

Republic of Latvia

Cabinet

Regulation No. 73

Adopted 19 February 2019

Requirements for the Handling of Small Quantities of Raw Cow and Goat Milk

Issued pursuant to Section 4, Paragraph two, Section 8, Paragraphs ten and twelve, Section 13, Paragraph three, Clause 3, and Section 21.¹, Paragraph nine of the Law on the Supervision of the Handling of Food

I. General Provisions

1. The Regulation prescribes the hygiene and mandatory harmless requirements for the collection, pre-treatment, storage, transportation, and direct supply of small quantities of raw cow and goat milk (hereinafter – the milk) to a final consumer or retail establishment which directly supplies a final consumer in the territory of Latvia (hereinafter – the retail trade), and also the procedures for the issuing, suspending, and restoring a permit for the sale of the milk.
2. A milk producer shall collect the milk from the cows and goats it owns and sell it directly to a final consumer or the retail trade at the place of production or within a radius of 300 kilometres from the place of production.
3. Such quantity of the milk the sales amount of which within one week does not exceed 1000 kilograms of cow milk and 600 kilograms of goat milk shall be considered a small quantity of the milk intended to be directly supplied to a final consumer or the retail trade. The milk producer shall ensure accounting of the quantity of the milk, documenting the information on the daily amount of the milk sold in kilograms, the date of the sale and location of the sale of the milk.
4. A milk producer who, at a territorial unit of the Food and Veterinary Service (hereinafter – the Service), has obtained a permit for the sale of the milk may directly supply small quantities of the milk to the final consumer or the retail trade.

II. Procedures for the Issuing, Suspending, and Restoring of a Permit for the Sale of the Milk

5. In order to obtain a permit for the sale of the milk, a milk producer shall submit an application to the territorial unit of the Service in which it shall indicate:
 - 5.1. the given name, surname, and address of the declared place of residence of the milk producer or the name and legal address of the undertaking;
 - 5.2. the address of the holding;
 - 5.3. the registration number of the herd and holding granted in the Farming Animal, Herd and Holding Register of the Agricultural Data Centre (hereinafter – the Data Centre);
 - 5.4. the phone number;

5.5. the electronic mail address or the official electronic address if the account of the official electronic address has been activated for the person.

6. A report on the laboratory testing of the milk carried out within two weeks prior to the submission of the application and confirming that the milk meets the microbiological and quality criteria for milk referred to Annex 1 to this Regulation shall be appended to the application referred to in Paragraph 5 of this Regulation. If the test results for the milk are available in the raw milk quality database of the Data Centre, it shall be indicated in the application.

7. The Service shall, within five working days after receipt of the application referred to in Paragraph 5 and the laboratory test results referred to in Paragraph 6 of this Regulation, examine them and evaluate their conformity with the laws and regulations in the field of the handling of food.

8. The Service shall, within five working days after the activities referred to in Paragraph 7 of this Regulation, take one of the following decisions:

8.1. to issue a permit for the sale of the milk and to include the milk producer in the database of the monitoring objects of the Service if the holding and the laboratory test results conform to the requirements laid down in this Regulation;

8.2. not to issue a permit for the sale of the milk if the holding and the laboratory test results do not conform to the requirements laid down in this Regulation.

9. The Service shall, within three working days, inform the milk producer of the decision taken and issue the permit to the milk producer if the decision referred to in Sub-paragraph 8.1 of this Regulation has been taken.

10. If the requirements laid down in this Regulation are not met, the Service shall:

10.1. take a decision to suspend the permit for the sale of the milk;

10.2. make an entry on the suspension of the permit in the database of the milk producer monitoring objects of the Service;

10.3. notify the producer of the decision taken within one working day.

11. In order to restore a permit for the sale of the milk, the milk producer shall, after rectification of non-conformities due to which the sale of the milk was suspended, submit an application to the territorial unit of the Service, requesting to carry out an inspection of the holding, to take a sample of the milk for laboratory testing, and to restore the permit.

12. The Service shall, within 10 working days, inspect whether a holding conforms to the requirements referred to in this Regulation and take a sample of the milk to ascertain the conformity of the milk with the microbiological and quality criteria referred to in Annex 1 to this Regulation. If the milk conforms to these criteria, the Service shall take a decision to restore the permit, notify the milk producer thereof, and delete the entry on the suspension of the permit for the milk producer in the database of the monitoring objects of the Service.

13. In order to issue or restore the permit for the sale of the milk, and also to include the milk producer in the database of the monitoring objects of the Service and to contact the milk producer, the Service shall process personal data (given name surname, address of the declared place of residence, phone number, electronic address, holding address and registration number) and store it for seven years.

14. The Service shall provide the services referred to in this Regulation for a fee in accordance with the laws and regulations regarding the procedures for making the payment for the activities of State supervision and control and the paid services of the Service. The milk producer shall cover the costs for testing of the milk samples according to the price list of the laboratory referred to in Paragraph 31 of this Regulation.

III. Requirements for Animal Health and Holding

15. Animals whose milk is supplied directly to a final consumer or to the retail trade shall be inspected in accordance with the laws and regulations regarding the monitoring and control of infectious diseases and shall be clinically healthy.

16. A holding in which the milk is collected shall comply with the laws and regulations in the field of animal health, animal welfare, handling of animal feedingstuffs, food, veterinary medicinal products, and by-products of animal origin.

17. The milk producer shall ensure different identification of those animals which are ill or undergo treatment.

18. At a holding:

18.1. disinfection, deratisation, and disinsection shall be carried out, where necessary;

18.2. cleaning, disinfection, deratisation, and disinsection products shall be used according to the instructions for their use and stored in a closed area or room, ensuring the storage circumstances specified in the instructions thereof.

19. The Service shall inspect a holding at least once a year.

IV. Requirements for the Collection, Pre-treatment, Storage, and Transportation of the Milk

20. The udder, the teats and, where necessary, also the areas of the body adjacent to the udder of the cow or goat shall be washed before every milking.

21. Before milking, the first streams of the milk shall be milked in a separate container with a dark-coloured bottom, assessing the properties of the milk referred to in Paragraph 29 of this Regulation.

22. Immediately after milking, the milk shall be cooled down to the temperature of no more than 6 °C in a refrigeration unit.

23. On the premises where pre-treatment (milk filtering and refrigeration) and storage of the milk is carried out:

23.1. the floors, walls, and working surfaces shall be easy to clean and, where necessary, to disinfect;

23.2. ventilation and lighting shall be ensured;

23.3. any possibility of contamination of the milk shall be prevented;

23.4. presence of animals shall not be allowed.

24. Equipment (including containers) that come into contact with the milk shall be:

24.1. made of a material that conforms to the requirements laid down in the laws and regulations regarding the materials and articles that are intended for contact with food;

- 24.2. easy to clean or wash, in a good condition, undamaged, and, where necessary, suitable for disinfection;
 - 24.3. washed after every use and, where necessary, disinfected;
 - 24.4. used only for the intended purpose;
 - 24.5. stored in circumstances that prevent the possibility of contamination.
25. The water which conforms to the laws and regulations regarding the mandatory harmless and quality requirements, monitoring and control procedures for drinking water shall be used in all activities related to the handling of the milk.
26. The milk producer shall ensure that the persons who carry out any activities involving the milk use appropriate and clean clothing and observe personal hygiene.
27. During transportation, it shall be ensured that the temperature of the milk does not exceed 8 °C.
28. It is prohibited to freeze the milk during storage and transportation.

V. Milk Harmlessness Requirements and Sampling of the Milk

29. It shall be permitted to sell the milk if:
- 29.1. it has a flavour, colour, and smell typical to the milk;
 - 29.2. it is liquid, of uniform consistency, without flakes, slurry, solid particles or other impurities;
 - 29.3. the conformity of the milk with the criteria referred to in Annex 1 to this Regulation has been ensured.
30. Upon selling the milk in accordance with the laws and regulations regarding the veterinary, hygiene, and harmless requirements for the handling of raw milk:
- 30.1. it shall be permitted to use the milk sample test results available in the raw milk quality database of the Data Centre;
 - 30.2. in addition the conformity of the milk with the quality criteria referred to in Annex 1 to this Regulation in respect the freezing point of the milk, and also *Staphylococcus aureus* and *Salmonella spp.* microorganisms shall be ensured.
31. The milk samples shall be tested in a laboratory which has been accredited by the national accreditation body in accordance with the laws and regulations regarding the assessment, accreditation, and supervision of the conformity assessment authorities or by another accreditation body of the European Union Member State or a Member State of the European Economic Area and which conducts the testing of the criteria referred to in Annex 1 to this Regulation.
32. The milk producer shall take the milk sample from the pooled milk using the sterile test tube provided by the laboratory referred to in Paragraph 31 of this Regulation, having regard to the following conditions:
- 32.1. before sampling the milk, it shall be thoroughly mixed in its container until a uniform consistency is achieved;
 - 32.2. the milk sample shall be taken immediately after the mixing;
 - 32.3. 35–40 millilitres of the milk shall be taken for the sample;
 - 32.4. the milk sample shall be marked with a label prepared by the milk producer which shall state the number of the holding;
 - 32.5. the milk sample shall be stored and transported at a temperature of 0 to 4 °C;

32.6. the milk sample shall be protected against direct sunlight during its storage and transportation;

32.7. the milk sample shall be delivered to the laboratory as quickly as possible, however not later than 24 hours after the sample is taken;

32.8. the milk sample may not be frozen during storage and transportation.

33. If the milk producer establishes that the milk does not conform to the requirements referred to in Paragraph 29 of this Regulation or the milk producer has a suspicion that the animal is ill in a way that can affect the quality of the milk, the milk producer shall immediately discontinue the sale of the milk and notify a practising veterinarian thereof. The sale of the milk may be resumed if it conforms to the requirements of this Regulation.

VI. Requirements for the Sale of the Milk

34. If, upon supplying the milk for the retail trade, the milk producer:

34.1. appends a corroborative document on the delivery of the goods or another document referred to in the laws and regulations regarding the documents confirming a transaction, the milk producer shall additionally provide the information referred to in Paragraphs 2, 3, 4, 5, 6, and 9 of Annex 2 to this Regulation on the other side of that document. The abovementioned documents shall be stored in accordance with the procedures laid down in the laws and regulations regarding the documents confirming a transaction;

34.2. does not append the document referred to in Sub-paragraph 34.1 of this Regulation, it shall submit the supporting document for the milk (Annex 2). The supporting document for the milk shall be prepared in two copies. One copy of the supporting document shall be submitted at the place of delivery of the milk and the other shall be kept at the place of production of the milk.

35. Once the milk is received for the retail trade from the milk producer, the milk shall be assessed in accordance with the requirements referred to in Paragraph 29 of this Regulation. A catering undertaking shall immediately treat the milk by heating it at least at 72 °C for no less than 15 seconds or use a different combination of temperature and time to obtain equal effect, provided that the milk is not intended for manufacture of thermally processed foodstuffs. After heating, the milk shall be cooled down to 2–6 °C within two hours and stored at that temperature for no more than 36 hours.

36. The milk producer shall store the information referred to in Paragraph 3 of this Regulation, the milk sample test reports, and the supporting document for three years and shall present them upon request by an inspector of the Service.

37. At the retail trade point, personal data (given name, surname, holding address and registration number) shall be processed to ensure the traceability of the milk, and the supporting document for the milk shall be presented upon request by an inspector of the Service. The supporting document for the milk shall be stored for one year and destroyed afterwards.

38. At the location of sale of the milk, its temperature shall not exceed 6 °C.

39. The milk shall be sold to the final consumer within 48 hours after the milking. If, when selling the milk, several milk milkings are mixed together, the sale period shall start from the time of collection of the first milking.

40. The following information shall be available at the location of sale of the milk:
- 40.1. the indication “Raw cow milk. Boil before consumption” or “Raw goat milk. Boil before consumption”;
 - 40.2. the indication of the expiry date of the milk: “Use by...” (the expiry date shall not be longer than 48 hours of the milking);
 - 40.3. the name and address of the milk producer.
41. Upon selling the milk, the milk producer shall place a copy of the permit for the sale of the milk in a location visible to a consumer.
42. The milk shall be sold in containers of a buyer or, upon request by the buyer, in a disposable container that conforms to the requirements laid down in the laws and regulations regarding the materials and articles which are intended for contact with food.
43. The milk producer may package the milk at the place of its production in accordance with the requirements referred to in Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs if:
- 43.1. the milk is sold directly to a final consumer;
 - 43.2. the milk is packaged into disposable packaging that conforms to the requirements laid down in the laws and regulations regarding the materials and products intended for contact with food;
 - 43.3. the name of the product “Raw cow milk” or “Raw goat milk”, the volume, the expiry date (“Use by...”) (no more than 48 hours after the milking), the storage conditions, the indication “Boil before consumption”, the name and address of the milk producer are provided on the label.
44. If the milk is sold via a vending machine, it may only be filled with milk produced by one producer.
45. A vending machine shall include the indications and information referred to in Paragraph 40 of this Regulation.
46. If the vending machine has a packaging system, the label on the packaging shall contain the information referred to in Sub-paragraph 43.3 of this Regulation.
47. A milk vending machine shall conform to the following requirements:
- 47.1. it shall be easy to clean and disinfect (including the milk-dispensing tap);
 - 47.2. the surfaces that come into contact with the milk shall be made of a material that conforms to the requirements laid down in the laws and regulations regarding the materials and products intended for contact with food;
 - 47.3. it shall be equipped with an external thermometer that indicates the temperature of the milk inside the vending machine;
 - 47.4. the temperature of the milk inside the vending machine shall not exceed 6 °C or go below 0 °C (also in the pipes between the milk container and dispensing tap).

VII. Closing Provisions

48. Cabinet Regulation No. 345 of 13 April 2010, Mandatory Hygiene and Harmlessness Requirements for the Handling of Small Quantities of Raw Cow Milk (*Latvijas Vēstnesis*, 2010, No. 61; 2015, No. 119), is repealed.
49. The Regulation shall come into force on 1 September 2020.

Informative Reference to European Union Directive

Legal provisions are harmonised with the European Commission and the European Union Member States in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

Prime Minister

A. K. Kariņš

Minister for Agriculture

K. Gerhards

Microbiological and Quality Criteria for the Milk

No.	Quality criteria
1.	At 30 °C, the total number of bacteria does not exceed 100 000 in one millilitre of cow milk; 1 500 000 – in one millilitre of goat milk
2.	The number of somatic cells does not exceed 400 000 per one millilitre of cow milk.
3.	No inhibitors are found.
4.	The freezing point of cow milk does not exceed minus 0.520 °C
5.	The number of <i>Staphylococcus aureus</i> colony-forming units does not exceed 500 bacteria per one millilitre of cow milk and goat milk
6.	No <i>Salmonella spp.</i> is found in 25 millilitres of cow and goat milk.

Minister for Agriculture

K. Gerhards

Supporting Document for the Milk

1. The milk producer _____
(given name, surname or company name)
2. Name of the animal species _____
(cow or goat)
3. Holding _____
(name, address, registration number)
4. Number of the permit for the sale of the milk _____
5. Date and time of the milk acquisition _____
6. The milk shall be used by _____
(date, time)
7. Recipient of the milk _____
(name, address)
8. Quantity of the milk supplied (volume) _____

9. I hereby confirm with the signature that the milk conforms to the requirements laid down in Cabinet Regulation No. 73 of 19 February 2019, Requirements for the Handling of Small Quantities of Raw Cow and Goat Milk.

_____ (date)	_____ (the given name, surname of the milk producer)	_____ (signature*)
_____ (date)	_____ (the given name, surname of the recipient of the milk)	_____ (signature*)

The processing of personal data shall be performed in accordance with Paragraph 37 of Cabinet Regulation No. 73 of 19 February 2019, Requirements for the Handling of Small Quantities of Raw Cow and Goat Milk.

Note. * The detail “signature” of the document need not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding the drawing up of electronic documents.

Minister for Agriculture

K. Gerhards