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Laws Affecting Grade A Milk Producers

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# LAWS AFFECTING GRADE A MILK PRODUCERS

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MICHIGAN DAIRYMEN must meet state regulations before selling milk on the Grade A market. Laws passed by the State of Michigan are designed primarily for insuring a safe, sanitary, unadulterated and wholesome supply of milk for consumers. These laws also provide guidelines for the construction of facilities which aid in the production of sanitary products. The Michigan Dairy Laws are briefly summarized in this publication.

## Michigan Public Act 211

Public Act 211 provides for unsanitary notices and seizure of unwholesome products. This law authorizes the Michigan Department of Agriculture to seize any unsanitary, unwholesome or impure milk product. These products cannot be sold for human consumption.

## Michigan Public Act 222

Public Act 222 contains the requirements for all milk and cream used for human consumption. This is better known as the Manufacturing Milk Law. A Grade A milk producer must also meet the sanitary requirements of this law and could have his permit suspended to sell Grade A milk if he does not comply. However, he may sell manufacturing milk if he meets those requirements.

## Michigan Public Act 328

Public Act 328 requires that dead animals be buried within 24 hours after death. The Michigan Department of Agriculture administers this law.

## Michigan Public Act 233

This act was passed by the Michigan Legislature in 1965 for the purpose of adopting the Grade A Pasteurized Milk Ordinance, 1965 Recommendations of the United States Public Health Service as Michigan's

Grade A Law, and to create a uniform state-wide milk inspection program. Michigan was one of many states to adopt the federal ordinance as state law. Administration of the Pasteurized Milk Ordinance, as specified by Act 233, is assigned to the Michigan Department of Agriculture. The Dairy Division of Michigan Department of Agriculture is responsible for milk quality and the inspection program in Michigan.

## Pasteurized Milk Ordinance

To assist states and municipalities in initiating and maintaining effective programs for the prevention of milkborne disease, the United States Public Health Service in 1924 developed a model regulation known as the "Standard Milk Ordinance" for voluntary adoption by state and local milk control agencies. To provide for uniform interpretation of this ordinance, an accompanying code was published in 1927 which provided the administrative and technical details for satisfactory compliance. This model milk regulation, now entitled, "The Grade A Pasteurized Milk Ordinance—(PMO)—1965 recommendations of the United States Public Health Service," represents the 13th revision since 1924 and incorporates new knowledge into public health practice. The PMO contains requirements for the production, processing, transportation and sale of milk and milk products. It also contains requirements for the regulatory agency to meet in carrying out an inspection program.

## Permits

Every milk producer is required to hold a valid permit. He must apply to the Michigan Department of Agriculture for, and receive, a permit before selling milk. To receive the permit, a producer must comply with the requirements as specified in the PMO. When any requirements of the PMO are violated, the permit holder is subject to suspension of this permit. Upon written application to the Michigan Department of Agriculture, any person whose permit has been suspended, or who has been served with a notice to suspend, may request a hearing. At this hearing, evidence is presented which shall affirm, modify or rescind the suspension or intention to suspend the permit.

## Reinstatement of Permits

Any producer whose permit has been suspended may request reinstatement by written application to the Michigan Department of Agriculture. Within one week after the receipt of the application, the law states that the Department of Agriculture shall make an inspection of the applicant's establishment.

## Standards

Chemicals, bacteriological, somatic cell and temperature standards as specified in the PMO are as follows:

<b>TEMPERATURE</b>	Cooled to 50° or less and maintained thereat until processed.
<b>BACTERIAL</b>	Individual producer milk not to exceed 100,000 per ml. prior to commingling with other producer's milk. Not exceeding 300,000 per ml. as commingled milk prior to pasteurization.
<b>SOMATIC CELLS</b>	Individual producer's milk not to exceed 1,500,000 per ml.
<b>ANTIBIOTICS</b>	No detectable zone with <i>Bacillus subtilis</i> method.

Adapted from Grade A Pasteurized Milk Ordinance 1965 Recommendation of U.S.P.H.S.

Adulterated milk cannot be sold on the market. Milk is considered to be adulterated if it contains any poisonous or deleterious substances which may render it injurious to human health. Milk which contains added water is considered adulterated.

## Inspection Frequency

The law requires each dairy farm, following issuance of a permit, to be inspected once every six months; however, inspections may be conducted more frequently depending upon sanitation and quality of the milk. Whenever any requirement is found to be in violation of an inspection, a second inspection is required. This inspection will not be made prior to three days following the violation. This permit may be suspended if the violations noted on the first inspection are not corrected. The permit may be suspended immediately if the milk creates or appears to create a hazard to public health.

## Sampling and Testing Frequency

This law requires that during any consecutive six months, at least four samples of milk shall be taken from each producer while it is in his possession. The milk will be tested for (1) total bacteria count, (2) presence of antibiotic residues and (3) total number of somatic cells. Whenever two of the last four consecutive bacteria counts or somatic cell counts exceed the standards for milk, the Michigan Department of Agriculture will send a written notice to the producer. This notice is accompanied by an inspection. An additional sample must be taken within 14 days of the notice but not before three days have elapsed. Immediate suspension of the permit takes place whenever the standard is exceeded three out of the last five counts.

## Interstate Milk Shippers Program

Michigan is an Interstate Milk Shipper (IMS) and therefore abides by the voluntary Interstate Milk Shippers Program. The IMS Program utilizes the PMO as the standard regulation which producers, plants and regulatory agencies must follow. Grade A surveys are made periodically to assign a numerical score to a group of producers, a pasteurization plant and the enforcement agency. A combined score of all farms surveyed on a particular market serves as a raw milk rating. The plant score is the rating assigned the plant, and the enforcement agency score serves as the enforcement rating. The scores are based on inspection results at that time.

Potential out-of-state buyers utilize these ratings as an indication of milk quality as well as the degree of compliance with sanitary requirements maintained by the producers and plant. Enforcement agencies in receiving states use the survey information in lieu of sending their own inspectors to inspect the producers and plants. The Food and Drug Administration has the responsibility in the IMS Program to check ratings on listed suppliers to determine if scores are being maintained. This system of checks and balances also helps keep uniform inspection programs in all states that participate in the IMS Program.

*For specific dairy farm requirements contact the Dairy Division, Michigan Department of Agriculture, Lansing, Michigan 48913, or the Cooperative Extension Service.*