

# Summary of Requirements for Grade A Dairy Farm Milk Production in North Dakota



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## INTRODUCTION

This booklet provides a summary of the requirements for Grade A dairy farm milk production in the state of North Dakota. All producers must obtain a permit from the North Dakota Department of Agriculture (NDDA) prior to selling milk. We strongly recommend that, before beginning construction, future milk producers contact their local (NDDA) Dairy Inspector for specific instructions pertaining to their facility. Please call the Livestock Division, NDDA at (701) 328-2299 to get in touch with your NDDA dairy inspector.

## BIOSECURITY/ANIMAL HEALTH

It is the North Dakota Department of Agriculture's policy to observe and practice the following biosecurity measures:

- Park out of the way of farm traffic.
- Always approach the farm with concern for disease transmission in mind.
- Avoid driving through barnyards, feed lots, manure, and feed storage or holding areas.
- Upon entering and leaving the dairy farm, sanitize boots with an approved disinfectant.

## SUMMARY AND INTERPRETATION OF SANITATION REQUIREMENTS FOR GRADE A RAW MILK *2017 GRADE A PASTEURIZED MILK ORDINANCE*

Please note that the numbering system used in the left-hand margin below matches the Dairy Farm Inspection form used by NDDA Dairy Inspectors. A copy of the Dairy Farm Inspection form is left after every grade A inspection and the form acts as the grade A permit, which must be available for review within the milkhouse.

### **Item 1: Abnormal Milk**

1. Cows secreting abnormal milk or cows which have been treated with drugs requiring a milk withholding time shall be milked last or in separate equipment. The separate equipment requirement can only be met by using units, buckets, and vacuum sources that are completely separated from the milk line. Rinsing of units between normal and abnormal cows is not considered complete separation. Using the milk line as a vacuum source runs the risk of overfilling buckets or foam being drawn into the milk line thus contaminating the milk offered for sale.
2. Abnormal milk is handled and disposed of in a manner that precludes the infection of other cows or the contamination of milking equipment.
3. Abnormal milking equipment is maintained clean and in good condition to reduce the possibility of re-infecting or cross infecting cows. **Abnormal milking equipment and inflations are to be cleaned immediately after use. The milker claw and inflations may be CIP cleaned by connecting them to the milk pipeline. A milking equipment dealer can install and demonstrate the proper connections.**

### **Item 2: Milking Barn, Stable, or Parlor Construction**

4. Floors, gutter covers, bottoms of feed troughs, and parlor steps are made of concrete or other equally impervious material and maintained in good repair to prevent pooling wastes.

5. Walls and ceilings are smooth, light colored, painted or adequately finished and in good repair. Ceilings are dust-tight. Hay chute doors are dust-tight and closed during milking
6. Bull, maternity, calf, and horse pens are removed from the milking area of the barn by sufficient space to prevent the splash of wastes into the milking area or are separated by tight partitions. Calves, cows, or other animals are not housed on walks or in feed alleys.
7. The milking barn, stable, or parlor is provided with enough light to ensure that all work surfaces and areas are plainly visible.
9. Milking barns, stables, and parlors must be adequately ventilated to minimize odors and prevent condensation on the walls and ceilings.

### **Item 3: Milking Barn, Stable, or Parlor Cleanliness**

10. The interior of the milking barn, stable, or parlor is maintained clean. Old feed is discarded. Bedding material, when used, does not contain more manure than has accumulated since the last milking. The outside of pipelines and vacuum lines are maintained clean. Gutters are cleaned routinely to avoid an accumulation of waste. All pens are maintained clean. Waste is not allowed to accumulate on the walks or floors.
11. Neither swine nor fowl of any kind are to be housed *or* allowed access to the milking area. Swine and birds carry many disease-causing organisms, including *Salmonella* and *Listeria*, that may infect people.

### **Item 4: Cowyard**

12. The cowyard is any area adjacent to the milking barn/parlor in which cows may congregate. It includes cattle housing areas and feed lots. These areas are to be graded and drained and maintained reasonably dry with no pooled water or waste.
13. The cowyard, cattle housing, and any manure packs shall be properly maintained.
14. No swine shall be housed with the cattle nor close enough that swine waste finds its way into the cowyard or cattle housing.
15. No accumulated manure is to be stored in the cowyard or cattle housing area. Manure must be stored in such a way that it is inaccessible to cattle. This may be accomplished by fencing, gates, or immediate removal after cleaning.

### **Item 5: Milkhouse or Room – Construction and Facilities**

#### **Floors**

16. Floors shall be smooth and constructed of either concrete or other impervious material and maintained in good repair with no cracks, breaks, or pitting.
17. Floors are graded to drain.
18. Drains are trapped if connected to a sanitary drain.

#### **Walls and Ceilings**

19. Walls shall be constructed of an approved, easily cleanable material and maintained in good repair. They must be light colored. Surfaces and joints shall be tight and smooth.
20. Windows, hoseport, and doors are maintained in good repair.

#### **Lighting and Ventilation**

21. Adequate lighting is provided in all work areas, especially over the wash vats. Lighting must be provided for viewing the interior of the bulk tank. Bulk tank lighting is especially

important to the milk hauler who is responsible for measuring and sampling the milk as well as looking at the milk to determine if it is contaminated with insects or other adulterants.

22. The milkhouse is provided with adequate ventilation to minimize odors and condensation. Gas water heaters and other appliances using gas shall be properly vented.
23. All doors and windows are to be closed during dusty conditions.
24. Lights and vents shall be installed to preclude the contamination of bulk milk tanks or clean utensil storage areas. Light fixtures should not be located directly over the bulk milk tank opening.

### **Miscellaneous Requirements**

25. The milkhouse is of sufficient size to accommodate the storage of milk and the washing, sanitizing and storing of equipment. There shall be room enough that all areas of the milkhouse can be cleaned. The milkhouse must be used only for operations directly related to milking. The size of the milkhouse may need to be increased if a larger bulk tank is installed and not bulkheaded. The milkhouse must be large enough that all areas around the bulk tank can be reached for cleaning.
26. There shall be no direct opening from the milkhouse into the parlor, barn, or living quarters. All doors and windows between the milkhouse, parlor, barn, or living quarter shall be tight. Doors shall be self-closing.
27. There shall be no pooled water in the milkhouse.
28. A proper hoseport is installed where required and kept closed when not in use.
29. A solid impervious surface is provided under the hoseport. A minimum 4ft. x 4 ft. area is recommended as an appropriate size to preclude contamination during the bulk milk hauler's pickup procedure.
30. A suitable shelter is provided for a transportation truck used for cooling and storing milk. Such shelter shall comply with the requirements of the milkroom with respect to construction, light, drainage, insect and rodent control, and general maintenance.

### **Cleaning Facilities**

31. A two-compartment wash vat is installed for the washing and rinsing of milking equipment. The vat must be large enough to accommodate the largest utensil or container used. The wash vats shall not be used for storage of rags, buckets, or other non-milking related equipment. The requirement for both compartments for wash vats may be waived on some installations where Clean in Place (CIP) systems are used. The CIP vat may count as one of the compartments. Such installations may be approved by the ND Dept. of Agriculture on an individual basis.
32. Each milkhouse shall be equipped with facilities for heating water in sufficient quantity and to such temperatures as needed for the effective cleaning of all milking equipment and utensils.
33. Water under pressure is piped into the milkhouse.

### **Item 6: Milkhouse or Room – Cleanliness**

34. The milkroom/milkhouse shall be maintained clean **at all times**. This includes the walls, floor, ceiling, and the outside of equipment piping and fixtures. **Rooms adjacent to the milkhouse that are left open to the milkhouse must meet all milkhouse standards. This includes utility rooms, drug storage rooms, compressor rooms, etc.**
35. No trash, unnecessary items, animals, or fowl are allowed in the milkhouse. Items related to the milking operation such as desks, storage cabinets, and refrigerators are allowed as long as they do not overcrowd the milkhouse, do not cause contamination of

the milk and are maintained clean. No animal feed shall be stored in the milkhouse. This includes cat and dog food, milk replacer, etc. Storage of feed in the milkhouse encourages cats, dogs, rodents, and flies to seek entry into the milkhouse by providing them a food source.

#### **Item 7: Toilet**

36. Every dairy farm shall be provided with one or more toilets, conveniently located to the milking barn and milkhouse. In many instances, the producer's home toilet will meet this requirement.
37. The toilet room shall be constructed and operated in accordance with the plans and instructions of the state agency responsible. There is no mixing of animal and human waste. The walls and ceiling shall be tight. Windows to the outside shall be provided with screens and must open to the outside. Doors must be self-closing.
38. There shall be no evidence of human waste about the premises.
39. The toilet room must be maintained clean. There shall be no direct opening into the milkhouse or parlor from the toilet room other than a self-closing door. Toilet rooms shall not vent into the milkhouse or parlor.

#### **Item 8: Water Supply**

40. All wells which supply water for the milkhouse and milking operations are located and constructed in accordance with the State Water Commission. **Well casing vent pipes must be turned down to protect the well from the entry of water. They must also be protected with a screen to prevent the entry of insects and other animals.**
41. All sources of water supplying the milkhouse and milking operation shall be tested in accordance with the PMO standards and meet these standards before initial approval, after any repair or alteration of the water supply system, and at least once every three years.
42. There shall be no connection between the approved and tested water supply and any unsafe or untested water supply or any other source of pollution. All submerged inlets shall be protected by air gaps or appropriate anti-siphon devices or eliminated. High- pressure pumps (both permanently mounted and portable) shall be provided with protection to prevent the possibility of suction being created on pressurized lines.

**Any hydrant within 10 ft. of a well must be equipped with a Watts #8NF/#8A hose bib or equivalent or have the threads removed. A Watts #8NF/#8A hose bib vacuum breaker or equivalent may be used where an open-ended hose attaches to a spigot or hydrant. This device may only be used on an opened-ended hose that is not under continuous pressure to prevent back siphonage of contaminants into the potable water supply. This device is needed when a hose is submerged in a water tank, stock tank, sprayer tank, wash vat, etc.**

**Install a Watts #36N/#36A vacuum relief valve or equivalent or a low pressure cut-off switch on the water inlet side of a permanently installed high pressure pump, portable high-pressure pump, or portable power washer. These devices are installed downstream from the last shut-off valve on the water inlet side of the pump and higher than the pump inlet.**

**A storage tank may be used to supply water to unapproved stock tanks or drinking cups, or high-pressure pumps. The water supply to the storage tank must be protected with a Watts #9D backflow preventer or equivalent or an air gap.**

### **Item 9: Utensils and Equipment – Construction**

43. All multi-use containers, equipment, and utensils used in the handling, storage or transportation of milk shall be made of smooth, nonabsorbent, corrosion-resistant, nontoxic materials including but not limited to the following: stainless steel, heat resistant glass, and approved plastic, rubber or rubber-like materials. This equipment shall be easily cleanable. **Worn or cracked inflations, gaskets, air hoses, milk hoses, milk veyor and vacuum trap balls, or floats or similar equipment is not allowed. Equipment made of unapproved materials must be replaced with easily cleanable, approved materials.**
44. All multi-use milking containers, equipment, and utensils are maintained in good repair. Milking units, milk tubing, and other milk contact surfaces shall be easily accessible for inspection. If tools are required to make items accessible for inspection, those tools must be provided by the producer and be available at all times.
45. Single service articles must be specifically manufactured for that use. They must be handled in a sanitary manner. Single service articles are not to be reused.
46. Utensils and equipment are of sanitary design. CIP pipeline and return solution lines are self-draining. Strainers are of perforated metal design. Gaskets, if used, are self-positioning. If no gaskets are used, all fittings shall have self-positioning faces designed to form a smooth, flush, interior surface. All interior surfaces of welded joints shall be smooth and free of pits, cracks, and inclusions.
47. Detailed plans for CIP pipeline systems shall be submitted to the ND Dept of Agriculture (NDDA) for approval **prior** to installation. No alteration or addition shall be made to any milk pipeline system without the **prior** approval of NDDA. **Vacuum traps connected to milk receivers and bulk tanks where the tank acts as a receiver must be designed so the connector pipe does not rise over 12” above the receiver, and that it slopes to the trap. Vacuum traps must have balls or floats in them that prevent liquids in the trap from overflowing into the milk receiver and contaminating the milk.**

### **Item 10: Utensils and Equipment – Cleaning**

- 48 The product-contact surfaces of all multi-use containers, equipment, and utensils used in the handling, storage, and transportation of milk shall be cleaned after each use. Items used in milking which are not normally considered product-contact surfaces such as vacuum traps on bulk tanks and receivers, air hoses and pulsators are maintained clean. Milking equipment must be dismantled where appropriate and cleaned after each milking or at least once every 24 hours for continuous operations. Appropriate cleaner, brushes, and other equipment used for cleaning shall be available and in good repair.

### **Item 11: Utensils and Equipment – Sanitization**

- 49 The product-contact surfaces of all multi-use containers, equipment, and utensils used in the handling, storage, and transportation of milk shall be sanitized with an approved sanitizer before each use. **Sanitizing can be accomplished by hot water immersion at 170F for 5 minutes as measured at the outlet, or the application of certain chemicals that effective for the sanitization of milk utensils, containers and equipment. These chemicals are contained in 40 CFR 180.940 and shall be used according to label directions.**

### **Item 12: Utensils and Equipment – Storage**

50. All milk containers, utensils, and equipment, including vacuum hoses, are stored in the milkhouse on racks until used. Pipeline milking equipment such as milking units, weigh jars, and receivers which are CIP cleaned and are properly protected from contamination at all times may be stored in the milking barn or parlor. The cow entry/exit doors must seal as to prevent dirt, dust, animals and contaminated air from entering the parlor. When manual cleaning of product contact surfaces is necessary, the cleaning shall be done in the milkhouse.
51. Equipment is stored to drain completely or means provided to effect the complete drainage of equipment when such equipment cannot be stored to drain freely.
52. Strainer pads, air filters, and other single service articles are stored in a suitable container or dust tight cabinet and protected from contamination. Single service articles stored in a cabinet are placed higher than, and on a separate shelf from, any contaminant.

### **Item 13: Milking – Flanks, Udders, and Teats**

54. Milking is done in a milking barn, stable, or parlor.
55. Brushing, grooming, or clipping of cows is completed prior to milking.
56. Flanks, bellies, tails, and udders are free from dirt or accumulated manure and clipped as often as necessary to facilitate cleaning of these areas.
57. Udders and teats of all milking cows are clean and dry before milking. Teats shall be cleaned, treated with a sanitizing solution and dried just prior to milking.
58. Wet hand milking is prohibited. **Hands must be clean and dry prior to milking.**

### **Item 14: Protection from Contamination**

61. Equipment and operations are so located within the milking barn, parlor and milkhouse as to prevent overcrowding and contamination of cleaned and sanitized containers, equipment, and utensils by splash, condensation, or manual contact.
62. During milking, pipelines shall be effectively separated from wash vats, tanks, or circuits that could possibly contain cleaning and/or sanitizing solutions. Two options for protecting milk are available:
  - A) **Complete physical break between the milkline and any possible source of cleaning and/or sanitizing solution.**
  - B) **Block-bleed-block valve arrangement properly installed in accordance with Item 14r-2b requirements of the PMO**Any milk storage vessel shall be as effectively protected as above whenever milk is being stored in it.
63. All milk that has overflowed, leaked, been spilled, or improperly handled is discarded.
64. Each pail or container of milk shall be transferred immediately from the milking barn, stable, or parlor to the milkhouse.
65. All product-contact surfaces of containers, equipment, and utensils are covered or otherwise protected to prevent the access of insects, dust, condensation, and other contamination. All openings, including valves and piping attached to milk storage and transport tanks, pumps, or vats shall be capped or otherwise properly protected. Gravity-type strainers used in the milkhouse do not need to be covered. Milk pipelines used to convey milk from precoolers to the farm bulk tank must be fitted with effective drip deflectors. Pails, cans, and other equipment containing milk are properly covered during transfer and storage.



53. Sanitized product-contact surfaces, including farm cooling/holding tank openings and outlets, are protected against contact with unsanitized equipment and utensils, hands, clothing, splash, condensation, and other sources of contamination.
66. Whenever air under pressure is used for the agitation or movement of milk, or is directed at a milk-contact surface, it is free of oil, dust, rust, excessive moisture, extraneous materials, and odor, and shall otherwise comply with applicable standards. **Hose dryers must be provided with air filters. Air injectors on CIP systems must have filters when located in areas other than the milkhous. Not all air injectors can be provided with the proper filters and must therefore be located in the milkhous or a place with equivalent air quality.**

#### **Item 15: Drug and Chemical Control**

67. Cleaners and sanitizers, used on dairy farms, shall be purchased in containers that properly identify the contents by the manufacturer or distributor. If bulk cleaners and sanitizers are transferred from the manufacturer's or distributor's container, the transfer must be into a dedicated end-use container that is specifically designed and maintained according to the manufacturer's specifications for that specific product. The label on the dedicated end-use container shall include the product name, chemical description use, directions, precautionary and warning statements, first aid instructions, container storage, and maintenance instructions and the name and address of the manufacturer or distributor. **Provide and post directions for dairy use for retail bleach products such as Clorox if they are used to sanitize milking equipment.**
68. Equipment used to administer medicinals or drugs is not cleaned in the wash vat and is stored so as not to contaminate the milk or milk contact surfaces of equipment or single service articles. **Do not store drug administration equipment in the hand sink or wash vats.**
90. Drugs must be properly labeled and properly stored. Medicinals or drugs for non-lactating dairy animals are kept separate from medicinals or drugs for lactating dairy animals. Separate shelves in cabinets, refrigerators, or other storage facilities are acceptable. All drugs and medicinals, whether over the counter or prescription, shall be properly labeled with the name and address of the manufacturer or distributor, directions for use, meat and milk withhold times where required, cautionary statements when needed and active ingredients. In addition, prescription drugs require the name and address of the prescribing veterinarian. Topical antiseptics, wound dressings (unless intended for direct injection into the udder), vaccines, and other biologicals, vitamins, and/or mineral products are exempt from labeling and storage requirements as long as they are stored in such a manner as to prevent the contamination of milk and milk product-contact surfaces.
91. Unapproved and/or improperly labeled medicinals/drugs may not be used to treat dairy animals and may not be stored in the milkhous, milking barn/stable parlor, or adjacent areas.
69. Drugs and medicinals are stored in such a manner that they cannot contaminate the milk or milk contact surfaces of the equipment, containers, or utensils.

#### **Item 16: Personnel – Handwashing Facilities**

70. Hand-washing facilities are located convenient to the milkhous, milking barn, stable, parlor, and flush toilet. The hand-wash facility shall include hot and cold running water, soap or detergent, individual sanitary towels, and a lavatory fixture. **A hand-wash facility is not considered convenient if its location prevents its ready use or the sink contains extra items.**

71. Utensil wash and rinse vats shall not be used as hand-washing facilities. This is to avoid the possibility of contaminating the milking equipment with dirt, manure, grease, or other substances that the producer may be washing from his hands. A separate wash vat with a separate faucet may be used as a hand-wash sink as long as other milking equipment wash and rinse vats are provided.

#### **Item 17: Personnel – Cleanliness**

72. Hands are washed clean and dried with an individual sanitary towel immediately before milking or handling clean and/or sanitized milking equipment. Hands are rewashed any time there is occasion to contaminate them during milking or handling of equipment.
73. Milkers and milk hauler/samplers shall wear clean outer garments while milking, or handling milk, milk containers, utensils or equipment.

#### **Item 18: Raw Milk Cooling**

74. Milk shall be cooled to 10°C (50°F) or less within 4 hours or less of the commencement of the first milking and to 7°C (45°F) or less within 2 hours after the completion of milking. Provided that the blend temperature after the first milking and subsequent milkings does not exceed 10°C (50°F).
75. Recirculated cooling water shall be from a safe source. Recirculated water shall not receive any unapproved treatments. Glycol shall be of a food grade or USP. Any letter supporting food grade or USP, must come from management at the glycol manufacturing facility. Recirculated cooling water storage tanks shall be protected from contamination with tight overlapping covers and downturned screened vents. Recirculated cooling water shall be tested and comply with the standards of the PMO upon initial use and shall be tested semiannually thereafter.
76. All farm bulk milk tanks manufactured after January 1, 2000 shall be equipped with an approved temperature recording device. All direct load farms must have temperature recording devices and both indicating and recording thermometers installed.

#### **Item 19: Insect and Rodent Control**

79. Fly breeding is minimized by using approved methods of manure disposal. During fly season, manure shall be spread directly on the fields; or stored for not more than 4 days in a pile on the ground surface and then spread on the fields, or stored for not more than 7 days in an impervious-floored bin, or on an impervious curbed platform and then spread; or stored in a tight-screened and trapped manure shed; or effectively treated with larvicides; or disposed of in any other manner which controls insect breeding.
80. Manure packs in loafing areas, pen barns, resting barns, wandering sheds, and free-stall housing are properly bedded and managed to prevent fly breeding.
81. All milkhouse openings are effectively screened or otherwise protected from the entrance of insects, birds, and animals. All milkhouse doors leading to the outside are tight-fitting and self-closing. Screened doors open outward.
82. The milkhouse is kept free of insects and rodents. Rodent droppings and excessive fly specks are an indication of a failure to meet this requirement.
83. Only insecticides and rodenticides approved for use in dairy operations by the regulatory agency and/or the U.S. Environmental Protection Agency are used for insect and rodent control.
84. Insecticides and rodenticides are used only in accordance with manufacturer's specifications and are used so as to prevent the contamination of milk, milk containers, equipment, utensils, feed, and water.
85. Surroundings are kept neat, clean, and free of conditions that might harbor or be

conducive to the breeding of insects and rodents. Keeping grass around the buildings cut, manure from accumulating, and trash picked up will diminish the environment which flies and rodents find inviting.

8. Feed may be stored in the milking portion of the barn only in a manner that will not attract birds, flies, or rodents. Covered boxes, bins, carts, or separate storage facilities are required for the storage of ground, chopped, or concentrated feeds. A storage facility is considered to be separate if a closed door exists between the milking barn and the storage facility. Silo rooms opening into milking barns must have a door. Mechanized feed dollies or carts do not require covers when in use.

## **CHEMICAL, BACTERIOLOGICAL, AND TEMPERATURE STANDARDS**

### Grade A Raw Milk

Temperature	Cooled to 7°C (45°F) or less within two hours after milking: provided that the blend temperature after the first milking does not exceed 10°C (50°F).
Bacterial limits	Individual producer's milk not to exceed 100,000 per ml prior to commingling with other producer milk.
Drugs	No positive results on drug residue detection methods on either routine individual samples or screening samples.
Somatic Cell Count*	Individual producer milk not to exceed 750,000 per ml *Goat Milk not to exceed 1,000,000 per ml

## **EXAMINATION OF MILK AND MILK PRODUCTS**

During any consecutive six months, at least four samples of raw milk shall be collected from each producer, in at least four separate months, except when three months show a month containing two sampling dates separated by at least 20 days. Required bacterial counts, somatic cell counts, drug residue, and cooling temperature checks shall be performed on these samples at a certified laboratory. All sampling procedures and required examinations shall be in substantial compliance with the current edition of the *Standard Methods for the Examination of Dairy Products*.

It is the responsibility of the Grade A permit holder to provide to NDDA the correct number of milk sample test results on a timely basis. The producer must make his/her own arrangements for samples to be taken by a certified sampler and tested at a certified laboratory if he/she does not belong to a cooperative or sell to a buyer that provides this service. Producers who fall behind in their sample results or do not meet the four samples in six months requirement will be issued a warning notice.

Whenever two of the last four consecutive bacterial counts, somatic cell counts, or cooling temperatures, taken on separate days, exceed the limit of the standards for milk and milk products, the regulatory agency shall send a written warning notice thereof to the person concerned. This notice shall be in effect so long as two of the last four consecutive samples exceed the limit of the standard. An additional sample shall be taken within 21 days of the sending of such notice, but not before the lapse of 3 days. Immediate suspension of permit shall occur whenever the standard is violated by three of the last five bacterial counts, cooling temperatures, or somatic cell counts.

Whenever a pesticide residue test is positive, an additional sample shall be taken and tested for pesticide residues. No milk or milk products shall be offered for sale until it is shown by a subsequent sample to be free of pesticide residues or below the actionable levels established for such residues. An investigation shall be made to determine the cause and the cause shall be corrected.

Whenever a drug residue test is positive, the producer's permit will be suspended. The permit suspension will continue and no milk or milk products will be offered for sale until it is shown by a subsequent sample to be free of drug residues or below the actionable levels established for such residues. An investigation shall be made to determine the cause and the cause shall be corrected.

## **PERMIT ISSUANCE, REINSPECTION, SUSPENSION, AND REINSTATEMENT**

### **Permit Issuance:**

Only one permit shall be issued to each farm location, unless the farm has two completely separate milking parlors/barns, separate milkhouse, and separate bulk tanks. If the water supply is shared between the two operations, then any contamination or sampling concerns will be held against both operations.

A permit will only be issued when a producer's facility has been inspected by an NDDA Dairy Inspector while the bulk tanks are empty. The farm must score at least a 90 **without any** cleaning and sanitizing, or major drug violations or milk cooling violations found.

The Grade A permit must be displayed in the milkhouse. The initial inspection or the most current inspection thereafter must be available for review.

### **Continuing inspections:**

Each grade permitted farm will be inspected several times a year. The inspector shall have access to all areas of the farm, if necessary. Any attempt to intimidate, harass, or otherwise prevent an inspector from conducting inspection duties shall result in immediate suspension of the producer's permit.

If on any single inspection, the farms scores a 75 or less, the farm shall immediately be downgraded to manufacturing grade. Excessive number of violations indicate that the farm producing milk under serious insanitary conditions and is not meeting the requirements of the PMO to maintain their grade A permit. The inspectors use professional judgement to determine the significance of a violation and if a violation an anomaly or a condition of perpetual non-compliance.

Any violations found on two consecutive inspections under the same debit number, will result in the producer receiving a warning letter. The producer will need to correct the violation and maintain adherence prior to the next inspection. If possible, the producer will be allowed input on deciding on a reasonable length of time for corrections to be made.

If the same debit item number is in violation during a third consecutive inspection, the producer will be downgraded to manufacturing grade, unless prior arrangements have been agreed upon for a deadline to correct the violation. Requests for an extension of correction time should be addressed to the NDDA Dairy Inspector, prior to the established deadline. If the violation is not corrected by the established deadline, the farm shall be downgraded to manufacturing grade.

If there is a violation of major concern, then the inspector shall reinspect the farm within 21 days, but not before 3 days. The major violations are the following:

- 48 & 49- if milking equipment and utensils are found dirty. Dirty equipment cannot be properly sanitized.
- 69- Drugs not properly used and stored to preclude the contamination of milk or milk product-contact surfaces.
- 91- Drugs properly labeled (directions for use, cautionary statements, active ingredients, etc). Without properly labeling, the likelihood of contaminating milk or milking animals drastically increases.

The NDDA typically will spread inspections throughout the year and the time of day. The inspectors may inspect at an increased frequency at farms with continual regulatory concerns, to establish and maintain compliance with PMO, if necessary.

### **Summary Suspension of Permit:**

A producer's permit to sell Grade A milk may be summarily suspended for any of the following reasons:

- Evidence of milk from diseased animals being incorporated with milk from healthy animal
- Any suspected contamination of the milk with any substance deemed a possible health hazard by NDDA
- Filthy milkhouse, milking area, barn, barnyard, or loose housing
- Filthy milk-contact surfaces of milking equipment
- Milk stored in a container of unapproved construction
- Milk received or picked up in a container of unapproved construction
- Filthy milking cows
- Inadequate volume of milk to properly agitate after the first milking
- Milk containing excessive sediment
- Dead animals on the premises
- Interference with a regulatory inspection
- Delinquent test violations
- 3 out of 5 bacteria, somatic cell counts (SCC), or cooling temperatures above the legal limit
- Milk containing drug residue

When a producer's permit is suspended, any milk present in the bulk tank at the time of the suspension may not be sold for human consumption and any milk produced during the permit suspension may not be sold for human consumption. NDDA may issue a Manufacturing Milk Permit at the time of the suspension of the Grade A permit if the violations are not also violations of the requirements for manufacturing grade farm permits in ND.

### **Permit Reinstatement:**

To reinstate the Grade A permit, the producer shall correct the repetitive violations and request a reinstatement inspection- which be must done during a period when the bulk tank is empty.

The farm shall not have any violations that were previously debited on the previous two inspections, as that would be a third consecutive inspection violation and the permit would be downgraded to manufacturing grade, regardless.

All suspended producers will be inspected as soon as possible after the producer requests an inspection and the producer declares all repetitive violations have been corrected. No producer will be reinstated unless all of the repetitive violations have been corrected. On any reinstatement inspection, the bulk tank must be empty and all of the equipment and facility available for inspection.

If a producer is not Grade A permitted for more than 30 days- the permitting inspection shall meet the same criteria as a new grade A permit application would.

### **Bacteria Count Reinstatement Guidelines:**

The *Pasteurized Milk Ordinance* (PMO) requires that for permit suspensions made for 3 out of 5 illegal Bacteria counts, a legal Bacteria count must be obtained **before** the producer's permit can be reinstated. The producer must sell at least one load at manufacturing grade, unless the bacteria counts leading to the suspension were in excess of the legal limits for the manufacturing grade for all 3 out of the 5 bacteria count samples, the producer's milk would not qualify for manufacturing grade and could not be sold.

The following procedures apply to Bacteria Count Suspensions:

- Once a legal bacteria count is received, the producer must request a reinspection, by the NDDA inspector.
- A temporary permit will be given to the producer, if the inspection doesn't find any conditions that have not been corrected from the two previous inspections (a third consecutive violation would lead to a downgrade, regardless of bacteria counts).
- More samples will be collected at an accelerated rate of at least 4 samples collected within 21 days, but no more than 2 samples per week.
  - All those sample results are reported to the NDDA from the laboratory, and the permit shall be fully reinstated if the samples results are within legal limits.
    - If any 2 of those samples are high- the producer will be put under warning.
    - If any 3 of the five samples are high- the producer's permit shall be suspended. The procedures for Bacteria Count Reinstatement will start over again, with a legal count followed by an inspection and accelerated sampling until the permit can be fully reinstated.

### **Somatic Cell Count (SCC) Reinstatement Guidelines:**

The *Pasteurized Milk Ordinance* (PMO) requires that for permit suspensions made for 3 out of 5 illegal SCC's, a legal SCC must be obtained before the producer's permit can be reinstated. The milk must be dumped until a legal count is received.

The following procedure applies to SCC suspensions.

- A temporary permit will be given to the producer once a legal SCC result is received from the laboratory.
- More samples will be collected at an accelerated rate of at least 4 samples collected within 21 days, but no more than 2 samples per week.
  - All those sample results are reported to the NDDA from the laboratory, and the permit shall be fully reinstated if the sample results are within legal limits.
    - If any 2 of those samples are high- the producer will be put under warning.
    - If any 3 of the five samples are high- the producer's permit shall be suspended. The procedures for SCC reinstatement will start over again, with a legal count followed by accelerated sampling rates.