

Chapter ATCP 65

GRADE A COTTAGE CHEESE PRODUCTS

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Note: Chapter Ag 87 was renumbered ch. ATCP 65 under s. 13.93 (2m) (b) 1, Stats., Register, April, 1993, No. 448.

ATCP 65.01 Definitions. (1) "Milk" is milk as defined in s. 97.02 (5), Stats.

(2) "Milk products" includes skim milk, nonfat or defatted milk, cream, condensed or concentrated milk, dry milk products and any fluid milk product intended for use in the manufacture of cottage cheese products.

(3) "Cottage cheese" is cottage cheese as defined in s. 97.02 (9) (k), Stats.

(4) "Creamed cottage cheese" is cottage cheese to which is added pasteurized cream or a pasteurized mixture of cream and milk products. The final product shall contain not less than 4% milk fat by weight and not more than 80% moisture.

(5) "Grade A cottage cheese" is cottage cheese which complies with the applicable provisions of this chapter.

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

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

(8) Unless the context otherwise requires, the term "cottage cheese" as used in this chapter includes creamed cottage cheese.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60; correction in (6) made under s. 13.93 (2m) (b) 6, Stats., Register, December, 1985, No. 360.

ATCP 65.02 Manufacture and sale of Grade A cottage cheese. No person shall sell, offer or expose for sale, or have in possession with intent to sell, any cottage cheese labeled or otherwise represented as Grade A unless such product is produced in compliance with the requirements of this chapter or with the provisions of a substantially equivalent regulation which is enforced with equal effectiveness.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60.

ATCP 65.03 Permits. Any person desiring to use the Grade A label on any cottage cheese manufactured by that person shall make application for a Grade A permit on a form prescribed by the department. The department shall grant or deny a permit application within 20 business days after the application is filed with the department, pro-

vided that the application is accompanied by all requisite information and documentation.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60; am. Register, December, 1985, No. 360, eff. 1-1-86.

ATCP 65.04 Inspection of dairy plants. (1) Upon application for a permit, the department shall inspect the dairy plant with respect to which the permit is sought. If it is satisfied that the operation of the plant can comply with requirements of this chapter, a permit shall be issued. Such permit shall not be transferable. If a permit is not issued the department shall advise the applicant of the reasons therefor.

(2) As often as may be necessary and at least once every 6 months after the issuance of a permit, the department shall inspect all dairy plants holding a permit under this chapter. The permit holder shall be notified of any failure to comply with the provisions of this chapter. If a violation of s. Ag 80.08 or other plant standards is involved, the permit holder shall be allowed a reasonable period, but in no event less than 3 days, to correct conditions; provided, the department may require suspension of operations if continued operation of the plant will result in a serious threat to public health. Upon expiration of the period allowed, the premises shall be reinspected. In addition to any other remedies that may be invoked, violation of the same requirement shall be grounds for immediate suspension of permit.

(3) The holder of any permit under this chapter shall keep accurate daily records of the actual quantities of products manufactured and sold, together with a list of all sources of milk or milk products from which such products were made, records of inspections and tests and pasteurization time, and temperature records. Such records shall be retained for a period of 90 days and shall be available for examination in such establishment by the department during normal business hours.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60.

ATCP 65.05 Milk and milk products used in the manufacture of Grade A cottage cheese. Milk and milk products used in the manufacture of Grade A cottage cheese shall comply with the requirements for Grade A raw milk and milk products, as provided in chs. ATCP 63 and 64, and shall be produced under the routine supervision of the department, or produced under provisions which are substantially equivalent to the requirements of this regulation and which are enforced with equal effectiveness by an-

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other governmental agency as determined by a sanitation compliance rating.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60.

ATCP 65.06 Examination of products. (1) Prior to the issuance of a permit and at least 4 times during each 6-month period, the department shall take and analyze samples of milk, milk products and cottage cheese. Samples shall be collected at the dairy plant or off delivery trucks. Raw milk, pasteurized milk and milk products shall comply with the bacterial standards for such products as prescribed in chs. ATCP 63 and 64. Cottage cheese shall comply with the following standards:

(a) Coliform — not greater than 10 per gram in 3 out of 4 samples.

(b) Yeast and mold — not greater than 10 per gram in 3 out of 4 samples.

(c) Phosphatase — negative.

(2) Conformance with coliform, yeast and mold counts and cooling requirements shall be taken to mean compliance in 3 out of 4 samples of the respective test results of the last 4 consecutive samples, taken upon separate days, irrespective of the 6-month period referred to in this section.

Note: Procedures set forth in "Standard Methods for the Examination of Dairy Products", published by the American Health Association, Inc., will be used in the conduct of laboratory tests prescribed in this section.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60.

ATCP 65.07 Pasteurization. Milk, milk products and reconstituted dry milk products shall be pasteurized prior to the cottage cheese-making process in the plant where such cottage cheese is manufactured.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60.

ATCP 65.08 Dairy plant requirements. (1) **LIGHTING AND VENTILATION.** Work areas of rooms in which cottage cheese is processed and packaged shall be lighted with at least 10 foot-candles of artificial light on all working surfaces and shall be ventilated so that equipment, walls and ceilings shall be reasonably free of condensation. Lighting fixtures and air ducts shall be located and constructed in a manner which will prevent contamination of the product.

(2) **LOCATION.** Cottage cheese operations shall be located in a separate enclosed room; provided, that such operations may be conducted in a pasteurization and bottling room if such room is not subject to excessive personnel traffic and the operation can be protected from other sources of contamination. Unless a separate enclosed room is provided, vats shall be covered with either single-service or permanent sanitary covers at all times during the process from the setting of the vat to the cutting operation. Pipelines, agitator conveyor tracks and other equipment which extends over or into cottage cheese processing equipment shall be constructed or protected so as to prevent contamination of the product.

(3) **Agitators.** All new cottage cheese vats shall be equipped with power-driven mechanical agitators. Agitation shall be done by mechanical or other means which will prevent manual or other contamination of the product.

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(4) **STORAGE OF COAGULATORS.** Rennet and other coagulators shall be stored at 50°F. or less, and at no time shall unused portions be returned to stock solutions.

(5) **BACTERICIDAL TREATMENT OF EQUIPMENT.** Multi-use equipment, utensils and containers shall be given bactericidal treatment before each use and shall be subjected to bactericidal treatment after each interruption of use during any phase of the operation.

(6) **COOLING.** Cottage cheese shall be cooled to 50°F. or less before packaging unless refrigeration facilities are adequate to reduce the temperature of the packaged product to such temperature within 2 hours of filling.

(7) **PACKAGING.** Cottage cheese packaged in containers of 2 pounds or less shall be packaged by mechanical means in the final container in the dairy plant where manufactured; provided, that cottage cheese and cream dressing may be transported in bulk containers to another dairy plant that complies with the requirements of this chapter for packaging. "Mechanical means" includes mechanical equipment that is operated by humans.

(8) **HAND WASHING.** Convenient hand-washing facilities, including hot and cold running water, soap and approved sanitary towels, shall be provided in toilet rooms and in cottage cheese processing rooms. In addition, facilities for the rinsing and bactericidal treatment of workers' hands shall be located in the immediate processing area. Workers' hands shall be thoroughly washed and rinsed with an effective bactericidal solution immediately before commencing operations and after any interruption or contamination during operation.

(9) **WATER SUPPLY.** Water used in cottage cheese manufacturing shall be piped directly to the point of use and such water may be subjected to effective bactericidal and/or acidification treatment.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60; correction in (7) made under s. 13.93 (2m) (b) 5, Stats., Register, April, 1993, No. 448.

ATCP 65.09 Consumer sales. Grade A cottage cheese shall be offered for sale to the consumer only in the final container in which it was packaged at the dairy plant. This section shall not apply where such cottage cheese is served or sold in restaurants and similar establishments for consumption on the premises.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60.

ATCP 65.10 Additional requirement. In addition to the requirements of this chapter, any operator of a dairy plant holding a permit as provided for herein shall comply with dairy plant requirements of ss. ATCP 63.08, 63.09, 63.13 and 63.14 to the extent said sections are applicable to a cottage cheese operation and are not inconsistent herewith.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60.

ATCP 65.11 Enforcement interpretation. (1) These rules shall be enforced in accordance with the interpretations of corresponding provisions contained in the Milk Ordinance and Code—1953 Recommendations of the U.S. Public Health Service, to the extent such interpretations are not inconsistent with the provisions of this chapter.

(2) The inspection of dairy plants and examination of milk, milk products and cottage cheese provided for in this

chapter shall not be performed by the department with respect to milk, milk products and cottage cheese which are processed and packaged under a substantially equivalent regulation which is enforced with equal effectiveness by another governmental unit.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60.

ATCP 65.12 Inspection fees. Inspection fees shall be paid in advance semiannually to the department by each dairy plant operator processing or packaging Grade A cottage

cheese under the continuous inspection of the department. Fees shall become payable on the first day of January and July of each year. The amounts of the semiannual fees shall be \$100 for each dairy plant and \$7.50 for each dairy farm from which milk is received. This section shall not apply to Grade A dairy plants for which inspection fees are paid to the department pursuant to s. ATCP 63.16.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60.