

Chapter Ag 86

GRADE A CONDENSED AND DRY MILK PRODUCTS

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History: Chapter Ag 86 as it existed on December 31, 1971 was repealed and a new chapter Ag 86 was created, Register, December, 1971, effective January 1, 1972.

Ag 86.01 Definitions. (1) "Milk" is the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows. Milk shall contain not less than 3% of milk fat, and not less than 8.25% of milk solids not fat. Milk may be standardized by the addition or removal of cream or by the addition of skim milk. When so standardized, milk shall contain not less than 3.3% of milk fat, and not less than 8.25% of milk solids not fat.

(2) "Skim milk" is milk from which a sufficient portion of milk fat has been removed to reduce its milk fat content to less than 0.50%. It must contain not less than 8.5% of milk solids.

(3) "Condensed or concentrated milk" is milk unsterilized and unsweetened, resulting from the vacuum removal of a substantial quantity of water. This definition is not intended to include such products as sterilized milk and milk products hermetically sealed in a container and processed, either before or after sealing so as to prevent microbial spoilage.

(4) "Milk products" mean and shall include skim milk, nonfat or defatted milk, cream, condensed or concentrated milk, and any fluid product made by the addition of any wholesome substance to milk or to any of these products.

(5) "Grade A dry milk products" mean dry milk products which comply with the applicable provisions of this chapter.

(6) "Condensing and/or milk drying plant" means a plant in which milk or milk products are condensed, dried, or in which milk or milk products are received, separated, concentrated or otherwise processed for drying.

(7) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.

(8) "Person" means any individual, partnership, corporation, firm or association.

History: Cr. Register, December, 1971, No. 192, eff. 1-1-72; correction in (7) made under s. 13.93 (2m) (b) 6, Stats., Register, December, 1985, No. 360.

Register, December, 1985, No. 360

Ag 86.02 Manufacture and sale of Grade A condensed or dry milk products. No person shall sell, offer or expose for sale, or have in possession with intent to sell, any condensed or dry milk products labeled or otherwise represented as Grade A unless such condensed or dry milk products are produced in compliance with the requirements of this regulation or with the provisions of a substantially equivalent regulation which is enforced with equal effectiveness.

History: Cr. Register, December, 1971, No. 192, eff. 1-1-72.

Ag 86.03 Permits. The operator of any milk condensing or milk drying plant desiring to use the "Grade A" label on any condensed milk products manufactured by the plant operator shall make application for a Grade A permit on a form prescribed by the department. The department shall grant or deny a permit application within 40 business days after the application is filed with the department, provided that the application is accompanied by all requisite information and documentation.

History: Cr. Register, December, 1971, No. 192, eff. 1-1-72; am. Register, December, 1985, No. 360, eff. 1-1-86.

Ag 86.04 Inspection of milk condensing and milk drying plants. (1) Upon application for a permit, the department shall inspect the milk condensing plant or the milk drying plant with respect to which the permit is sought. If it is satisfied that the operation of the plant can comply with requirements of this chapter, a permit shall be issued. Such permit shall not be transferable. If a permit is not issued, the department shall advise the applicant of the reasons therefor.

(2) As often as may be necessary and at least once every 3 months after the issuance of a permit, the department shall inspect all Grade A milk condensing plants and milk drying plants. The permit holder shall be notified of any failure to comply with the provisions of this chapter. If a violation of s. Ag 80.08 is involved, the permit holder shall be allowed a reasonable period, but in no event less than 3 days, to correct conditions; provided, the department may require suspension of operations if continued operation of the plant will result in a serious threat to public health. Upon expiration of the period allowed, the premises shall be reinspected. In addition to any other remedies that may be invoked, violation of the same requirements shall be grounds for immediate suspension of permit.

(3) The holder of any permit under this chapter shall keep accurate daily records of the actual quantities of condensed milk products or dry milk products manufactured and sold, together with a list of all sources of milk or milk products from which the products were made, records of inspections and tests and pasteurization time, and temperature records. Such records shall be retained for a period of 12 months and shall be available for examination in such establishment by the department during normal business hours.

History: Cr. Register, December, 1971, No. 192, eff. 1-1-72.

Ag 86.05 Milk and milk products used in the manufacture of Grade A condensed milk products and Grade A dry milk products. Milk and milk products used in the manufacture of Grade A condensed milk products and Grade A dry milk products shall comply with the requirements for Grade A raw milk as provided in ch. Ag 80, and shall be produced under the routine supervision of the department, or produced under provisions

Register, December, 1985, No. 360

which are substantially equivalent to the requirements of this regulation and which are enforced with equal effectiveness by another governmental agency as determined by a sanitation compliance rating. The permit of any Grade A milk condensing

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