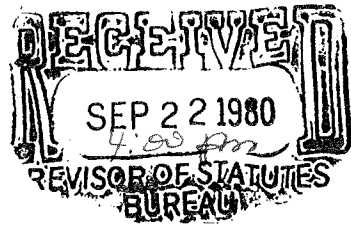


Ag 30, 31, 80



STATE OF WISCONSIN)
DEPARTMENT OF AGRICULTURE,) ss.
TRADE & CONSUMER PROTECTION)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

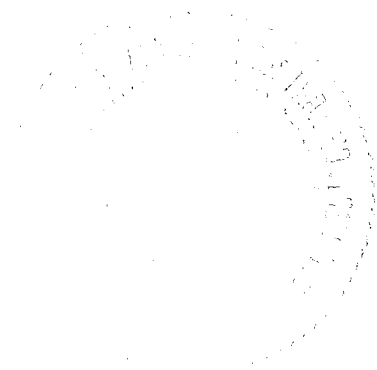
I, Norman E. Kirschbaum, Administrator, Food Division, State of Wisconsin Department of Agriculture, Trade and Consumer Protection, and custodian of the official records of said Division, do hereby certify that the annexed order adopting, amending and repealing rules relating to grade A milk and grade A milk products in various sections of Chapters Ag 30, Ag 31 and Ag 80, Wis. Adm. Code, was duly approved and adopted by the Department on September 19, 1980.

I further certify that said copy has been compared by me with the original on file in the 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 Department offices in the city of Madison, this 19th day of September, 1980.

Norman E. Kirschbaum
Norman E. Kirschbaum, Administrator
Food Division

*Rec'd off. date
10-1-80.*



ORDER
OF THE
WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
ADOPTING, AMENDING AND REPEALING RULES

1 Relating to rules concerning grade A milk and grade A milk
2 products.

Analysis Prepared by the Department of Agriculture,
Trade and Consumer Protection

The department's proposed changes in chapter Ag 80 set forth minimum sanitary standards and requirements for the production and processing of grade A milk and milk products on dairy farms and in dairy plants. The changes being proposed reflect the revisions made in the 1978 edition of the U.S. Public Health Service's Grade A Pasteurized Milk Ordinance (PMO). Legislative rule-making authority granted the department by s. 97.24(4), Stats., mandates that rules adopted in the department be in reasonable accord with the minimum standards and requirements for milk and milk products contained in the PMO. The last previous revision of the PMO was in 1965. Chapter Ag 80 was updated in 1968 to reflect those changes. The proposed revisions in Chapter Ag 80 incorporate the latest changes in the 1978 PMO.

In the organization of the chapter, section Ag 80.07 deals with dairy farms and section Ag 80.08 with dairy plants. Sections of Chapter Ag 30, which relates to dairy farms in general, are transferred to section Ag 80.07 if they pertain to grade A dairy farms. Similarly, portions of Chapter Ag 31, which relates to dairy plant standards for ungraded milk and milk products, are transferred to section Ag 80.08 if they pertain to grade A plants.

Some of the changes in the proposed rule are the addition of definitions for dairy farm, dairy plant, milk, bulk milk hauler, milk products, producer, C-I-P circuits, bulk milk tank truck, sanitize, and ungraded milk or milk products. Other major changes include 1) requiring an inspection of the bulk milk tank and hauler once every 12 months; 2) requiring that a test for antibiotics and sediment be added to the required monthly tests conducted by the dairy plant; 3) reducing the cooling temperature on farm bulk tanks from 50°F. to 45°F.; 4) providing for minimum lighting standards in the milking area, milkhouse and dairy plant; 5) setting forth minimum standards for hot water heaters; 6) requiring that only approved insecticides and rodenticides be used on the farm or in the dairy plant; and 7) requiring a handwashing sink or lavatory fixture in the milkhouse. A support ring and removable basin installed beneath a water faucet will also comply with the latter requirement.

Other proposed changes reorganize some sections within the chapter for purposes of clarification and elimination of duplication. Language changes are also made to update and standardize terminology with that used in the PMO. Further amendments are proposed to make the language of the rules more precise and thereby make the rules more easily understood. The amendments to Ag 30 and Ag 31 are intended to make these chapters apply only to producers and plants of ungraded products and have the standards applicable to grade A milk and milk products fully set forth in chapter Ag 80.

1 Pursuant to authority vested in the State of Wisconsin
 2 Department of Agriculture, Trade and Consumer Protection by
 3 sections 93.07(1) and 97.24(4), Wis. Stats., the State of
 4 Wisconsin Department of Agriculture, Trade and Consumer
 5 Protection proposes to repeal, amend and adopt rules interpreting
 6 sections 97.20, 97.22 and 97.24, Wis. Stats., as follows:

7 1. Sections Ag 30.01(9), 30.10(6)(b), 30.16, and
 8 31.06(1)(b) of the Wisconsin Administrative Code are amended to
 9 read:

10 Ag 30.01(9) "Producer" means any person who owns, controls
 11 or operates a dairy farm and sells milk produced on the farm from
 12 cows or goats, ~~and includes Grade A producers under s. 97.24,~~
 13 ~~Stats., and Wis. Adm. Code, chapter Ag-80.~~

14 Ag 30.10(6)(b) If the WMT test is used and the test value
 15 exceeds 21 mm., a confirmatory test of the milk sample shall be
 16 conducted either by the DMSCC or ESCC test method. If a DMSCC or
 17 ESCC test, whether or not conducted on a confirmatory basis, indi-
 18 cates the presence of 1,000,000 or more somatic cells per ml., a
 19 written report thereof shall be submitted to the producer within
 20 ~~24~~ 48 hours after the completion of the test. In lieu of a con-
 21 firmatory test where the WMT test value exceeds 21 mm., dairy

1 plant operators or their representatives may conduct a milking
2 time inspection to determine cause of the high WMT test result and
3 suggest procedures to be followed to improve the quality of the
4 milk. After the milking time inspection, all subsequent WMT test
5 values in excess of 21 mm. shall be confirmed by the DMSCC or ESCC
6 test.

7 Ag 30.16 APPLICABILITY. This chapter applies to all dairy
8 farms, ~~including Grade-A-dairy-farms~~ producing ungraded milk or
9 milk products.

10 Ag 31.06(1)(b) Stationary equipment, including welded sani-
11 tary lines designed for cleaning-in-place, may be used subject to
12 department approval. Where rigid pipelines are not practicable,
13 ~~pipelines-of-approved~~ flexible pipeline of approved plastic or
14 other sanitary materials may be used for the transfer of partially
15 processed products during intermediate stages of production in the
16 manufacture of cheese and for the loading and unloading of bulk
17 tank trucks, provided they do the flexible pipeline does not
18 exceed 48-inches 25 feet in length. Not more than 48 inches of
19 approved flexible pipeline may be used between different pieces of
20 equipment to eliminate vibration.

21 2. Sections Ag 31.14 and 80.01 [intro] of the Wisconsin
22 Administrative Code are repealed and recreated to read:

23 Ag 31.14 APPLICABILITY. This chapter applies to the
24 manufacturing or processing of ungraded dairy products, whether or
25 not the products are made from grade A or ungraded milk. The
26 processing of grade A milk and milk products shall be governed by

27

1 chapter Ag 80, Wis. Adm. Code. Plants receiving or processing
2 both grade A and ungraded milk or milk products shall comply with
3 this chapter for the manufacture or processing of ungraded dairy
4 products, and with chapter Ag 80, Wis. Adm. Code, for the receipt
5 and processing of grade A milk and milk products.

6 Ag 80.01 [intro] As used in this chapter, unless the context
7 requires otherwise:

8 3. Section Ag 80.01(1) of the Wisconsin Administrative Code
9 is amended to read:

10 Ag 80.01(1) "Department" ~~is~~ means the state of Wisconsin
11 department of agriculture, trade and consumer protection.

12 4. Sections Ag 80.01(3), (4), (24), and (25) of the
13 Wisconsin Administrative Code are repealed.

14 5. Section Ag 80.01(2) of the Wisconsin Administrative Code
15 is renumbered Ag 80.01(4) and as renumbered is amended to read:

16 Ag 80.01(4) "Certifying agency" ~~is~~ means the state of
17 Wisconsin department of health and social services.

18 6. Sections Ag 80.01(2), (3), and (5) through (14) of the
19 Wisconsin Administrative Code are adopted to read:

20 Ag 80.01(2) "Bulk milk hauler" means any person who
21 transports bulk milk from a dairy farm to a dairy plant or other
22 processing or distribution locations.

23 (3) "Bulk milk tank truck" means a vehicle used by a milk
24 hauler to transport bulk raw milk from a dairy farm to a dairy
25 plant, and includes the truck, tank, and those appurtenances
26 necessary for the tank's use.

27

1 (5) "Cleaned-in-place or C-I-P circuit" means food handling
2 and processing equipment in which pipelines and other product
3 contact surfaces are so designed, constructed and permanently
4 installed as to be cleaned-in-place.

5 (6) "Dairy farm" means any place or premises where one or
6 more cows or goats are kept for the production of milk for sale.

7 (7) "Dairy plant" or "grade A dairy plant" means a grade A
8 dairy plant as defined in s. 97.20(1)(d), Stats.

9 (8) "Distributor" means a milk distributor as defined in
10 s. 97.22, Stats.

11 (9) "Milk" or "grade A milk" means milk as defined in
12 s. 97.24(1)(a), Stats., and includes goats' milk.

13 (10) "Person" means an individual, partnership, firm,
14 association, corporation or any other business unit or entity.

15 (11) "Producer" means milk producer as defined under
16 s. 97.24(1)(c), Stats., and includes any person who owns,
17 controls, operates or is otherwise responsible for the operation
18 of a dairy farm and sells milk produced on the farm from cows or
19 goats.

20 (12) "Products", "milk products", or "grade A milk products"
21 means grade A milk products as defined in s. 97.24(1)(b), Stats.,
22 and includes any commodity which has milk or a derivative of milk
23 as a principal constituent or ingredient and which is sold or
24 represented as a grade A milk product.

25 (13) "Sanitize" means to destroy pathogens or other
26 organisms, insofar as practicable, by the application of a
27 sanitizing substance or process to product contact surfaces of

1 dairy equipment or utensils which are otherwise clean. The
 2 sanitizing treatment or process shall not adversely affect the
 3 equipment or utensils, or the quality of the milk or milk product
 4 coming in contact with the equipment or utensils, and shall be
 5 acceptable to the department.

6 (14) "Ungraded milk" and "ungraded milk products" means milk
 7 and milk products other than grade A milk and grade A milk
 8 products.

9 7. Sections Ag 80.02 and 80.04(1) of the Wisconsin Adminis-
 10 istrative Code are amended to read:

11 Ag 80.02 CERTIFICATION. (1) Survey Surveys for the
 12 certification of compliance ~~rating~~ ratings shall be made by the
 13 certifying agency at least every 2 years, and on notice or request
 14 of the department under sub. 2. ~~Determination-of-compliance~~ Com-
 15 pliance ratings shall be made in accordance with ~~the methods of~~
 16 the "Methods of Making Sanitation Ratings of Milk Supplies", 1978
 17 edition, published by the U.S. department of health and human ser-
 18 vices, U.S. public health service, food and drug administration,
 19 copies of which are on file at the offices of the department, the
 20 secretary of state and the revisor of statutes. Copies may be
 21 obtained from the superintendent of documents, U.S. government
 22 printing office, Washington, D.C. 20402 ~~for-making-milk-shed~~
 23 ratings.

24 (2) A ~~rating of~~ 90% compliance rating for each dairy plant,
 25 90%-for its producer dairy farms and other producers of raw milk
 26 for pasteurization, and a 90% enforcement rating ~~shall-be~~ is
 27 required to comply with grade A standards under this chapter.

1 ~~Prior-to-the~~ Before issuance of a grade A dairy plant license or
 2 farm permit, the department shall determine whether the
 3 applicant meets ~~the~~ licensing or permit standards or requirements
 4 ~~for-a-90%-rating-of-its-dairy-plant-and-a-90%-rating-for-its~~
 5 ~~dairy-farms~~ under this chapter. The department shall promptly
 6 notify the certifying agency of the issuance of original dairy
 7 plant licenses and permits for a group of farms constituting a
 8 separate milk supply unit, and request that a survey be made. The
 9 department may further request that resurveys be made in connec-
 10 tion with enforcement actions taken by the department. Field
 11 surveys shall be completed by the certifying agency within 20
 12 working days after receipt of written notice or request from the
 13 department.

14 (3) When If a licensee or permit holder rates below 90%, but
 15 not below 85% on a compliance survey, the department may ~~grant~~
 16 continue the license or permit on a probationary period-of-90-days
 17 ~~to-increase-his-rating;-provided-that-one-additional-extension-can~~
 18 ~~be-made~~ basis, subject to notice and right of hearing if
 19 requested. When If a survey rating is below 85%, ~~a-hearing-shall~~
 20 ~~be-held-and~~ the license or permit may be suspended, ~~or~~ revoked
 21 or placed on probation after hearing under s. 93.18 and ch. 227,
 22 Stats.

23 Ag 80.04 (1) ~~Prior-to~~ Before the issuance of a an original
 24 grade A dairy plant license or farm permit, the department shall
 25 ~~cause-to-be-inspected-dairy-farms-and-plants~~ inspect the plant or
 26 dairy farm to determine compliance with the requirements of this
 27 chapter. ~~Following~~ After the issuance of a license or permit,

1 each dairy farm and transfer station shall be inspected at least
 2 once every 6 months ~~and each milk plant and receiving station.~~
 3 Grade A dairy plants other than transfer stations shall be
 4 inspected at least once every 3 months. ~~When~~ If a violation of
 5 any requirement is found to exist on an inspection a second
 6 inspection ~~shall~~ may be made as necessary, but not before ~~the~~
 7 ~~lapse of~~ 3 days to determine compliance. ~~The second inspection~~
 8 ~~shall determine compliance.~~ Any violation of the same requirement
 9 on reinspection shall ~~be cause~~ constitute grounds for the
 10 immediate suspension of the license or permit, with right of
 11 hearing before the department if requested in writing within 10
 12 days. Hearings, if requested, shall be conducted as expeditiously
 13 as possible.

14 8. Section Ag 80.04(2) of the Wisconsin Administrative Code
 15 is renumbered Ag 80.04(3) and as renumbered is amended to read:

16 Ag 80.04(3) Every milk producer, hauler, distributor or
 17 dairy plant operator shall, upon the request of the department,
 18 permit access to all parts of ~~the~~ any establishment or facilities
 19 used in the production or distribution of milk and dairy products.
 20 Refusal to permit access for inspection and sampling during
 21 reasonable hours shall constitute grounds for the summary
 22 suspension of the license or permit. ~~Transfer station operators,~~
 23 ~~distributors, and~~ Dairy plant operators and distributors shall
 24 furnish, upon request, for official use only, a true ~~statement~~ and
 25 accurate statements of the actual quantities of milk and milk
 26 products purchased and sold, ~~together with a list~~ lists of sources

1 of milk and milk products, records of inspections, ~~and~~
2 ~~required-tests~~ test results, and recording thermometer charts.

3 9. Section Ag 80.04(2) of the Wisconsin Administrative Code
4 is adopted to read:

5 Ag 80.04(2) Each bulk milk tank truck and milk hauler's
6 weighing and sampling procedures shall be inspected at least every
7 12 months by the department to determine compliance with the
8 requirements of this chapter.

9 10. Section Ag 80.05(1) of the Wisconsin Administrative Code
10 is repealed and recreated to read:

11 Ag 80.05(1) Dairy plants shall, at least once each month,
12 submit for testing a representative sample of raw milk from each
13 grade A producer to a certified laboratory approved by the
14 department. A standard plate count or plate loop count,
15 antibiotic test, and an abnormal milk screening test shall be
16 conducted by the laboratory on each milk sample. In place of the
17 monthly testing of milk from individual producers for antibiotics,
18 daily laboratory tests for antibiotics may be made on samples of
19 each individual load of milk received at the dairy plant.

20 (a) Antibiotic tests on milk samples of individual producers
21 may be conducted by any recognized test method. Daily load
22 samples may be tested for antibiotics only by the *Sarcina lutea*
23 cylinder plate method or other test method approved by the depart-
24 ment. If a positive load sample is found, individual producer
25 samples of milk making up the load shall be tested.

26 (b) Abnormal milk screening tests shall be conducted on
27 samples of milk from each producer by the Wisconsin mastitis test

1 (WMT), direct microscopic somatic cell count (DMSCC), or
 2 electronic somatic cell count (ESCC). If the WMT is used and the
 3 test value exceeds 21, a confirmatory test of the same milk sample
 4 shall be conducted either by the DMSCC or ESCC test method. If a
 5 DMSCC or ESCC test indicates the presence of 1,000,000 or more
 6 somatic cells per milliliter, the test results shall be submitted
 7 to the producer in writing within 48 hours after completion of the
 8 test.

9 (c) Temperature determinations shall be made and sediment
 10 tests conducted by persons designated by the dairy plant.
 11 Sediment tests may be conducted on the dairy farm.

12 11. Sections Ag 80.05(2) through (4) of the Wisconsin
 13 Administrative Code are renumbered Ag 80.05(4) through (6)
 14 respectively and sections Ag 80.05(4) and (5) as renumbered are
 15 amended to read:

16 Ag 80.05(4) Bacterial plate counts, coliform determinations,
 17 phosphatase tests, antibiotic tests, abnormal milk screening
 18 tests, and other laboratory tests shall conform to the procedures
 19 in "Standard Methods for the Examination of Dairy Products,"
 20 ~~Twelfth~~ 14th Edition ~~(1967)~~ (1978), ~~copies of which are on file at~~
 21 ~~the offices of the department of agriculture, secretary of state~~
 22 ~~and reviser of statutes, and which may be obtained from the~~
 23 ~~American Public Health Association, Inc., 1790 Broadway, New York,~~
 24 ~~N. Y. 10019,~~ and in "Official Methods of Analysis of the
 25 Association of Official Analytical Chemists," ~~Eleventh~~ 12th
 26 Edition ~~(1970)~~ (1975), copies of which are on file at the offices
 27 of the department ~~of agriculture,~~ the secretary of state and

1 revisor of statutes, ~~and which~~ Copies of "Standard Methods for
2 the Examination of Dairy Products" may be obtained from the
3 American Public Health Association, Inc., 1790 Broadway, New York,
4 N.Y. 10019. Copies of "Official Methods of Analysis" may be
5 obtained from the Association of Official Analytical Chemists,
6 Inc., Box 540, Benjamin Franklin Station, Washington, D.C. 20044.
7 Examinations may include such other chemical and physical
8 determinations as the department may ~~deem~~ consider necessary for
9 the detection of adulteration. ~~Bioassays and analyses of the~~
10 ~~vitamin and mineral content of fortified milk and milk products~~
11 ~~shall be made when required by the department, in a laboratory~~
12 ~~approved by the department for such examination.~~

13 (5) ~~Whenever~~ If 2 of the last 4 consecutive bacteria counts,
14 coliform determinations, ~~or~~ cooling temperatures, DMSCC's and
15 ESCC's taken on separate days exceed the limit of the standard for
16 the milk or milk product ~~herein~~ prescribed in this chapter, the
17 department shall send written notice ~~thereof~~ of this fact to the
18 licensee or permittee. This notice shall ~~be~~ continue in effect
19 ~~so~~ as long as 2 of the last 4 consecutive samples exceed the limit
20 of the standard. An additional sample shall be taken within ~~14~~
21 ~~days~~ 21 but not before 3 days after ~~of the~~ sending of ~~such~~ the
22 ~~notice, but not before the lapse of 3 days.~~ Violation of the
23 standard by 3 of the last 5 bacteria counts, coliform determina-
24 tions, cooling temperatures, DMSCC's or ESCC's, shall ~~be cause~~
25 constitute grounds for the immediate suspension of the license or
26 permit.

27

1 12. Sections Ag 80.05(2), (3), (7), and (8) of the Wisconsin
2 Administrative Code are adopted to read:

3 Ag 80.05(2) During any consecutive 6 month period at least 4
4 samples of pasteurized milk, 4 samples of raw commingled milk, and
5 4 samples of each milk product shall be taken by the department
6 from each milk plant. Samples of pasteurized milk and milk
7 products shall be taken while the pasteurized milk and milk
8 products are in the possession of the dairy plant or distributor,
9 and before final sale or delivery. Samples of pasteurized milk
10 and pasteurized milk products shall be tested for standard plate
11 counts, coliform determinations, phosphatase tests, and
12 antibiotics. Samples of commingled raw milk shall be tested for
13 bacterial counts and antibiotics. Temperature determinations of
14 commingled raw milk, pasteurized milk, and milk products shall be
15 made at the time samples are taken. Other tests may be made as
16 considered necessary by the department.

17 (3) Samples of milk and milk products from stores,
18 restaurants and other places where milk and milk products are sold
19 shall be examined as often as the department considers necessary.
20 Operators of these business establishments shall furnish to the
21 department, on request, the names of all dairy plants or
22 distributors from whom milk and milk products are obtained.

23 (7) Dairy plants, on reasonable notice, shall collect and
24 furnish to the department fresh milk samples of milk received from
25 individual producers. Samples may be requested once every 4
26 months or more often as the department considers necessary for
27 animal health and milk quality testing and examination. All

1 samples shall be identified with the patron number and date of
 2 collection, and shall be kept under refrigeration or ice at a
 3 temperature at or below 40°F. until they are transferred to
 4 department inspectors.

5 (8) Butterfat, water and milk quality tests shall be
 6 conducted only in laboratories approved by the department. All
 7 laboratories certified by the state of Wisconsin department of
 8 health and social services under s. 143.15, Stats., to conduct
 9 milk quality tests shall be approved by the department.
 10 Laboratories engaged in butterfat testing shall be approved only
 11 if equipped and and staffed to conduct accurate butterfat tests as
 12 prescribed under chapter Ag 107, Wis. Adm. Code. Laboratories
 13 with equipment in compliance with chapter Ag 107 meet the
 14 requirements of this section. After notice and opportunity for
 15 hearing the department may withdraw approval of any laboratory,
 16 whether or not certified under s. 143.15, Stats., if tests are not
 17 conducted in accordance with prescribed laboratory test
 18 procedures, or test reports or results are false or inaccurate.

19 13. Sections Ag 80.06(1) and (2) of the Wisconsin Adminis-
 20 trative Code are amended to read:

21 Ag 80.06(1) Milk shall be produced ~~upon~~ on dairy farms
 22 ~~conforming~~ complying with the standards in ~~section s.~~ Ag 80.07,
 23 Wis. Adm. Code. The bacterial plate count of milk received from
 24 ~~the-farm~~ individual producers shall not exceed 100,000 per
 25 milliliter. At no time ~~prior-to~~ before pasteurization shall milk
 26 or milk products exceed 300,000 per milliliter. Antibiotic tests
 27 shall show no detectable zone of inhibition of test organisms.

1 The somatic cell count of milk received from the farm shall not
 2 exceed 1,000,000 cells per milliliter. Grade A raw milk for
 3 pasteurization shall be cooled to 45°F. (7°C.) or less within two
 4 hours after milking. The blend temperature during the second and
 5 subsequent milkings shall not exceed 50°F. (10°C.).

6 (2) ~~Milk~~ Grade A pasteurized milk and milk products shall
 7 be pasteurized, cooled and placed in final containers in a dairy
 8 plant ~~conforming~~ complying with the standards in section
 9 s. Ag 80.08, Wis. Adm. Code. Efficient pasteurization shall be
 10 evidenced by satisfactory phosphatase tests. After
 11 pasteurization, the bacterial plate count, except for cultured
 12 milk products, shall not exceed 20,000 per milliliter. The
 13 coliform count of milk and milk products shall not exceed 10 per
 14 milliliter. No antibiotic or inhibitory substance shall be
 15 present in pasteurized milk and milk products. Grade A
 16 pasteurized milk and milk products shall be cooled to 45°F. (7°C.)
 17 or less and maintained below 45°F. after pasteurization.

18 14. Section Ag 80.07(1)(b) of the Wisconsin Administrative
 19 Code is amended to read:

20 Ag 80.07(1)(b) ~~Abnormal~~ Bloody, stringy, off-colored milk,
 21 or milk that is abnormal to sight or odor, or abnormal in any
 22 other respect shall be discarded or disposed of in a sanitary
 23 manner which will to prevent the possibility of infection of other
 24 cows and the contamination of milk utensils and equipment.

25 15. Section Ag 80.07(1)(d) of the Wisconsin Administrative
 26 Code is repealed and recreated to read:

27

1 Ag 80.07(1)(d) Equipment, utensils and containers used for
2 the handling of abnormal milk shall not be used for the handling
3 of milk to be sold or offered for sale unless they are first
4 cleaned and effectively sanitized.

5 16. Section Ag 80.07(1)(e) of the Wisconsin Administrative
6 Code is amended to read:

7 (e) Milk from a herd infected with mastitis and found to be
8 insanitary and adulterated as provided ~~for in Wis. Adm. Code~~
9 ~~chapter Ag 40,~~ under s. Ag 10.35(3), Wis. Adm. Code, is insanitary
10 and adulterated and is abnormal milk, and shall be discarded or
11 disposed of in a sanitary manner as provided under par. (b).

12 17. Section Ag 80.07(2)(a) of the Wisconsin Administrative
13 Code is amended to read:

14 Ag 80.07(2)(a) A milking barn, stable or parlor in which the
15 milking herd shall be housed during milking time operations shall
16 be provided on all dairy farms ~~in which the milking herd shall be~~
17 ~~housed during milking time operations.~~ Floors and gutters shall
18 ~~be constructed of concrete or equally impervious and easily~~
19 ~~cleaned material, shall be constructed to drain properly, and~~
20 ~~shall be in good repair.~~

21 18. Sections 80.07(2)(b) through (f) of the Wisconsin
22 Administrative Code are renumbered Ag 80.07(2)(c) through (g)
23 respectively and as renumbered are amended to read:

24 Ag 80.07(2)(c) Walls and ceilings shall be smooth, painted,
25 or finished in an approved manner, and shall be kept in good
26 repair, ~~with~~ The ceiling shall be dust-tight.

1 (d) If horses, dry cows, calves, or bulls are stabled
2 ~~therein~~ in the milking barn or stable they shall be confined in
3 separate stalls, stanchions or pens.

4 (e) Adequate natural or artificial light, or both, well
5 distributed, shall be provided for day or night milking ~~shall be~~
6 ~~provided.~~ Lighting shall be equivalent to at least 10 foot
7 candles in all working areas in which milking is done.

8 (f) Dust-tight covered boxes or bins, or separate storage
9 facilities for ground, chopped, or concentrated feed are required.
10 Feed may be stored in the milking portion of the barn only in a
11 manner that does not increase the dust content of the air, attract
12 flies or interfere with the cleaning of the floor. Open feed
13 dollies or carts may be used for distributing, but not the storage
14 of feed in the milking barn.

15 (g) Airspace and air circulation shall be sufficient to
16 prevent condensation and excessive odors. ~~Overcrowding shall be~~
17 ~~avoided.~~

18 19. Section Ag 80.07(2)(b) of the Wisconsin Administrative
19 Code is adopted to read:

20 Ag 80.07(2)(b) Floors and gutters shall be constructed of
21 concrete or equally impervious and easily cleanable material,
22 graded to drain properly, and kept in good repair. Floors
23 constructed after January 1, 1979 shall be sloped to a minimum of
24 one inch per 10 feet to ensure reasonable drainage.

25 20. Section Ag 80.07(2)(h) of the Wisconsin Administrative
26 Code is adopted to read:

1 Ag 80.07(2)(h) Areas used for milking purposes shall not be
 2 overcrowded. The presence of calves, cows or other barnyard
 3 animals in the walks or feed alleys is evidence of overcrowding.

4 21. Sections Ag 80.07(3)(a) and (b) of the Wisconsin
 5 Administrative Code are amended to read:

6 Ag 80.07(3)(a) The interior of the milking barn, stable, or
 7 parlor shall be kept clean. Floors and gutters, pens, stalls,
 8 walls, windows, ceilings, pipelines, and equipment shall be clean
 9 and free of litter or filth.

10 (b) No swine, sheep, ~~goats~~, or fowl shall be housed or per-
 11 mitted in the milking barn, stable or parlor.

12 22. Sections Ag 80.07(3)(c) and (d) of the Wisconsin
 13 Administrative Code are adopted to read:

14 Ag 80.07(3)(c) No leftover feed which is wet or soggy shall
 15 be permitted in feed mangers.

16 (d) Bedding material, if used, shall not contain more manure
 17 than has accumulated since the previous milking.

18 23. Section Ag 80.07(4) [title] and (a) through (d) of the
 19 Wisconsin Administrative Code are amended to read:

20 Ag 80.07(4) [title] ~~Cowyard~~. COW OR GOAT YARD. (a) The
 21 ~~cowyard~~ cow or goat yard shall be graded, and drained, and shall
 22 have no standing pools of water or accumulations of ~~organic~~
 23 manure or feed wastes.

24 (b) In loafing areas or pen type stables, manure droppings
 25 shall be removed or clean bedding added at sufficiently frequent
 26 intervals to prevent the accumulation of manure on ~~ewe's~~ udders
 27 and flanks and the breeding of flies.

1 (c) Swine, and sheep ~~and-goats~~ shall be kept out of the
2 ~~ewyard~~ cow or goat yard.

3 (d) Manure shall be removed and stored or disposed of in
4 ~~such a manner as-best-to~~ which will prevent the breeding of flies.
5 ~~therein-and~~ No milking animals shall have access of-ewes to manure
6 ~~pile~~s thereof or manure storage areas.

7 24. Sections Ag 80.07(4)(e) and (f) of the Wisconsin
8 Administrative Code are adopted to read:

9 Ag 80.07(4)(e) Stationary type feeders shall be provided
10 with a platform on all sides of the feeder from which cows or
11 goats feed. Platforms shall be constructed of impervious material
12 and extend at least 12 feet from the feeder except for those sides
13 of a feeder where the intervening space between the feeder and a
14 building or permanent structure may be insufficient to allow for a
15 12-foot platform, in which event the width of the platform may be
16 limited to the space available. Platforms of impervious material
17 installed prior to January 1, 1979 and extending a minimum of 8
18 feet from the feeder, except for those sides which may be closer
19 than 8 feet to a building or permanent structure, shall be
20 considered as being in compliance with the requirements of this
21 paragraph.

22 (f) Stock watering devices and portable type feeders shall
23 be located in an area which will provide good drainage and
24 reasonably firm footing for animals using these facilities.

25 25. Section Ag 80.07(5)(b)1. of the Wisconsin Administrative
26 Code is renumbered Ag 80.07(5)(b) and as renumbered is amended to
27 read:

1 Ag 80.07(5)(b) Floors. The milkhouse or room shall be
2 provided with a smooth floor constructed of concrete or equally
3 impervious material and, graded for proper drainage through a
4 floor drain, and shall-be maintained in good repair. All floor
5 drains shall be accessible and trapped if connected to a sanitary
6 sewer system.

7 26. Section Ag 80.07(5)(b)2. and 3. of the Wisconsin Admin-
8 istrative Code are repealed.

9 27. Section Ag 80.07(5)(c)1. of the Wisconsin Administrative
10 Code is amended to read:

11 Ag 80.07(5)(c)1. ~~The-walls~~ Walls and ceilings shall be
12 constructed of smooth, readily cleanable material, be well
13 painted, or finished ~~in~~ with an ~~equally-suitable-manner~~ easily
14 washable surface, and be kept clean and in good repair.

15 28. Section Ag 80.07(5)(c)2. of the Wisconsin Administrative
16 Code is repealed and recreated to read:

17 Ag 80.07(5)(c)2. A bulk tank hose port shall be located in
18 an outside wall of the milkhouse or room at least 6 inches above
19 the floor. The port shall be equipped with a tight-fitting door
20 which shall be kept closed except when the hose port is in use.
21 The entire assembly shall be kept clean and in good repair.

22 29. Sections Ag 80.07(5)(d)1. and 2. of the Wisconsin
23 Administrative Code are amended to read:

24 Ag 80.07(5)(d)1. The milkhouse or room shall have adequate
25 natural or artificial light, ~~or-beth, properly-distributed~~ for
26 day or nighttime operations, equivalent to a minimum of 20 foot
27 candles of light in all working areas. Protective shields shall

1 be provided for all artificial light fixtures located over bulk
 2 tank openings to protect milk from contamination from broken
 3 glass.

4 2. Sufficient ventilation shall be provided to prevent
 5 condensation and excessive odors. Vents, if installed, shall be
 6 located and maintained to preclude the contamination of bulk milk
 7 tanks or clean utensil storage areas.

8 30. Sections Ag 80.07(5)(e)1. and 2. of the Wisconsin
 9 Administrative Code are amended to read:

10 Ag 80.07(5)(e)1. The milkhouse or room shall be used for no
 11 other purpose than milkhouse or room operations.

12 2. It shall not open directly into a stable used for the
 13 housing of nonmilking animals or any room used for domestic
 14 purposes ~~except-as-may-be-approved-by-the-department.~~ A Any
 15 direct opening between ~~the~~ a milkhouse or room and a milking
 16 barn, stable or parlor may-be-approved-when shall be equipped with
 17 a tight-fitting, self-closing, solid door hinged-to-be-single-or
 18 double-acting-as-provided.

19 31. Sections Ag 80.07(5)(e)4. and 5. of the Wisconsin Admin-
 20 istrative Code are adopted to read:

21 Ag 80.07(5)(e)4. Easily cleanable ground surfacing material
 22 shall be provided under the hose port, adjacent to the outside
 23 wall, covering an area sufficient to protect the milk hose from
 24 contamination.

25 5. A suitable enclosed shelter shall be provided for a bulk
 26 transport truck when used for cooling and storing milk. The
 27 shelter shall be adjacent to, but not a part of the milkhouse or

1 room, and shall comply with all standards and requirements
2 applicable to a milkhouse or room.

3 32. Section Ag 80.07(5)(f)1. of the Wisconsin Administrative
4 Code is amended to read:

5 Ag 80.07(5)(f)1. The milkhouse or room shall be equipped
6 with a two-compartment wash and rinse vat.~~---Cleaning-and-ether~~
7 ~~operations-shall-be~~ so located ~~and-conducted-so~~ as to prevent any
8 the contamination of ~~the~~ milk or of cleaned equipment during
9 cleaning operations. A cleaning-in-place vat for milk pipelines
10 and milking machines may be accepted as one part of the two-
11 compartment wash and rinse vat, if the cleaning-in-place inflation
12 rack in or on the vat, and the milking machine inflations and
13 appurtenances are completely removed from the vat during the
14 washing, rinsing and sanitizing of other utensils and equipment.

15 33. Section Ag 80.07(5)(f)2. of the Wisconsin Administrative
16 Code is repealed and recreated to read:

17 Ag 80.07(5)(f)2. Hot water heaters or hot water supply
18 systems for use in the milkhouse or room shall have a capacity of
19 at least 30 gallons for the manual washing of bulk tanks, 50
20 gallons for the mechanical washing of bulk tanks, or 75 gallons
21 for the cleaning of C-I-P pipeline systems.

22 34. Sections Ag 80.07(5)(f)3., (6)(b), and (6)(c) of the
23 Wisconsin Administrative Code are amended to read:

24 Ag 80.07(5)(f)3. Water under pressure shall be piped into
25 the milkhouse or room.

26

27

1 (6)(b) Only articles directly related to milkhouse or milk
2 room activities shall be permitted in the milkhouse or milk room.
3 Animals and fowl shall be excluded.

4 (6)(c) Pesticides ~~or medicinals~~ other than those approved
5 for use in the milkhouse or room shall not be stored in the
6 milkhouse or room.

7 35. Section Ag 80.07(7)(c) of the Wisconsin Administrative
8 Code is adopted to read:

9 Ag 80.07(7)(c) Toilets in the residence, other farm
10 buildings or otherwise conveniently located shall meet the
11 requirements of par. (a).

12 36. Section Ag 80.07(8)(d) of the Wisconsin Administrative
13 Code is repealed and recreated to read:

14 Ag 80.07(8)(d) Dairy plant operators shall biennially sample
15 water used by each producer for milkhouse and milking operations
16 and have it analyzed at a certified laboratory approved by the
17 department for making water quality tests. A copy of the current
18 laboratory analysis for each producer shall be maintained by the
19 plant operator for inspection by the department. The dairy plant
20 operator shall promptly notify the department of any test result
21 showing an unsafe water supply.

22 37. Sections Ag 80.07(8)(e) and (f) of the Wisconsin
23 Administrative Code are adopted to read:

24 Ag 80.07(8)(e) All wells shall be constructed, located, and
25 operated in accordance with chapter NR 112, Wis. Adm. Code.

26 (f) All containers and tanks used in the transportation of
27 water to a dairy farm shall be sealed and protected from possible

1 contamination. The containers and tanks shall be subjected to
2 thorough cleaning and bacteriological treatment prior to filling
3 with potable water for use at the dairy farm. To minimize the
4 possibility of contamination of the water during its transfer from
5 portable tanks to storage tanks at the dairy farm, a suitable
6 pump, hose and fittings shall be provided. Water hauled to a
7 dairy farm shall be sampled at the point of use at least once each
8 month by the dairy plant for bacteriological examination at an
9 approved certified laboratory.

10 38. Sections Ag 80.07(9)(a) and (e) of the Wisconsin Admin-
11 istrative Code are amended to read:

12 Ag 80.07(9)(a) All multi-use containers, equipment and
13 utensils used in the handling, storage or transportation of milk
14 shall be made of smooth, ~~non-absorbent, non-corrodable, non-toxic~~
15 nonabsorbent, noncorrodable, nontoxic material, and shall be so
16 constructed as to be easily cleaned. Joints and seams shall be
17 smooth and flush. All milk pails used for hand milking and
18 stripping shall be seamless and of a hooded type. All milk and
19 milk handling equipment shall comply with ~~subsection~~ the require-
20 ments of sub. (22).

21 (e) Dairy equipment intended to be cleaned-in-place shall be
22 of approved construction and installed in compliance with sub.
23 (22). ~~All milking and milk handling equipment and the installa-~~
24 ~~tion thereof shall comply with subsection (22).~~

25 39. Section Ag 80.07(12)(c) of the Wisconsin Administrative
26 Code is adopted to read:

27

1 Ag 80.07(12)(c) Milker claws, inflations, weigh jars, milk
2 hoses, receivers, takeoff units, milk pumps, and milk meters
3 designed for mechanical cleaning and sanitizing may be stored in
4 the milking parlor.

5 40. Sections Ag 80.07(14)(a), (14)(b) and (15)(b) of the
6 Wisconsin Administrative Code are amended to read:

7 Ag 80.07(14)(a) Brushing of flanks and udders shall be
8 completed before milking begins.

9 (14)(b) The flanks, udders, bellies and tails of milking
10 cows and goats shall be free from visible dirt at the time of
11 milking and ~~shall~~ be clipped as often as necessary to facilitate
12 the cleaning of these areas. The hair on udders shall be of such
13 length that it is not incorporated with the teat in the inflation
14 during milking.

15 (15)(b) Milk stools shall be of easily cleanable
16 construction ~~and shall not be padded.~~

17 41. Sections Ag 80.07(16)(c) through (f) of the Wisconsin
18 Administrative Code are adopted to read:

19 Ag 80.07(16)(c) Equipment shall be so located and operations
20 so conducted within the milking barn, stable or parlor, and the
21 milkhouse or room, as to prevent overcrowding and contamination of
22 cleaned and sanitized containers, equipment and utensils.

23 (d) While cows or goats are being milked, pipelines and
24 equipment used to contain or conduct milk and milk products shall
25 be effectively separated from tanks and circuits containing
26 cleaning and sanitizing solutions. All product contact surfaces
27 of containers, equipment and utensils shall be covered or other-

1 wise protected to prevent the access of insects, dust, condensa-
 2 tion and other contamination. All openings, including valves and
 3 piping attached to milk storage and transport tanks, pumps and
 4 vats, shall be capped or otherwise adequately protected at all
 5 times.

6 (e) Whenever air under pressure is used for the agitation or
 7 movement of milk, or directed at milk contact surfaces, it shall
 8 be free from odor, oil, dust, rust, excessive moisture, and
 9 extraneous material.

10 (f) Antibiotics and medicinals shall be stored in a manner
 11 which will prevent contamination of milk or milk product contact
 12 surfaces of equipment, containers or utensils.

13 42. Sections Ag 80.07(17) and 80.07(18) [title] of the
 14 Wisconsin Administrative Code are amended to read:

15 Ag 80.07(17) PERSONNEL --~~HAND-WASHING~~; HANDWASHING
 16 FACILITIES. ~~There shall be provided adequate hand-washing~~
 17 ~~facilities, including~~ A handwashing sink or lavatory fixture with
 18 running water, soap or detergent, and individual sanitary towels,
 19 shall be provided in the milkhouse or room, and in or convenient
 20 to the milking barn, stable, or parlor, or toilet. A removable
 21 basin held by a support ring at least 30 inches above the floor,
 22 and installed beneath a water faucet shall meet the requirement of
 23 this subsection.

24 Ag 80.07(18) [title] PERSONNEL -; CLEANLINESS.

25 43. Section Ag 80.07(19) of the Wisconsin Administrative
 26 Code is repealed and recreated to read:

27

1 Ag 80.07(19) COOLING. (a) Milk shall be cooled to 45°F.
2 (7°C.) or less within 2 hours after milking. The blend
3 temperature during the second and subsequent milkings shall not
4 exceed 50°F. (10°C.).

5 (b) Recirculated cold water which is used in plate or
6 tubular coolers or heat exchangers shall be from a safe source and
7 protected from contamination. The water shall be tested
8 semiannually by a certified laboratory approved by the department,
9 and comply with a bacteriological MPN (most probable number)
10 standard of less than 2.2 MPN coliform organisms per 100
11 milliliters when tested by the multiple tube fermentation
12 technique, or less than one MPN coliform organism per 100
13 milliliters when tested by the membrane filter technique.

14 44. Section Ag 80.07(20)(c) of the Wisconsin Administrative
15 Code is amended to read:

16 Ag 80.07(20)(c) No substance capable of contaminating milk
17 shall be transported ~~with~~ on the same vehicle used for the
18 transportation of milk.

19 45. Sections Ag 80.07(21)(e) and (f) of the Wisconsin
20 Administrative Code are repealed and recreated to read:

21 Ag 80.07(21)(e) Only insecticides and rodenticides approved
22 for use by, and registered with, the department or the U.S.
23 environmental protection agency shall be used for insect and
24 rodent control.

25 (f) Insecticides and rodenticides shall be used only in
26 accordance with the manufacturer's label directions and in a

27

1 manner which will prevent the contamination of milk, milk
2 containers, equipment, utensils, feed and water.

3 46. Sections Ag 80.07(22) [title], (a) [intro], (a)1. and
4 (a)3. of the Wisconsin Administrative Code are amended to read:

5 Ag 80.07(22) MILKING AND MILK HANDLING EQUIPMENT

6 SYSTEMS. (a) All milking and milk handling systems and equipment
7 hereafter installed, reconstructed or extensively altered for use
8 in the milking of cows and goats and the transfer of ~~the~~ milk ~~from~~
9 ~~the-cow~~ to containers, in ~~which~~ or from which the milk is removed
10 from the dairy farm, shall conform to the following standards of
11 construction and installation:

12 1. All product contact surfaces of permanently mounted
13 pipelines shall be of ~~stainless-steel-or~~ heat resistant glass,
14 stainless steel of the American Iron and Steel Institute 300
15 series, or equally corrosion-resistant material which is nontoxic
16 and nonabsorbent. ~~except-that-rubber,-rubber-like,-or-plastic~~
17 Plastic or rubber-like materials may be used for gaskets, sealing
18 applications, or connections if they are nontoxic, fat resistant,
19 relatively inert and nonabsorbent, and resistant to scratching,
20 scoring, decomposition, crazing, chipping and distoration under
21 normal conditions of use; do not impart flavor or odor to the
22 products; and maintain their original properties under repeated
23 conditions of use. Paper gaskets shall not be used.

24 3. Permanently mounted pipelines shall be supported
25 at least every 10 feet so that they remain in constant alignment
26 and position. They shall be self-draining with a minimum slope of
27

1 one inch per 10 feet. The support system shall be so designed as
2 to preclude electrolytic action between supports and pipeline.

3 47. Sections Ag 80.07(22)(c) and (23) through (25) of the
4 Wisconsin Administrative Code are adopted to read:

5 Ag 80.07(22)(c) No manufacturer or distributor of milking or
6 milk handling equipment shall sell, or distribute for sale in this
7 state, any newly designed or redesigned milking or milk handling
8 equipment without first submitting the equipment, or design
9 drawings, plans and specifications for the equipment to the
10 department for review and approval. The department shall, within
11 30 days of submission, approve or disapprove the equipment, or
12 establish criteria for the field testing of the equipment, if
13 considered necessary by the department, before final approval.

14 (23) FARM BULK TANKS. (a) Bulk tanks used for the holding
15 and cooling of milk shall be installed in the milkhouse or room.
16 All tank openings for bulk tanks installed in part through the
17 wall shall be in the milkhouse. A clearance of 24 inches shall be
18 maintained on the milk outlet side of the tank and at least 18
19 inches on all other sides of the tank except for that portion
20 extending through the wall. A clearance of at least 6 inches for
21 flat-bottom tanks and 4 inches for round-bottom tanks shall be
22 maintained at the bottom of the tank. The tank shall not be
23 located over the floor drain or under a ventilator.

24 (b) Bulk tanks shall be self-draining. All lining and
25 product contact surfaces shall be made of stainless steel or other
26 material that is smooth, nontoxic, relatively stable and
27 nonabsorbent, corrosion-resistant, and capable of withstanding

1 cleaning and bactericidal treatment. Milk contact surfaces shall
2 be visible and easily accessible. Openings shall be equipped with
3 self-draining covers. Openings and covers shall be constructed
4 and installed so as to prevent drainage into the milk
5 compartment. Each tank shall be equipped with an accurate
6 indicating thermometer with a minimum range of 32°F. to 80°F., and
7 a mechanical agitator which will ensure homogeneity of the milk
8 within 5 minutes of operation. Bulk tanks with a capacity of 1500
9 gallons or more shall be equipped with an agitator which will
10 ensure homogeneity of the milk within 10 minutes of operation.

11 (c) Tanks shall be capable of cooling milk from the first
12 milking placed in the tank to 50°F. within one hour after it is
13 placed in the tank, and of preventing the blend temperature from
14 rising above 50°F. if milk from subsequent milkings is added to
15 the tank.

16 (24) NOTICE PROHIBITING SALE OR DELIVERY OF MILK.

17 (a) Whenever the department determines, as a result of a farm
18 inspection or milk quality test, that milk of a producer is pro-
19 duced under insanitary conditions or that the milk is insanitary
20 or adulterated, it may by notice in writing summarily prohibit the
21 further sale of milk from the dairy farm as grade A or manufactur-
22 ing grade milk for use as food for humans or the processing or
23 manufacturing of food for humans. A copy of the notice shall be
24 submitted to the dairy plant receiving the milk. No producer,
25 upon receipt of the notice, shall continue to sell or deliver milk
26 to any dairy plant until insanitary conditions have been corrected

27

1 and the milk is of acceptable quality as determined by the depart-
2 ment or the dairy plant receiving the milk, as provided in this
3 section.

4 (b) Upon receipt of the notice, the dairy plant shall reject
5 all further shipments of milk from the producer until all condi-
6 tions described in the notice have been corrected and the milk is
7 determined to be of acceptable sanitary quality. On the request
8 of the producer, it shall be the duty of the plant operator to
9 conduct an immediate inspection of the farm premises to determine
10 whether all conditions described in the notice have been
11 corrected.

12 (c) If the sale of the milk is prohibited solely because of
13 insanitary farm conditions, and it is determined on reinspection
14 by the plant that all farm conditions as described in the notice
15 have been corrected, the dairy plant may receive and the producer
16 may ship milk produced after reinspection is made, as manufactur-
17 ing grade milk. If the sale of milk is prohibited because of
18 insanitary quality, the milk may not be shipped or received as
19 manufacturing grade milk until milk quality retests have been made
20 and the milk is determined by the plant to be of acceptable sani-
21 tary quality for use as manufacturing grade milk. Copies of all
22 farm inspection reports or tests conducted by the dairy plant
23 under this section shall be submitted to the department immedi-
24 ately upon completion of the farm inspection or tests. The dairy
25 plant operator shall notify the department in writing of the
26 acceptance of the producer's milk as manufacturing grade milk on
27 the same day the milk is accepted. The department shall conduct a

1 farm inspection within 5 days after receipt of notice from the
2 dairy plant that conditions have been corrected and that the milk
3 has been accepted.

4 (d) Farm grade A permits for the sale of milk as grade A
5 milk may be reinstated only by the department on written
6 application of the producer. No milk may be received by dairy
7 plants as grade A milk or for use as grade A milk until the grade
8 A permit has been reinstated by the department.

9 (e) Any producer affected by notice under this section may,
10 within 10 days, make a written request for hearing before the
11 department. The hearing, if requested, shall be conducted as
12 expeditiously as possible and not more than 20 days after receipt
13 of the request.

14 (25) IDENTIFICATION OF ADULTERATED OR INSANITARY MILK.
15 Whenever it is determined by the department that milk is
16 adulterated or of insanitary quality, within the meaning of
17 ss. 97.50 and 97.52, Stats., it shall summarily reject the milk by
18 tagging the milk container and adding a harmless food grade color
19 to the milk to prevent its sale or use for human food purposes.
20 The plant operator shall identify and reject milk which it finds
21 to be adulterated or insanitary by tagging the container of the
22 milk.

23 48. Sections Ag 80.08(1), (3)(b), and (4) of the Wisconsin
24 Administrative Code are amended to read:

25 Ag 80.08(1) FLOORS. The floors of all rooms in which milk
26 or milk products are processed, handled, or stored, or in which
27 milk containers, equipment, and utensils are washed, shall be

1 constructed of concrete or other equally impervious and easily
2 cleaned material and shall be smooth, ~~properly-drained~~
3 sufficiently sloped for adequate drainage, provided with trapped
4 drains and kept clean and in good repair, except that:

5 (3)(b) All openings to the outside shall have solid doors
6 or glazed windows. ~~Such~~ The doors shall be self-closing. All
7 doors and windows shall be kept closed during dusty weather.
8 Screen doors, if used, ~~must~~ shall open outward and be
9 self-closing. All outer openings shall be rodent-proofed as
10 necessary to prevent entry of rodents.

11 (4) LIGHTING AND VENTILATION. (a) All rooms in which milk
12 and milk products are handled, processed or stored, or in which
13 milk containers, equipment and utensils are washed, shall be well
14 lighted with at least 30 foot-candles of light intensity on all
15 working surfaces. Dry storage and cold storage rooms shall be
16 provided with at least 5 foot-candles of light measured at the
17 floor.

18 (b) ~~They~~ All rooms shall be well ventilated to preclude
19 odors and excessive condensation on equipment, walls and ceilings.

20 49. Section Ag 80.08(4)(c) of the Wisconsin Administrative
21 Code is adopted to read:

22 Ag 80.08(4)(c) Light bulbs, fluorescent tubes, fixtures,
23 skylights, or other glass suspended over products shall be
24 shielded or protected to prevent contamination of products
25 from broken glass.

26 50. Section Ag 80.08(5)(a) of the Wisconsin Administrative
27 Code is amended to read:

1 Ag 80.08(5)(a) There shall be a separate room for the
 2 pasteurizing, processing, cooling, and packaging of milk and milk
 3 products, and a separate room for the cleaning of milk cans, and
 4 bottles and cases. Rooms shall be of adequate size for their
 5 intended purposes. Cans of raw milk shall not be unloaded
 6 directly into a pasteurizing room. ~~The-dairy-plant,-milk~~
 7 ~~containers,-utensils,-and-equipment-shall-be-used-for-no-other~~
 8 ~~purposes-than-the-processing-of-milk-and-milk-products-and-the~~
 9 ~~operations-incident-thereto,-except-as-may-be-approved-by-the~~
 10 ~~department,-The-processing-or-handling-of-products-other-than~~
 11 ~~milk-and-milk-products-in-the-pasteurization-plant-shall-be~~
 12 ~~performed-to-preclude-the-contamination-of-such-milk-and-milk~~
 13 ~~products,-Plants-receiving-milk-in-bulk-transport-tanks-shall~~
 14 ~~provide-for-cleaning-and-sanitizing-facilities.~~

15 51. Section Ag 80.08(5)(c) of the Wisconsin Administrative
 16 Code is repealed and recreated to read:

17 Ag 80.08(5)(c) All bulk milk storage tanks shall be vented
 18 into a room used for pasteurization, processing, cooling or
 19 packaging operations, or into a storage tank gallery room. Tanks
 20 may not be vented elsewhere, unless adequately equipped with air
 21 filters to preclude the contamination of milk.

22 52. Sections Ag 80.08(5)(d) and (e) of the Wisconsin
 23 Administrative Code are adopted to read:

24 Ag 80.08(5)(d) Facilities for the cleaning and sanitizing
 25 of milk tank trucks shall be equipped for manual or
 26 mechanical operation, or both. The facilities shall comply with
 27 subs. (1) to (4), (6) to (12), (14), (15), (20) and (22).

1 (e) Grade A dairy plants and receiving stations shall
2 maintain a bulk unloading room in which milk shall be unloaded.
3 The bulk milk unloading room shall be separate from milk storage
4 facilities in all plants constructed or reconstructed after
5 July 1, 1980.

6 53. Sections Ag 80.08(6)(a) through (c) and (7)(a) of the
7 Wisconsin Administrative Code are amended to read:

8 Ag 80.08(6) TOILET FACILITIES. (a) Every dairy plant shall
9 be ~~provided~~ equipped with sanitary toilet facilities conforming to
10 to the rules of the ~~state-board~~ department of health and social
11 services ~~of-the-industrial-commission~~. The toilet room shall be
12 conveniently located and equipped with handwashing facilities with
13 hot and cold running water, soap, and single service towels or air
14 drying equipment.

15 (b) Toilet rooms shall not open directly into any room in
16 which milk or milk products are processed. Toilet rooms shall be
17 completely enclosed and shall have tight-fitting, self-closing
18 doors. A placard containing ~~Wisconsin-Administrative-Code-section~~
19 the language of s. Ag 80.13, Wis. Adm. Code, and a sign directing
20 employees to wash their hands before returning to work shall be
21 posted in all toilet rooms used by employees.

22 (c) Dressing rooms, toilet rooms and fixtures shall be kept
23 in a clean condition, and in good repair. ~~and~~ The rooms shall be
24 well ventilated and well lighted. A dressing room, if provided,
25 where employees may change and store clothing, shall be separate
26 from processing, packaging, or storage rooms.

27

1 (7) WATER SUPPLY. (a) Water for milk plant purposes shall
2 be from a supply ~~preperly~~ located, protected, and operated in a
3 manner which will prevent contamination of the water by
4 microorganisms or foreign material. ~~and~~ It shall be easily
5 accessible, adequate in quantity and of safe and sanitary quality.

6 54. Section Ag 80.08(7)(d) of the Wisconsin Administrative
7 Code is repealed and recreated to read:

8 Ag 80.08(7)(d) Water reclaimed from milk or milk products
9 may be reused for cleaning purposes if collected and stored in a
10 sanitary manner.

11 55. Section Ag 80.08(7)(e) of the Wisconsin Administrative
12 Code is adopted to read:

13 Ag 80.08(7)(e) The location, construction and operation of
14 any well shall comply with the Wisconsin well code, chapter
15 NR 112, Wis. Adm. Code. Individual water supplies shall be
16 sampled for bacteriological testing every 6 months, and when any
17 major repair or alteration of the water supply system has been
18 made. Bacteriological testing shall be conducted in a laboratory
19 approved by the department. Test results shall be promptly filed
20 with the department.

21 56. Section Ag 80.08(8) of the Wisconsin Administrative Code
22 is amended to read:

23 Ag 80.08(8) ~~HAND-WASHING~~ HANDWASHING FACILITIES.

24 (a) Convenient ~~hand-washing~~ handwashing facilities shall be
25 provided, including hot and cold or warm running water, soap, and
26 sanitary towels. ~~Hand-washing~~ Handwashing facilities shall be
27 kept clean. The use of a common towel is prohibited. ~~No-employee~~

1 Employees shall not resume work after using the toilet room
2 without first washing ~~his~~ their hands. No steam-water mixing
3 valves and vats for washing bottles, cans, and similar equipment
4 shall be used as handwashing facilities.

5 (b) Self-closing metal or plastic waste containers shall be
6 provided for used towels and other wastes.

7 57. Section Ag 80.08(9) of the Wisconsin Administrative Code
8 is renumbered Ag 80.08(9)(a) and as renumbered is amended to read:

9 Ag 80.08(9)(a) All rooms in which milk and milk products are
10 handled, processed, or stored, or in which containers, utensils,
11 or equipment are washed or stored, shall be kept clean, neat, and
12 free of evidence of insects and rodents. Only equipment directly
13 related to processing operations or to the handling of containers,
14 utensils, and equipment shall be permitted in the pasteurizing,
15 processing, cooling, packaging, and bulk milk storage rooms.
16 ~~Registered-pesticides-shall-be-safely-used.~~

17 58. Section Ag 80.08(9)(b), of the Wisconsin Administrative
18 Code is adopted to read:

19 Ag 80.08(9)(b) No trash or solid waste shall be stored
20 within the plant except in covered containers. Waste containers
21 at the packaging machine or bottle washer may be uncovered during
22 packaging or bottle washing operations.

23 59. Section Ag 80.08(10)(b) of the Wisconsin Administrative
24 Code is repealed and recreated to read:

25 Ag 80.08(10)(b) Sanitary piping, fittings, valves, and con-
26 nections including all interior surfaces of demountable piping,
27 shall be designed, constructed, and installed to permit easy

1 cleaning, inspection and drainage. Pipelines shall be free of
2 breaks or corrosion and contain no dead ends in which milk may
3 collect. Where rigid pipelines are not practical, flexible pipe-
4 lines of approved plastic or other sanitary ~~material~~ materials may
5 be used for the transfer of partially processed products during
6 intermediate stages of production in the manufacture of cheese,
7 and for the loading and unloading of bulk tank trucks, provided
8 the flexible pipeline does not exceed ~~48-inches~~ 25 feet in length.
9 Not more than 48 inches of approved flexible pipeline may be used
10 between different pieces of equipment to eliminate vibration.

11 60. Sections Ag 80.08(10)(d) and (e) of the Wisconsin
12 Administrative Code are adopted to read:

13 Ag 80.08(10)(d) All sanitary piping, connections and fit-
14 tings shall be constructed of stainless steel of the American Iron
15 and Steel Institute 300 series, or equally corrosion-resistant
16 material which is nontoxic and nonabsorbent. Plastic or rubber-
17 like materials may be used for gaskets, sealing applications, or
18 connections if they are nontoxic, fat resistant, relatively inert
19 and nonabsorbent, and resistant to scratching, scoring, decomposi-
20 tion, crazing, chipping and distortion under normal conditions of
21 use; do not impart flavor or odor to the products; and maintain
22 their original properties under repeated conditions of use.

23 (e) All cleaned-in-place milk pipeline and return solution
24 lines shall be rigid, self-draining and supported to maintain
25 uniform slope and alignment. Pipelines shall have a minimum slope
26 of 1 inch in 10 feet and shall be supported at least every 12
27 feet. Return solution lines shall be constructed of material

1 meeting specifications of par. (d). If gaskets are used, they
2 shall be self-positioning, made from material meeting specifica-
3 tions of par. (d), and be so designed, finished and applied as to
4 form a smooth, flush interior surface. If gaskets are not used,
5 all fittings shall have self-positioning faces designed to form a
6 smooth, flush interior surface. All interior surfaces of welded
7 joints in pipelines shall be smooth and free of pits, cracks or
8 inclusions. All welded lines shall be inspected and approved by
9 the department.

10 61. Section Ag 80.08(11)(b) of the Wisconsin Administrative
11 Code is repealed and recreated to read:

12 Ag 80.08(11)(b) All milk contact surfaces of multiuse
13 containers and equipment shall be constructed of stainless steel
14 of the American Iron and Steel Institute 300 series, or equally
15 corrosion resistant metal which is nontoxic and nonabsorbent, or
16 plastic or rubberlike materials meeting standards as provided
17 under s. Ag 80.08(10)(b), Wis. Adm. Code.

18 62. Sections Ag 80.08(11)(d) through (i) of the Wisconsin
19 Administrative Code are adopted to read:

20 Ag 80.08(11)(d) All openings in covers of tanks, vats and
21 separators shall be protected by raised edges, or in a manner
22 which will otherwise prevent the entrance of surface drainage.
23 Condensation-diverting aprons shall be provided as close to the
24 tank or equipment as possible on all pipes, thermometers,
25 temperature-sensing elements and other equipment extending into a
26 tank, bowl, vat or distributor, unless a water-tight joint is
27 provided.

1 (e) All surfaces with which milk or milk products come in
2 contact shall be self-draining and easily accessible or
3 demountable for manual cleaning.

4 (f) No V-threads shall be used in contact with milk or milk
5 products except where needed for functional and safety reasons.
6 The threads shall be of a sanitary type.

7 (g) All multiuse containers and other equipment shall have
8 rounded corners, and be free from breaks, crevices and corrosion.
9 Milk dispenser cans shall have umbrella-type covers.

10 (h) Strainers for the production of certain milk products
11 such as buttermilk, whey and dried milk products, may be
12 constructed of woven material where it is impractical to use
13 perforated metal strainers. Parts made of woven materials shall
14 be mechanically cleaned by methods that thoroughly clean the woven
15 material and do not contaminate the product.

16 (i) Manufacturers or distributors shall, before sale or
17 distribution of any newly designed or redesigned multiuse plastic
18 container for retail sale of milk or milk products in this state,
19 submit a prototype of the container and its manufacturing
20 specifications to the department for approval. The department may
21 prohibit the sale or distribution of any multiuse plastic
22 containers which are not determined to be safe or suitable for
23 their intended use.

24 63. Section Ag 80.08(12)(a) of the Wisconsin Administrative
25 Code is amended to read:

26 Ag 80.08(12)(a) The ~~product-contact~~ product contact surfaces
27 of all ~~multi-use~~ multiuse containers, utensils, and equipment used

1 in the transportation, processing, handling, and storage of milk
2 and milk products shall be effectively cleaned after each use and
3 sanitized before each use.

4 64. Sections Ag 80.08(12)(b) and (c) of the Wisconsin
5 Administrative Code are repealed and recreated to read:

6 Ag 80.08(12)(b) Records shall be maintained of all cleaned-
7 in-place circuits and circuits used as an aid to cleaning, includ-
8 ing the cleaning of storage tanks. The records shall identify the
9 circuits which have been cleaned or sanitized, and show the date
10 and time they were cleaned and sanitized, the temperature of the
11 cleaning or sanitizing solution, and the length of time the cir-
12 cuit was exposed to each cleaning and sanitizing solution. The
13 records shall be signed or initialed by the operator and be
14 retained for not less than 90 days. (c) A temperature recording
15 device which accurately records temperatures on a temperature
16 recording chart shall be installed in the solution return line of
17 all C-I-P circuits.

18 65. Sections Ag 80.08(12)(d) through (i) of the Wisconsin
19 Administrative Code are adopted to read:

20 Ag 80.08(12)(d) Storage tanks shall be cleaned when emptied,
21 and be emptied at least every 72 hours. Storage tanks used to
22 store raw milk for longer than 24 hours shall be equipped with a
23 7-day temperature recording device.

24 (e) Each milk truck shall be cleaned and washed after each
25 use and sanitized prior to reuse, and shall bear a tag showing the
26 date and time of cleaning, washing and sanitizing, the name and
27 location of the plant where it was done, and the signature of the

1 employee or bulk milk hauler who cleaned, washed and sanitized the
2 tank truck. The tag shall be attached to the outlet valve and may
3 not be removed until the tank is again washed and sanitized. The
4 tag or other record of each washing and sanitizing shall be kept
5 by the plant where the washing and sanitizing was done for a
6 period of 90 days.

7 (f) Plants in which multiuse containers, utensils and
8 equipment are washed manually shall be equipped with a
9 two-compartment wash and rinse vat for this purpose. If
10 sanitizing is done with steam, the plant shall also be equipped
11 with a steam cabinet or individual steam-jet plate with hood. If
12 sanitizing is done with chemicals, a third treatment vat shall be
13 provided for immersion of the containers, utensils, and equipment
14 in the chemical sanitizing solution.

15 (g) Bottles cleaned in automatic bottle washers shall be
16 sanitized while in the washer by means of steam, hot water, or
17 chemical treatment. For soaker-type bottle washers, in which the
18 effectiveness of bactericidal treatment depends upon the
19 causticity, temperature, and soaking time of the bottles in the
20 washing solution, the combinations of caustic strength, expressed
21 in terms of percent concentration of sodium hydroxide (NaOH),
22 soaking time, and temperature which may be used to achieve
23 effective bactericidal action, shall be as specified in the
24 following table:

25

26

27

28

		Temperature, degrees						
Time in minutes	F	170	160	150	140	130	120	110
	C	77	71	66	60	54	49	43
		Concentration of NaOH, percent						
	3	0.57	0.86	1.28	1.91	2.86	4.27	6.39
	5	0.43	0.64	0.96	1.43	2.16	3.22	4.80
	7	0.36	0.53	0.80	1.19	1.78	2.66	3.98

(h) The residual bacterial count of single-service containers and cleaned and sanitized multiuse containers used for packaging pasteurized milk and milk products, shall not exceed one organism per milliliter of capacity, when the rinse test is used, nor more than 50 colonies per 8 square inches of product contact surface when the swab test is used, in 3 out of 4 samples taken and tested on a given date. All multiuse and single-service containers shall be free of coliform organisms.

(i) Plants using multiuse plastic containers for the packaging and sale of milk and milk products shall install a device in the filling line capable of detecting in each container before it is filled, volatile organic contaminants which may adversely affect the purity, quality, and wholesomeness of milk or milk products. The device shall be constructed so that it can be sealed by the department to prevent the changing of its sensitivity functioning level. The device shall automatically reject and make unusable any container which exceeds the sensitivity functioning level of the device, so as to prevent the further use or filling of the container with milk or milk products. The device shall be interconnected so that the system will not operate unless

1 the detecting device is in proper operating condition. The dairy
 2 plant shall use a test solution standard consisting of 0.5 ppm
 3 petroleum distillate, or other standard approved by the depart-
 4 ment, for daily testing of the device to ensure that it is func-
 5 tioning at the proper detection level.

6 66. Section Ag 80.08(15)(a) of the Wisconsin Administrative
 7 Code is amended to read:

8 Ag 80.08(15)(a) Milk plant operations, ~~equipment, and~~
 9 ~~facilities~~ shall be ~~located and~~ conducted and equipment so located
 10 within the plant to prevent any overcrowding and contamination of
 11 milk ~~or~~ and milk products, ingredients, equipment, ~~containers~~ and
 12 utensils and cleaned and sanitized containers.

13 67. Sections Ag 80.08(15)(d) through (k) of the Wisconsin
 14 Administrative Code are adopted to read:

15 Ag 80.08(15)(d) Newly installed processing equipment shall
 16 be located at least 24 inches from any wall or any other piece of
 17 equipment more than 48 inches long. This does not apply to
 18 storage or silo tanks where the face of the tank extends through
 19 a wall into a processing room.

20 (e) During processing, pipelines and equipment containing or
 21 used to conduct milk and milk products shall be effectively
 22 separated from tanks or circuits containing cleaning or sanitizing
 23 solutions.

24 (f) Milk and milk products drained from processing equipment
 25 at the end of a run, or collected from a packaging defoamer system
 26 which does not continuously return the collected product to the
 27 filler bowl, may be salvaged for sale if the milk or milk products

1 are collected and handled in a sanitary manner, held at a
2 temperature of 45°F. or less, and repasteurized.

3 (g) All openings, including valves and piping attached to
4 milk storage and milk tank trucks, pumps or vats shall be capped
5 or otherwise protected to prevent contamination. During inside
6 unloading at a receiving or transfer station or pasteurization
7 plant, a suitable filter shall be used to cover the manhole
8 opening unless the dust cover and the manhole cover are opened
9 slightly and held in this position by the metal clamps used to
10 close the covers.

11 (h) If air under pressure is used for the agitation or
12 movement of milk, or is directed at a milk contact surface, the
13 air shall be free of oil, dust, rust, excessive moisture,
14 extraneous materials and odor. The use of steam containing a
15 toxic substance is prohibited. If steam is used in contact with
16 milk or milk products, it shall be of culinary quality. Steam and
17 air under pressure shall originate from systems approved by the
18 department.

19 (i) Standardization shall be completed before the
20 pasteurization process is begun, but this does not preclude the
21 standardization of pasteurized milk and milk products if protected
22 against contamination. In no case shall pasteurized milk or milk
23 products be standardized with unpasteurized milk unless the
24 standardized product is subsequently repasteurized. Reconstituted
25 or recombined milk and milk products shall be pasteurized after
26 reconstitution or recombining of all ingredients.

27

1 (j) No poisonous or toxic materials, insecticides,
 2 rodenticides, sanitizers, caustic compounds and medicinal agents
 3 may be present in a dairy plant except as necessary for dairy
 4 plant maintenance and operations. These products and materials
 5 shall not be stored in any room where milk or milk products are
 6 received, processed, or stored, or where equipment, containers or
 7 utensils are washed or stored, or single-service containers,
 8 closures or caps are stored.

9 (k) Only insecticides and rodenticides approved for use by
 10 and registered with the department or the U.S. environmental
 11 protection agency shall be used for insect and rodent control.
 12 Insecticides and rodenticides may be used only in accordance with
 13 the manufacturer's label directions and in a manner which will
 14 prevent the contamination of milk and milk products, milk
 15 containers and closures, equipment or utensils.

16 68. Section Ag 80.08(16)(a) of the Wisconsin Administrative
 17 Code is amended to read:

18 Ag 80.08(16) PASTEURIZATION. (a) All pasteurization
 19 equipment shall ~~be-se-constructed-se-as-to~~ meet standards and
 20 requirements set-forth for such the equipment ~~by-the-department~~
 21 as provided under s. Ag 31.06(3), Wis. Adm. Code. Pasteurizers
 22 ~~shall-have-temperature-indicating-and-controlling-instruments-and~~
 23 ~~milk-flow-steps-as-required-to-meet-the-criteria-set-forth-by-the~~
 24 ~~department.--Such~~ The equipment shall be operated ~~se-as-to~~
 25 ~~continually-insure~~ in a manner which will ensure that all product
 26 meets products, during the pasteurization process, meet the heat

27

1 ~~treatment~~ criteria set forth in ~~Wisconsin-Administrative-Code~~
2 ~~Section s.~~ Ag 71.01(5) or (6), Wis. Adm. Code.

3 69. Section Ag 80.08(16)(b) of the Wisconsin Administrative
4 Code is adopted to read:

5 Ag 80.08(16)(b) Grade A dairy plant operators shall maintain
6 records of pasteurization of all milk or dairy products processed
7 by them in the past 6 months. Records shall consist of recording
8 charts, or records accurately showing the date of pasteurization,
9 the time and temperature at which pasteurized, and the signature
10 of the operator of the pasteurization equipment. The records
11 shall include a record of a daily check of the recording
12 thermometer for accuracy, the date on which the check was made,
13 and the name of the person who checked the thermometer.

14 70. Sections Ag 80.08(17)(a), (b), (d) and (18)(b) of the
15 Wisconsin Administrative Code are amended to read:

16 (17) COOLING OF MILK. (a) All raw milk and milk products
17 shall be maintained at ~~50°~~ at a temperature of 45°F. or less until
18 processed.

19 (b) All pasteurized milk and milk products except those to
20 be cultured, shall be cooled ~~immediately~~ in approved equipment
21 immediately after pasteurization to a temperature of 45°F. or
22 less. All pasteurized milk and milk products shall be stored at a
23 temperature of 45°F. or less. ~~On-delivery-vehicles-the~~
24 ~~temperature-of-milk-and-milk-products-shall-not-exceed-50°F.~~

25 (d) Recirculated cooling water shall be ~~from-a-safe-source,~~
26 ~~shall-be-properly-protected-and-shall-be~~ of safe bacteriological
27 quality and protected from contamination. It shall be tested

1 every 6 months by a laboratory approved by the department.
2 Freezing point depressants, if used in recirculating systems,
3 shall be nontoxic.

4 (18)(b) ~~Sueh-paekaging~~ Packaging shall be performed in a
5 sanitary manner ~~in~~ with approved mechanical equipment.

6 71. Sections Ag 80.08(18)(c) and (d) of the Wisconsin
7 Administrative Code are adopted to read:

8 Ag 80.08(18)(c) A drip deflector shall be installed on each
9 filler valve. The drip deflector shall be designed and adjusted
10 to divert condensation away from the open container.

11 (d) Container infeed conveyors to bottling or packaging
12 machines shall have overhead shields to protect the bottles or
13 packages from contamination. The shields shall extend from the
14 bottle washer discharge or, where single-service containers are
15 used, from the beginning of the conveyor to the bottle feed star
16 on the filler.

17 72. Sections Ag 80.08(19)(c) of the Wisconsin Administrative
18 Code is amended to read:

19 Ag 80.08(19)(c) The cap or closure for grade A milk and milk
20 products shall protect the pouring lip or opening rim of the
21 container to at least its largest diameter. Single-service
22 containers shall be so constructed that the product, the
23 pouring lip, and the opening rim and area are protected from
24 contamination during handling, storage and the initial opening
25 of the container.

26 73. Sections Ag 80.08(19)(d) and (e) of the Wisconsin
27 Administrative Code are adopted to read:

1 Ag 80.08(19)(d) The cap or closure for fluid milk product
2 containers shall be designed and constructed so that the container
3 cannot initially be opened without breaking the cap or closure
4 seal, or leaving other readily apparent evidence of the fact that
5 the container has been opened.

6 (e) The contents of bottles and containers which have been
7 imperfectly capped or closed shall be emptied into a sanitary
8 container. The milk and milk products shall be repasteurized
9 before repackaging, or be discarded.

10 74. Sections Ag 80.08(20) [title], (a) and (c) of the
11 Wisconsin Administrative Code are amended to read:

12 Ag 80.08(20) [title] PERSONNEL -; CLEANLINESS.

13 (a) Hands Dairy plant employees shall be thoroughly washed
14 wash their hands before commencing plant-functions beginning work
15 and as often as ~~may-be-required~~ necessary to remove soil and
16 contamination. No ~~employe~~ employees shall resume work after
17 visiting the toilet room without thoroughly washing ~~his~~ their
18 hands.

19 (c) The use of tobacco by any person while engaged in the
20 processing, pasteurization, handling, or storage of milk or milk
21 products is prohibited.

22 75. Section Ag 80.08(20)(d) of the Wisconsin Administrative
23 Code is adopted to read:

24 Ag 80.08(20)(d) All persons shall wear clean head coverings
25 while engaged in the processing, pasteurization, handling, and
26 storage of milk or milk products, containers, equipment or
27

1 utensils. Persons having a beard or sideburns shall also wear
2 hair restraints for the beard or sideburns.

3 76. Sections Ag 80.08(21)(a) and (b) and (23) of the
4 Wisconsin Administrative Code are amended to read:

5 Ag 80.08(21)(a) All vehicles used for the transportation of
6 pasteurized milk and milk products shall have fully enclosed
7 bodies with well-fitted solid doors and be provided with suffi-
8 cient refrigeration to maintain the temperature of the milk and
9 milk products at 45°F. or less while on the transportation
10 vehicle. The vehicle shall be kept clean, and shall be se-
11 ctuated and operated so that the milk and or milk products are
12 maintained at 50°F. 45°F. or less, and are protected from the sun,
13 from freezing, and from other contamination.

14 (b) No contaminating substances are to be transported in a
15 vehicle used for the transportation of pasteurized milk and milk
16 products.

17 (23) GRADE A TRANSFER STATION REQUIREMENTS. Grade A
18 transfer stations shall meet all applicable items of compliance as
19 set forth in this section except those that apply to processing
20 and storage of milk and milk products. All ~~vehicles engaged in~~
21 ~~the transfer of milk and milk products~~ bulk milk tank trucks
22 shall be ~~within the confines of~~ inside the transfer station during
23 the time ~~of transfer~~ milk is transferred from one tank truck to
24 another. Existing installations not meeting requirements of this
25 ~~subsection shall be brought into compliance by July 1, 1972.~~

26 77. Section Ag 80.08(24) of the Wisconsin Administrative
27 Code is repealed and recreated to read:

1 Ag 80.08(24) INSTALLATION, CLEANING AND CONSTRUCTION OF
2 C-I-P SYSTEMS AND PIPELINE CIRCUITS. The construction and
3 installation of C-I-P systems and pipeline circuits shall conform
4 to the requirements of ss. Ag 31.06(4)(b) through (i) and (5)(b)
5 through (j), Wis. Adm. Code. Cleaning and sanitizing procedures
6 shall be as prescribed in s. Ag 31.07(2), Wis. Adm. Code.

7 78. Section Ag 80.08(25) of the Wisconsin Administrative
8 Code is adopted to read:

9 Ag 80.08(25) GRADE A DAIRY PLANT RECORDS. In addition to
10 other records required to be kept under this chapter, every dairy
11 plant operator shall keep for at least one year, records of each
12 producer showing the results of farm inspections, all milk quality
13 tests conducted by the plant, and the date and quantity of any
14 insanitary or adulterated milk rejected by the plant.

15 79. Sections Ag 80.09 and 80.10(1), (2) [intro], (3) and (4)
16 of the Wisconsin Administrative Code are amended to read:

17 80.09 ANIMAL HEALTH. All milk shall be from herds which
18 comply with ~~the~~ animal health control provisions of chapter 95,
19 ~~Wis. Stats., and Wisconsin-Administrative-Code~~ chapter Ag 10,
20 Wis. Adm. Code.

21 80.10 FACILITIES FOR UNGRADED PRODUCTS. (1) No ~~Grade~~ grade
22 A dairy plant shall receive any milk or milk products ~~which have~~
23 ~~been in or through contact with~~ equipment with which ungraded milk
24 or milk products have been in contact unless ~~such~~ the equipment
25 has been first ~~thoroughly~~ effectively cleaned and ~~subjected to an~~
26 ~~effective-bactericidal-treatment~~ sanitized, and a record of the

27

1 cleaning and sanitizing has been made as required under
2 s. 80.08(12)(b), Wis. Adm. Code.

3 (2) No ~~Grade~~ grade A dairy plant shall process any ungraded
4 milk or milk products other than ~~these-intended-for~~ ice cream
5 mixes or ice milk mixes received for processing as frozen
6 desserts or other products unless approved in writing by without
7 written permission from the department. ~~When~~ Where permission is
8 granted for the processing of ungraded milk or milk products are
9 ~~permitted~~, the following separate facilities and equipment shall
10 be maintained and identified as required under sub. (4):

11 (3) Holding tanks and storage facilities in which ungraded
12 milk and milk products are held ~~prior-to~~ before processing shall
13 be ~~identified-as-to~~ separately tagged to show the product name and
14 grade of the product being-held-therein and the date it was
15 received.

16 (4) All bulk unloading rooms having 2 or more unloading
17 pumps and pipelines used for the receipt of both grade A and
18 ungraded milk and milk products shall have the unloading ~~pump~~
19 pumps and pipelines clearly labeled in a permanent fashion ~~so-that~~
20 ~~they-may-be-readily-identified~~ to show which are separately to
21 be used for grade A or ungraded products.

22 80. Section Ag 80.11(2) of the Wisconsin Administrative Code
23 is repealed and recreated to read:

24 Ag 80.11(2) Milk and milk products returned to a dairy plant
25 from retail outlets or wholesale distributors may not be resold or
26 reprocessed for sale as grade A milk and milk products. Upon
27 arrival at a plant and prior to final disposition, returned prod-

1 ucts shall be segregated from all other products and be held only
2 in separately designated areas clearly labeled and identified as
3 returned product holding areas. Returned products may be salvaged
4 for use in the manufacture of manufacturing grade products only if
5 the products have been maintained at a temperature below 45°F. and
6 are otherwise determined to be unadulterated and of a safe sani-
7 tary quality.

8 81. Section Ag 80.12 of the Wisconsin Administrative Code is
9 renumbered Ag 80.12(1) and as renumbered is amended to read:

10 Ag 80.12 FUTURE DAIRY PLANTS AND DAIRY FARMS. (1) Dairy
11 ~~plants-and-facilities-on-dairy-farms-hereafter-constructed,~~
12 ~~reconstructed-or-extensively-altered-shall-conform-in-their~~
13 ~~construction-to-the-requirements-of-this-chapter.~~ Plans for dairy
14 plants and dairy farm and plant facilities hereafter to be
15 constructed, reconstructed or extensively altered shall be
16 submitted to the department and its approval obtained before work
17 is begun. Plans shall be reviewed by the department and returned
18 to the dairy plant operator or producer within 14 days after
19 their receipt, together with comments or objections.

20 82. Section Ag 80.12(2) of the Wisconsin Administrative Code
21 with an explanatory note is adopted to read:

22 Ag 80.12(2) Upon completion of the work on a dairy farm
23 involving milking and milk handling systems, the installer shall
24 furnish the purchaser with a signed statement certifying that the
25 milking and milk handling system and equipment are installed in
26 full compliance with this chapter.

27

1 Note: Systems and milking and milk handling equipment which
2 conform to the current "3-A Accepted Practices for the Design,
3 Fabrication and Installation of Milking and Milk Handling
4 Equipment," published by the International Association of Milk,
5 Food and Environmental Sanitarians, Inc., Box 701, Ames, Iowa,
6 will meet the requirements of this section.

7 83. Sections Ag 80.13, 80.14(3), and 80.15 of the Wisconsin
8 Administrative Code are amended to read:

9 Ag 80.13 PERSONNEL; HEALTH. No person who is affected with
10 any disease in a communicable form, or who is a carrier of ~~such~~
11 the disease shall work for any milk producer or dairy plant
12 operator in any capacity which brings ~~him~~ the person in contact
13 with the production, handling, storage or transportation of milk,
14 milk pro-ducts, containers or equipment; and no milk producer or
15 dairy plant operator shall employ ~~in any such person in this~~
16 capacity any-such-person-or-any-person who is affected with or a
17 carrier of, or is suspected of being affected with or a carrier of
18 any disease in a communicable form or-of-being-a-carrier-of-such
19 disease. Any producer or plant operator upon whose farm or in
20 whose plant any communicable disease occurs, or who suspects that
21 any employee has contracted any disease in a communicable form or
22 has become a carrier of ~~such~~ the disease, shall notify the local
23 health officer and the department immediately.

24 Ag 80.14(3) Adequate medical and bacteriological examination
25 of the person, ~~of-his~~ the person's associates, and of ~~his-and~~
26 their body discharges.

27

1 80.15 SINGLE-SERVICE CONTAINERS. All paper, plastics,
2 foil and other components of containers used in the packaging of
3 grade A dairy products shall be periodically inspected by
4 ~~representatives of~~ the department. ~~Such~~ The inspection ~~and any~~
5 shall include bacteriological testing as deemed considered
6 necessary ~~shall be done~~ to determine the sanitary quality of the
7 single-service articles ~~expected to be in contact with milk and~~
8 ~~milk products.~~ No grade A dairy plants shall purchase or use
9 single-service articles unless manufactured by a plant listed in
10 the current quarterly "Interstate Listing of Single-Service
11 Containers" published by the U.S. public health service, food and
12 drug administration.

13 84. Section Ag 80.18 of the Wisconsin Administrative Code is
14 renumbered Ag 80.16 and as renumbered, sections Ag 80.16(3) and
15 (4) are amended to read:

16 Ag 80.16(3) Grade A milk and milk products shall be packaged
17 in containers which are not damaged or leaking. All damaged
18 containers or leakers shall be removed from inventory held for
19 sale. All inventory held for sale in storage areas or retail
20 display cases shall be placed on a first-in first-out rotational
21 basis to assure freshness and wholesomeness of product. All dirty
22 or soiled cases or containers shall be removed from retail display
23 cases.

24 (4) All retail establishments, other than restaurants
25 licensed and inspected under ~~chapter 160~~ subch. III of ch. 50,
26 ~~Wisconsin Statutes~~ Stats., shall be subject to department inspec-
27 tion to ~~insure~~ ensure compliance with this section.

1 85. Sections Ag 80.17 [title], (1) through (3) and (5)
2 through (7) of the Wisconsin Administrative Code are amended to
3 read:

4 Ag 80.17 APPLICABILITY; ENFORCEMENT INTERPRETATION.

5 (1) This chapter shall apply only to persons who are subject
6 to the grade A milk law, ~~section s.~~ 97.24, Wisconsin-Statutes
7 Wis. Stats. It shall be enforced on a uniform basis in accordance
8 with ~~like-provisions-in~~ enforcement standards and procedures
9 meeting the requirements of the Grade "A" Pasteurized Milk
10 Ordinance, 1965 1978 Recommendations of the United-States-Public
11 Health-Service U.S. public health service, food and drug
12 administration, U.S. Department-of-Health,-Education-and-Welfare
13 department of health and human services.

14 ~~(2) The-inspection-of-dairy-farms-and-plants,-and-the~~
15 ~~examination-of-milk-and-milk-products,-provided-for-in-this~~
16 ~~chapter-will-not-be-performed-by-the-department-with-respect-to~~
17 Grade A milk and milk products which-are produced and processed
18 under the inspection of another governmental unit and are entitled
19 to reciprocal recognition as provided in section s. 97.24(6)(b),
20 Wis. Stats., may be sold in this state without further inspection
21 by the department of the dairy farms or plants where they are
22 produced or processed, but all milk and milk products entering or
23 sold in this state in the course of trade or commerce shall be
24 subject to inspection and sampling by the department for
25 compliance with bacteriological, chemical and temperature
26 standards under this chapter, and other standards and requirements

27

1 relating to the composition, labeling, and sale of grade A milk
2 and milk products.

3 (3) The Grade A license or permit issued by the department
4 may be temporarily suspended whenever an imminent health hazard
5 exists or upon violation by the holder of any of the provisions of
6 this ~~regulation~~ chapter, or for interference with the department
7 in the performance of its duties. Upon repeated or serious
8 violation, the department may revoke ~~such~~ a permit following
9 reasonable notice to the permit holder and an opportunity for a
10 hearing under s. 93.18 and ch. 227, Stats.

11 (5) Upon receipt of an application for reinstatement, based
12 on correction of a violation of any bacteriological or cooling
13 temperature standard, the department shall take 2 samples within
14 one week and reinstatement will be approved upon compliance with
15 such standards; provided, if samples are not available because of
16 suspension of permit to operate or for other reasons, the depart-
17 ment may issue a temporary permit upon satisfying itself by
18 inspection of the facilities and the operating methods that the
19 conditions responsible for the violation have been corrected, with
20 final reinstatement of license or permit conditional upon subse-
21 quent bacteriological or temperature findings. In the case of a
22 farm permit suspension, the department may require the dairy
23 plant to collect and test producer samples.

24 (6) ~~In-case~~ If the license or permit suspension was due to a
25 violation of an item other than bacteriological standards or
26 cooling temperature, the application for reinstatement ~~must~~ shall
27 be accompanied by a statement signed by the applicant to the

1 effect that the ~~violated-item-of-the-specifications-has-been~~
 2 ~~conformed-with~~ violation has been corrected. Within one week of
 3 the after receipt of such-an the application and statement, the
 4 department shall make a-~~reinspection~~ reinspections of the
 5 applicant's establishment and-~~thereafter-as-many-additional~~
 6 ~~reinspections~~ as it-may-deem necessary to assure-that-the
 7 ~~applicant-is-again-complying-with-the-requirements,-and,-in-case~~
 8 ~~the-findings-justify,-the-license-or-permit-will-be-reinstated~~
 9 determine compliance.

10 (7) The exemption in subsection s. 97.24(2)(c), Wis-
 11 Stats., for "incidental sales" of ungraded milk and cream to
 12 consumers at farms and dairy plants shall not ~~include-any~~ apply
 13 to sales which are regularly made in the course of business or are
 14 preceded by any advertising thereof, ~~or~~ offer to or solicitation
 15 of members of the public, but shall include any sales to employees
 16 or persons shipping milk to the dairy plant.

17 The rules, amendments, and repeals contained in this order
 18 shall take effect on the first day of the month following
 19 publication in the Wisconsin administrative register, as provided
 20 in s. 227.026(1), Stats.

21 Dated: September 19 _____, 1980.

22 STATE OF WISCONSIN
 23 DEPARTMENT OF AGRICULTURE,
 24 TRADE AND CONSUMER PROTECTION

25 By Norman E. Kirschbaum
 26 Norman E. Kirschbaum
 27 Administrator
 Food Division

