke, excessive air pollution, and waste materials. Driveways and dirt surfaces in the immediate plant area shall be surfaced or otherwise treated to minimize dust. A drainage system shall be provided to allow rapid drainage of all water from plant buildings, including surface water around the plant or on the premises, in such manner as to prevent a nuisance or health hazard.

Ag 30.12 Buildings. (1) General. Plant buildings shall be of sound, tight construction and shall be kept clean and in good repair. Construction and maintenance shall be such that insects, rodents, vermin or other animals are excluded.

(2) Outside openings. Outside openings of plants, including doors, windows, skylights and transoms, shall be effectively protected or screened against the entrance of insects, birds, rodents and dirt. Outside doors shall be self-closing. Outside conveyor openings and other special-type outside openings shall be effectively protected at all times against the entrance of insects and rodents, by the use of doors, screens, flaps, fans

or tunnels. Outside openings for sanitary pipelines shall be covered when not in use. Service pipe openings shall be completely cemented or have tight metal collars.

(3) Interior surfaces. Exposed interior surfaces of rooms in which products are processed or packaged, or in which utensils are washed and stored, shall be smoothly finished with material which is substantially impervious to moisture. Floors of such rooms, when constructed after January 1, 1961, shall be of concrete or other impervious material. They shall be smooth, kept in good repair, and sloped so that there will be no pools of standing water after flushing. Drains shall be equipped with traps and shall be so installed as to prevent any back-up of sewage.

(4) Lighting and ventilation. Light and ventilation in the plant shall be adequate to permit maintenance of sanitary conditions. Rooms where products are processed or packaged, or where utensils or equipment are washed, shall have at least 20 foot-candles of light intensity on all working surfaces; at least 30 foot-candles of light intensity in areas where products are examined for condition and quality; and at least 5 foot-candles of light in other rooms, when measured from a distance of 30 inches above the floor. Light bulbs and fluorescent tubing near processing or packaging operations shall have protective covers or shields.

(5) Rooms. Dairy plants which are constructed after January 1, 1961 shall have a separate room for receiving milk or cream.

Cooling and freezing rooms shall be equipped with facilities for maintaining any temperature and humidity conditions prescribed for products held therein. Boiler and tool rooms shall be separated from rooms where products are processed, manufactured, packaged or handled. Not later than January 1, 1962 each plant shall have a toilet and dressing room conveniently located therein. Such room shall be equipped with a flush-type toilet and shall be ventilated by openings to the outer air. Doors of toilet rooms shall be self-closing and shall not open directly into any room in which products or ingredients are processed, packaged or stored. Hand-washing facilities, including warm running water, soap or other detergents, and clean towels or air driers, shall be located in or adjacent to the toilet and dressing room, and at other places in the plant if essential to the cleanliness of personnel handling products. Containers shall be provided for used towels and other wastes. A legible sign shall be posted conspicuously in each toilet and dressing room directing employees to wash their hands before returning to work.

Ag 30.13 Facilities. (1) Water supply. (a) There shall be an ample supply of warm water of safe quality with adequate facilities for its distribution throughout the plant. Water from other sources may be used for boiler feed water and condensing water, provided such water lines are completely separated from the water lines carrying the sanitary water supply and the equipment is so constructed and controlled as to prevent contamination of any product or product contact surface. There shall be

no cross-connection between potable water lines and other water lines. Bacteriological examination shall be made of the potable water supply at least once a year to determine potability. Tests for potability shall be made by a laboratory certified by the State Board of Health. The results of water tests shall be kept on file and readily accessible for at least 12 months. The location, construction and operation of any well shall comply with the Wisconsin well code. Tests shall be made whenever there is a change in the water system which may contaminate the water supply.

(2) Waste disposal. Waste shall be disposed of from the plant and premises by means of a sewage system which shall have sufficient slope and capacity to readily remove all waste from the various processing operations. Waste paper shall be hauled away or burned in an incinerator at the plant. Containers used for the collection and holding of wastes shall be constructed of metal or other impervious material, kept covered with tight-fitting lids and placed outside the plant. Solid wastes shall be disposed of regularly and the containers cleaned before reuse.

Ag 30.14 Equipment. (1) Construction and installation. Equipment and utensils coming in contact with milk, cream or whey cream, including pumps, piping, fittings and connections, shall be constructed of smooth, non-toxic, corrosion-resistant material which can be easily cleaned. Non-metallic parts having contact with such products shall be of material which is resistant to scratching, scoring and distortion and is non-toxic, fat-resistant, relatively inert, relatively non-absorbent and in-

soluble. Equipment and piping shall be designed and installed so as to be easily accessible for cleaning, and shall be kept in good repair, free from cracks and corroded surfaces. Equipment installed after January 1, 1961 shall be located at least 24 inches from any wall or piece of equipment which is more than 48 inches long, but this shall not apply to storage tanks when the face of the tank extends through the wall into the processing room. Interior surfaces of equipment, pipes or fittings, including valves and connections, shall be accessible for inspection, except cleaned-in-place sanitary piping and equipment. Milk pumps shall be easily dismantled for cleaning. Cleaned-in-place sanitary piping and equipment shall be self-draining.

(2) Vacuum cleaner. Each milk drying plant shall be equipped with a heavy-duty industrial vacuum cleaner. Material picked up by vacuum cleaners, except residual by-products, shall be burned.

Note: Equipment which conforms to the "3-A Sanitary Standards" published by the International Association of Milk and Food Sanitarians, Inc. in the Journal of Milk and Food Technology will meet the requirements of this section.

Ag 30.15 Personnel. (1) Cleanliness. Persons who work in a plant shall wash their hands before beginning work and before returning to work after using toilet facilities, eating, smoking, or otherwise soiling their hands. Expecterating or use of tobacco in any form shall be prohibited in each room and compartment where any unpacked or exposed products are prepared, processed or otherwise handled. Clean, light-colored, washable outer garments and caps or hair nets shall be worn when engaged in receiving, sampling, processing or packaging products.

(2) Health. No person afflicted with a communicable disease, or who has a discharging or infected wound, sore or lesion on hands, arms or other exposed portions of the body, shall be permitted in any room or compartment where products are prepared, processed or handled. Prior to employment, employees shall present a medical certificate, issued by a physician on the basis of a physical examination and morbidity history made within 60 days, and setting forth his opinion that the employee is not a carrier of or infected with a communicable disease. An employee returning to work following illness from communicable disease requiring quarantine shall present a certificate from the attending physician to establish proof of complete recovery. Medical certificates shall be kept on file at the plant office.

Ag 30.16 Processing. (1) Cooling. Milk, cream, whey cream and whey drippings shall be cooled and held at 60° F. or lower unless processed immediately.

(2) Pasteurization. When pasteurization of a product is required or is represented, it shall be accomplished in equipment which will heat every particle of milk or skim milk to at least 145° F., and cream and other milk products to at least 150° F., and hold them at such temperature continuously for at least 30 minutes; or heat every particle of milk and skim milk to at least 161° F., and cream and other milk products to at least 166° F., and hold them at such temperature continuously for at least 15 seconds; provided, ice cream mix shall be heated to at least 175° F. for at least 25 seconds or to at least 155° F. for at

least 30 minutes. This subsection shall not prohibit any other process which is equally effective.

(3) Cleaning and bactericidal treatment. Equipment not designed to be cleaned in place shall be disassembled daily and thoroughly cleaned and sanitized. No cleansers, detergents, wetting or sanitizing agents, or similar materials, may be used in a manner which will contaminate products. Steel wool or metal sponges shall not be used in cleaning of any equipment or utensils. Equipment designed to be cleaned in place shall be thoroughly rinsed before and after circulation of the cleaning solution. Immediately prior to use, equipment coming in contact with products shall be subjected to an effective bactericidal or sanitizing treatment. Utensils and portable equipment used in processing operations and cleaning shall be stored in clean, dry locations, and in a self-draining position on racks constructed of impervious, corrosion-resistant material. Product contact surfaces of homogenizers, high-pressure pumps and high-pressure lines shall be accessible for cleaning. Milk and cream cans shall be cleaned, subjected to bactericidal treatment and dried before removal from the plant for reuse. Can washers shall be kept free from accumulation of scale.

Ag 30.17 Storage. Products and ingredients used in their processing shall be stored or arranged in aisles, rows, sections or lots in such a manner as to be orderly and easily accessible for inspection, and to permit adequate cleaning of the room. No products shall be placed directly on wet floors or exposed to

foreign substances, odors or conditions, such as drippage or condensation, which might cause package or product damage or contamination. Insecticides, rodenticides and other toxic materials shall be kept in their original containers and stored in a separate room or cabinet away from products, ingredients and packaging supplies.

Ag 30.18 Frozen desserts; sanitary quality. Sanitary procedures in the processing, handling and storing of ice cream, ice milk, sherbet, ices and other similar frozen desserts shall be such that the finished product shall have a bacterial plate count not to exceed 50,000 per milliliter and a coliform count not to exceed 10 per milliliter. Samples of frozen desserts, used to determine compliance with bacteriological requirements, shall be obtained from supplies owned by or in the possession of the plant operator.

SECTION 2. Chapter Ag 31 of the Wisconsin administrative code is repealed.

The rules and repeal of rules contained herein shall take effect on January 1, 1961.

Dated: December 1, 1960.

STATE DEPARTMENT OF AGRICULTURE

By /s/ Elwyn Jones
Deputy Director

JOHN W. REYNOLDS
ATTORNEY GENERAL

N. S. HEFFERNAN
DEPUTY ATTORNEY GENERAL

The State of Wisconsin
Office of Attorney General
Madison

November 30, 1960

MORTIMER LEVITAN
WARREN H. RESH
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ASSISTANT ATTORNEYS GENERAL
WILLIAM WILKER
GEORGE SCHWAHN
ATTORNEYS
MILO W. OTTOW
CHIEF INVESTIGATOR

Mr. D. N. McDowell
State Department of Agriculture
State Capitol
Madison 2, Wisconsin

Dear Sir: Re: Proposed Rule Ag 30.09, Test Methods,
Standard.

You request my consent under sec. 227.025, Stats., for you to incorporate by reference in your proposed Rule Ag 30.09 the procedures set forth in "Standard Methods for the Examination of Dairy Products", Eleventh Edition (1960).

The proposed rule provides that those applying scientific tests to determine the sanitary quality of milk shall follow the procedures for such tests prescribed by the above mentioned publication.

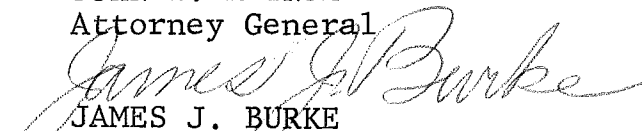
It appears that your proposed rule is of limited public interest; that the publication to be incorporated by reference is readily available in publication form; that the reference in the proposed rule is specific; that incorporating the publication by reference would save considerable expense, and that the American Public Health Association, Inc. meets the statutory definition of a technical society or organization of recognized national standing.

Accordingly, I hereby consent to the incorporation by reference in the proposed Rule Ag 30.09.

Very truly yours,


JOHN W. REYNOLDS

Attorney General


JAMES J. BURKE
Revisor of Statutes

EWV:lm

November 30, 1960

Mr. D. N. McDowell
State Department of Agriculture
State Capitol
Madison 2, Wisconsin

Dear Sir: Re: Proposed Rule Ag 30.09, Test Methods,
Standard.

You request my consent under sec. 227.025, Stats., for you to incorporate by reference in your proposed Rule Ag 30.09 the procedures set forth in "Standard Methods for the Examination of Dairy Products", Eleventh Edition (1960).

The proposed rule provides that those applying scientific tests to determine the sanitary quality of milk shall follow the procedures for such tests prescribed by the above mentioned publication.

It appears that your proposed rule is of limited public interest; that the publication to be incorporated by reference is readily available in publication form; that the reference in the proposed rule is specific; that incorporating the publication by reference would save considerable expense, and that the American Public Health Association, Inc. meets the statutory definition of a technical society or organization of recognized national standing.

Accordingly, I hereby consent to the incorporation by reference in the proposed Rule Ag 30.09.

Very truly yours,

John W. Reynolds
JOHN W. REYNOLDS

Attorney General

James J. Burke
JAMES J. BURKE

Revisor of Statutes

EWV:lm

WISCONSIN STATE DEPARTMENT OF AGRICULTURE
State Capitol
Madison

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HEARING ON RULES RELATING TO MINIMUM
STANDARDS FOR MANUFACTURING MILK

The State Department of Agriculture has scheduled three public hearings to consider revision of rules relating to minimum milk production standards and dairy plant sanitation, now contained in chapters Ag 30 and Ag 31 of the Wisconsin Administrative Code, including additional rules relating to construction, maintenance and operation of dairy plants. The hearings will be held at the following times and places:

Monday, October 17, 1960, 1:30 P.M. -- Hearing Room, State Capitol, Madison, Wisconsin.

Thursday, October 20, 1960, 1:30 P.M. -- Meeting Room, Court House Annex, Appleton, Wisconsin.

Wednesday, October 26, 1960, 1:30 P.M. -- Assembly Room, Court House, Chippewa Falls, Wisconsin.

The proposal which will be presented at the hearing follows:

Chapter Ag 30

MINIMUM STANDARDS FOR MANUFACTURING MILK*
(Production, Procurement, Processing)

Ag 30.01 Definitions. As used herein, unless the context otherwise requires:

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- (3) "Product" means a dairy product defined in sec. 97.04, Wis. Stats.
- (4) "Producer" means any person who owns or controls one or more cows from which he sells milk or cream, other than Grade A milk shipped to a Grade A dairy plant.
- (5) "Person" and "operator" include corporations.

"Production"

Ag 30.02 Farm Inspection. Every plant operator, prior to receiving milk or cream from any producer shall inspect the farm premises of the producer. Thereafter, such inspection shall be made at least once each year and more frequently as necessity is indicated by the results of the tests used to determine the sanitary quality of milk or cream. Inspection of the producer's premises shall include checking to determine compliance with each of the farm sanitary requirements prescribed in sec. Ag 30.03. After ^{each} such inspection a copy of an accurately completed inspection report shall be furnished to the producer and he shall promptly correct conditions which fail to comply with requirements herein. Such reports shall be kept posted in a conspicuous place in the milk house. No producer shall sell or deliver milk or cream to a plant operator to whom he has refused access for the purpose of inspecting his farm premises at any reasonable time.

Ag 30.03 Farm sanitary requirements. (1) Cows. Milk and cream offered for sale shall be from clean, healthy cows.

(2) Personnel. Only clean and healthy persons shall be permitted to milk the cows and to handle the milk or milk utensils.

(3) Dairy barns. (a) Floors and gutters of dairy barns where cows are milked shall be constructed of concrete or other impervious and easily cleaned material. They shall be kept clean and in good repair. Walls and ceilings shall be kept clean and in good repair, and shall be whitewashed or painted as often as necessary to keep them in a sanitary condition. The barn where any milking cows are kept or milked shall be provided with sufficient light properly distributed throughout. Dairy barns shall be well ventilated and so arranged as to avoid over-crowding. No swine, sheep, goats or fowl shall be housed or permitted in the milking stable. Manure shall be removed daily from the milking stable and disposed of in such a manner as to be inaccessible to the milking herd.

(b) Loose-cow housing areas shall be so managed that manure, soiled bedding and waste feed may not be stored or permitted to accumulate therein so as to cause the soiling of the cows' udders and flanks. The resting area shall be bedded and maintained in such manner that the manure pack is properly drained and that it provides reasonably firm footing for the animals. It shall be of sufficient size to provide at least 75 square feet per cow. The feeding area shall be separate from the bedded area and shall be paved. It shall be kept free from accumulated manure and waste. Accumulated manure shall be completely removed from the resting area before the start of the fly season and it shall be kept free from accumulated manure during the fly season.

*Minimum standards for Grade A milk and milk products are issued under the authority of section 97.046, Wisconsin Statutes and are set forth in Chapter Ag 80 of the Department's rules.

shall not be located over the floor drain or under a ventilator. It shall have at least 24 inches clearance at the milk outlet side and at least 18 inches clearance at two other sides; provided, that non-conforming tank installations made prior to January 1, 1960 may be approved by the department, in writing, if they can be effectively cleaned and sanitized. A port opening for milk conducting equipment, not more than 6 inches in diameter, shall be in an outside wall, and an exterior apron of concrete or other impervious material, not less than 4 feet by 4 feet in size, shall be adjacent to the wall and centered on the opening. The base of the opening shall be at least 6 inches above the apron and the floor of the milk house or room. The opening shall have a tight-fitting cover which is self-closing. The milk house or milk room shall have a pressure water supply and a water heater of not less than 30-gallon capacity. When a cleaned-in-place stationary pipeline is used, the capacity of the water heater shall be at least 50 gallons if the length of the pipeline is not over 100 feet, 60 gallons if over 100 feet but not over 200 feet, and 80 gallons if over 200 feet.

NOTE: Construction details required by the Grade A regulations are not a part of this subsection.

(13) Farm bulk tanks. (a) Bulk tanks. Bulk tanks used for holding and cooling milk at farms shall conform to the sanitary standards of construction and cooling prescribed in this section.

(b) Construction. The tank shall be self-draining. Its lining and other parts having contact with milk or having surfaces from which milk may drain or drop into the tank shall be made of stainless steel or other material that is non-toxic, stable, non-absorbent, corrosion-resistant, capable of withstanding cleaning and bactericidal treatment, and which has a smooth surface. Milk contact surfaces shall be visible, easily accessible, and readily cleanable. Openings shall have covers which are self-draining. Openings and covers shall be constructed and installed so as to prevent drainage into the milk compartment. Each tank shall have a indicating thermometer, with a minimum range of 32° F. to 80° F., and a mechanical agitator which will insure homogeneity of the milk within 5 minutes of operation.

(c) Cooling. Tanks shall be capable of cooling milk from the first milking to 50° F. within one hour and of preventing the blend temperature from rising above 50° F. at any time during the addition of subsequent milkings.

NOTE: Tanks which conform to the "3-A Sanitary Standards" published by the International Association of Milk and Food Sanitarians, Inc. in the Journal of Milk and Food Technology will meet the requirements of this section.

Procurement

Ag 30.04 Warning notice. No producer, after receiving written notice from the department specifying any insanitary conditions disclosed by an inspection of his farm premises and that the milk or cream therefrom is of undergrade sanitary quality or is otherwise insanitary, shall continue to sell or deliver milk or cream to any plant unless the insanitary conditions have been corrected by such producer and the milk or cream is not of undergrade sanitary quality.

Ag 30.05 Identification of adulterated milk. The department will identify any adulterated or insanitary milk or cream by tagging the containers thereof and adding thereto a harmless, red food color to prevent its being used for human food. The plant shall identify any adulterated or insanitary milk or cream which it finds by tagging the container thereof.

Ag 30.06 Transportation (1) Milk or cream shall be transported to plants in vehicles having attached covered van bodies; except, a producer may haul his own milk or cream in another vehicle if it is protected by a canvas or other covering, and a substitute vehicle, wherein the product is similarly covered, may be used

test on milk or cream received from the producer. If the milk or cream of any producer is found to be of undergrade sanitary quality on three consecutive bacteriological tests, (conducted at intervals of not more than 5 days), the plant operator shall reject any milk or cream received from such producer unless his inspection of the producer's farm discloses no insanitary conditions. The next delivery of milk or cream from any such producer shall be subjected to a bacteriological test and if found to be of undergrade sanitary quality the plant operator shall reject subsequent deliveries from such producer until a bacteriological test discloses that the milk or cream is of sanitary quality.

(b) When the milk or cream of any producer has been tested for sediment and found of undergrade sanitary quality, the plant operator shall promptly notify the producer. The plant operator shall reject the next delivery of milk or cream from such producer unless he determines, by the sediment test prescribed in this section, that the milk or cream is not of undergrade sanitary quality.

(3) Every plant operator shall warn each producer by notice in writing of the sanitary quality of his milk if:

(a) The methylene blue test discloses any samples which are decolorized in $5\frac{1}{2}$ hours but not decolorized in $2\frac{1}{2}$ hours.

(b) The resazurin test discloses any samples which are mauve (lavender) to purplish pink at the end of one hour's incubation.

(c) The bacterial plate count or direct microscopic clump count tests disclose any sample having more than 200,000 per ml., but not more than 2,000,000 per ml.

(d) The sediment test discloses sediment in excess of the number 2 disc.

(4) Upon written notice from the department that the milk or cream of a producer is of undergrade sanitary quality, the plant operator shall reject milk or cream received from such producer until bacteriological and sediment tests disclose that it is not of undergrade sanitary quality.

Ag 30.09 Test methods, standard. The procedures for performing sanitary tests, except where otherwise prescribed, shall be those in the book "Standard Methods for the Examination of Dairy Products", Eleventh Edition (1960), 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.

Ag 30.10 Records, Reports (1) Every plant operator shall keep for at least one year a record for each producer showing the results of farm inspections, the date and results of all bacteriological and sediment tests, and the date and quantity of any insanitary or adulterated milk received from such producer. The plant operator shall furnish a producer with a copy of such record upon request.

(2) Not later than the fifteenth day of each month the plant operator shall file a written report with the department including:

(a) The name and address of each producer who began shipping milk or cream during the preceding month, the identification of the dairy plant which previously purchased such producer's milk or cream, and a copy of such producer's initial farm inspection and bacteriological records.

(b) The name and address of each producer who discontinued shipping milk and cream during the preceding month, and a copy of the farm inspection and bacteriological quality records during the preceding 3 months.

(c) The name and address of each producer who, by reason of insanitary conditions, disclosed on two successive farm inspections, failed to comply with the farm sanitary requirements in Ag 30.03, including a copy of the farm inspection records disclosing such insanitary conditions.

sources may be used for boiler feed water and condensing water, provided such water lines are completely separated from the water lines carrying the sanitary water supply and the equipment is so constructed and controlled as to preclude contamination of any product or product contact surface. There shall be no cross connection between potable water lines and other water lines. Bacteriological examination shall be made of the potable water supply at least once a year to determine potability. Tests for potability shall be made by any laboratory certified by the State Board of Health, except for supplies that are regularly tested for purity and bacteriological quality and approved by the local health officer. The results of water tests shall be kept on file and readily accessible for at least 12 months. The location, construction and operation of any well shall comply with the Wisconsin well code. Tests shall be made whenever there is a change in the water system which will contaminate the water supply.

(2) Waste disposal. Waste shall be disposed of from the plant and premises by means of a sewage system which shall have sufficient slope and capacity to readily remove all waste from the various processing operations. Waste paper shall be hauled away or burned in an incinerator at the plant. Containers used for the collection and holding of wastes shall be constructed of metal or other impervious material, kept covered with tight-fitting lids and placed outside the plant. Solid wastes shall be disposed of regularly and the containers cleaned before reuse.

Ag 30.14 Equipment. (1) Construction and installation. Equipment and utensils coming in contact with products, including pumps, piping, fittings and connections, shall be constructed of smooth, non-toxic, corrosion-resistant material which can be easily cleaned. Non-metallic parts having product contact surfaces shall be of material which is resistant to scratching, scoring and distortion and is non-toxic, fat-resistant, relatively inert, non-absorbent and insoluble. Equipment and piping shall be designed and installed so as to be easily accessible for cleaning, and shall be kept in good repair, free from cracks and corroded surfaces. Equipment installed after the effective date of this rule shall be located at least 24 inches from any wall or piece of equipment which is more than 48 inches long, but this shall not apply to storage tanks when the face of the tank extends through the wall into the processing room. Interior surfaces of equipment, pipes or fittings, including valves and connections, shall be accessible for inspection, except cleaned-in-place sanitary piping. Milk pumps shall be easily dismantled for cleaning. Cleaned-in-place sanitary piping shall be self-draining.

(2) Vacuum cleaner. Each milk drying plant shall be equipped with a heavy-duty industrial vacuum cleaner. Material picked up by vacuum cleaners (except residual by-product) shall be burned.

NOTE: Equipment which conforms to "3-A Sanitary Standards" published by the International Association of Milk and Food Sanitarians, Inc. in the Journal of Milk and Food Technology will meet the requirements of this section.

Ag 30.15 Personnel. (1) Cleanliness. Persons who work in a plant shall wash their hands before beginning work and before returning to work after using toilet facilities, eating, smoking, or otherwise soiling their hands. Expectoration or use of tobacco in any form shall be prohibited in each room and compartment where any unpacked or exposed products are prepared, processed, or otherwise handled. Clean, light-colored, washable outer garments and caps or hair nets shall be worn when engaged in receiving, sampling, processing or packaging products.

(2) Health. No person afflicted with a communicable disease, or who has a discharging or infected wound, sore or lesion on hands, arms or other exposed portions of the body, shall be permitted in any room or compartment where products are prepared, processed or handled. Prior to employment, employees shall present a medical certificate, issued by a physician on the basis of a physical examination and