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Hygiene requirements for handling raw milk

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Amended by the following acts

Reception	Publication	Enforcement
22.03.2018	RT I, 29.03.2018, 1	01.04.2018
22.11.2021	RT I, 25.11.2021, 1	01.12.2021

The Regulation establishes § 26 (3) of the Food Act, § 41 (6) of the Veterinary Act and Regulation (EC) No. 853/2004 of the European Parliament and of the Council, which establishes special hygiene rules for food of animal origin (OJ L 139, 30.04.2004, pp. 55–205), Article 1 paragraph 4 and on the basis of Article 10 paragraph 8 point a.
[RT I, 25.11.2021, 1 - enters into force. 01.12.2021]

Section 1 General provision

§ 1. Scope of regulation

The regulation establishes the hygiene requirements for the handling of raw milk in a livestock farmer's household and a company engaged in milk production (hereinafter *milk production company*), as well as the hygiene requirements for the handling of small quantities of raw milk that the producer offers for sale, sells or otherwise transfers for a fee or free of charge (hereinafter *distribution*) from its premises in Estonia from the milk production company directly to the consumer.

Section 2.

Handling requirements for raw milk, except for small quantities of raw milk intended for marketing directly to the consumer

§ 2. Requirements for the production of raw milk, with the exception of small quantities of raw milk intended for marketing directly to the consumer

(1) Raw milk is milk obtained as a mammary gland secretion from an animal kept in industrial conditions and which has not been heated above 40 °C or processed in any other way with an equivalent effect.

(2) Raw milk, with the exception of small amounts of raw milk intended directly for the consumer, is produced in accordance with Regulation (EC) No. 853/2004 of the European Parliament and of the Council, which stipulates special hygiene rules for food of animal origin (OJ L 139, 30.04.2004, pp. 55–205), according to the hygiene requirements of Annex III, Section IX, Chapter I, Part I.

(3) A milk production company must meet the hygiene requirements of Annex III, Section IX, Chapter I, Part II of Regulation (EC) No. 853/2004 of the European Parliament and of the Council.

(4) Raw milk must meet the requirements of Annex III, Section IX, Chapter I, Part III of Regulation (EC) No. 853/2004 of the European Parliament and of the Council, including microbiological criteria.

§ 3. Distribution of raw milk to a bulk buyer or processor of raw milk

[Repealed - RT I, 29.03.2018, 1 - entry into force. 01.04.2018]

§ 4. Marketing of raw milk directly to the consumer or retail business

(1) In addition to the microbiological criteria set out in Part III of Chapter I of Section IX of Annex III to Regulation (EC) No. 853/2004 of the European Parliament and of the Council, raw milk marketed directly to consumers or retail businesses must meet the following requirements: 1) analysis of the presence of inhibitor residues in raw milk once a month the result is negative;

2) the result of analysis for the presence of *Staphylococcus aureus* in raw milk once every two months is less than 500/ml.

(2) In order to market raw milk directly to the consumer in the market, on the street and in another similar place open to the public, and for a retail business that markets raw milk directly to the consumer from its retail business located in Estonia, a veterinary certificate must be obtained. A catering business is also considered a retail business, including a company or institution, such as a school or kindergarten, which, among other things, also provides catering.

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(3) The veterinary inspection officer issues a veterinary certificate with a validity period of up to six months. The veterinary certificate proves that the raw milk comes from a clinically healthy animal and from a herd and area for which there is no restriction on the movement of animals due to the presence or suspicion of animal disease. Information about the results of the laboratory analyzes specified in paragraph 1 and the place of distribution of raw milk is entered on the veterinary certificate.

[RT I, 29.03.2018, 1 - enters into force. 01.04.2018]

Section 3

Hygiene requirements for the handling of raw milk intended for direct consumer marketing in small quantities

§ 5. Handling of raw milk intended for marketing in small quantities directly to the consumer

(1) In the sense of the regulation, the following is a small amount of raw milk intended for marketing directly to the consumer by animal species:

- 1) raw cow's milk - up to 100 kg per day or up to 700 kg per week;
- 2) raw goat's milk - up to 20 kg per day;
- 3) raw ewe's milk - up to 10 kg per day.

(2) The requirements of the second section of the regulation do not apply to small quantities of raw milk and its handling.

(3) Raw milk must come from a clinically healthy animal and from a herd and area for which there is no movement restriction imposed due to the presence or suspicion of an animal disease.

(4) The raw milk must come from a herd that is covered by Commission Delegated Regulation (EU) 2020/689 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council regarding the monitoring, eradication programs and disease-free status of certain listed and emerging diseases (OJ L 174, 03.06.2020, pp. 211–340), declared free of brucellosis and tuberculosis according to Annex IV, or from an animal that has been examined for the presence of brucellosis and tuberculosis and whose examination result is negative.

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(5) Raw milk must come from an animal that has not been administered drugs or other veterinary preparations with a prohibition period, and that has not been administered prohibited substances or products.

(6) Immediately after milking, raw milk is stored in conditions that prevent spoilage and contamination of raw milk. Raw milk is immediately cooled to a temperature of not more than 8 °C for daily marketing or to a temperature of not more than 6 °C if marketing does not take place daily.

(7) Raw milk is produced and stored in a milk production company in accordance with good hygiene practice.

(8) Small quantities of raw milk may be marketed only from the milk production company to the consumer.

Section 4 Effectiveness

§ 6. Entry into force of the Regulation

The regulation enters into force on July 1, 2006.