

## Schedule 2 - **Milk Production Regulations**

made under Sections 9, 11 and 15 of the

Dairy Industry Act

S.N.S. 2000, c. 24

N.S. Reg. 117/94 (July 18, 1994)

as amended up to N.S. Reg. 150/2012 (July 19, 2012, effective August 1, 2012)

[Note: the Nova Scotia Dairy Commission does not exist under the Dairy Industry Act; the Dairy Farmers of Nova Scotia and the Natural Products Marketing Council regulate the industry under the new Act.]

Sections 1-5 repealed: N.S. Reg. 204/2003 (Milk Producer Licensing Regulations).

### Quality of raw milk

- 6 No producer shall sell or offer for sale milk for purposes of human consumption or of processing that is not produced, handled and stored, in accordance with these regulations.
  
- 7 Every cow from which milk is obtained by a producer for sale for purposes of human consumption or of processing shall be in good physical condition and free from any condition or disease that adversely affects the quality or wholesomeness of the milk.
  
- 8 No producer shall sell or offer for sale milk for human consumption or for processing that is obtained from a cow
  - (a) in a period of twenty days before or in the period of five days after parturition; or
  
  - (b) where any medication has been administered which will or could affect the milk until the withholding period identified on the label of that product has been met.
  
- 9 No producer shall sell or offer for sale milk for purposes of human consumption or of processing that
  - (a) is not sweet and clean;

- (b) has an objectionable flavour or odour;
- (c) shows evidence of being flaky, stringy, bloody or thick;
- (d) contains any foreign substance including insects and vermin.

10 No producer shall sell or offer for sale milk for human consumption or processing to which water in any form or any manner has been added, or from which any part of the milk fat has been removed.

11 A producer shall not sell or offer for sale milk that he has reason to believe will not meet quality standards.

12 No person shall adulterate milk for sale for the purposes of human consumption or of processing.

Producers' premises and equipment

Dairy stables

13 Every producer shall keep the exterior of all buildings or premises where cows are milked attractive in appearance and the interior

- (a) clean and in a sanitary condition;
- (b) free from flies or other insects;
- (c) free from dust and cobwebs;
- (d) adequately lighted; and
- (e) ventilated sufficiently to prevent odours from affecting the milk.

14 Except in the case of glazed walls, all walls, ceilings, partitions and other parts of the stable shall be painted or whitewashed as often as may be necessary.

15 No producer shall permit animals other than of the bovine genus in any part of the stable used for the stabling or milking of cows.

16 Every producer shall keep all parts of the premises, except the loafing type stables, clean and free from accumulations of manure and refuse.

17 Every producer keeping cows in loafing type stables shall provide a plentiful supply of bedding in the stables, and keep the stables free from an accumulation of refuse.

18 The floors and gutters of the dairy stable and milking parlor shall be constructed of concrete or other impervious and easily cleaned material. Floors and gutters shall be graded so as to drain properly, and shall be kept clean and in good repair at all times.

#### Milkhouses

19 Every producer of milk for purposes of human consumption shall provide a milkhouse on the premises on which the milk is produced.

20 A milkhouse may be located

- (a) separate from the stable;
- (b) attached to the stable;
- (c) within the stable, provided it is separated from the stable by partitions.

21 Every milkhouse shall

- (a) have clear space sufficient for washing, cleaning, rinsing, and storing utensils and milking equipment;

(b) have a floor capable of supporting without sagging or heaving the cooling and storing facilities for milk and the milking equipment and utensils;

(c) have a floor with a smooth surface that is impervious to liquids and that has a slope of at least 3 millimetres to 30 centimetres to drain;

(d) have a drain that can be maintained in a sanitary condition located in the floor of the milkhouse and capable of draining any liquids from the floor to a location outside the milkhouse in a sanitary manner;

(e) have walls with smooth surfaces impermeable to liquids extending for at least 30 centimetres from the floor;

(f) be lighted sufficiently for the carrying out of all operations therein;

(g) have each door closed when not in use;

(h) be provided with screens for all windows and other openings sufficient to prevent entry of insects;

(i) have walls and roof insulated to prevent condensation of moisture upon the inside walls and ceiling except such condensation as is caused by steam or hot water used in the milkhouse;

(j) be properly ventilated;

(k) be provided with adequate facilities for washing and sanitizing of equipment;

(l) be provided with a pressure system supplying cold potable water; and

(m) where a supply of hot water is not available be provided with a means of heating water.

22 Every milkhouse located on premises on which milk is produced for purposes of consumption shall have a floor area, excluding vestibule floor area, of at least 16 square metres.

23 Every milkhouse shall be

(a) kept clean at all times;

(b) used only for

(i) cooling and storing of milk,

(ii) storing of milking equipment and utensils, and

(iii) washing and disinfecting of milking equipment and utensils.

24 An inspector has the authority to prohibit the sale of milk from any premises he considers unsatisfactory in accordance with Section 15 and Section 25.

Raw milk handling

25 Cows shall be clean.

26 When cows are in the stables, the hair on udders, flanks and tails shall be kept short.

27 The udders and teats of all milking cows shall be cleaned immediately before milking and treated with a disinfecting solution.

28 No person shall milk a cow unless he

(a) has washed his hands clean immediately before milking; and

(b) keeps his hands clean and dry during milking.

29 No person shall milk a cow or handle utensils or milking equipment that comes into contact with milk except a person who is

(a) in good health;

(b) free from infected cuts or lesions on the hands or arms; and

(c) cleanly dressed.

30 Where a milking machine is used, all parts of the milking machine, not permanently installed, when not in use shall be stored under sanitary conditions in the milkhouse.

31 (1) Every producer of milk for human consumption shall provide facilities in the milkhouse capable of cooling milk to a temperature of 4o C or lower.

(2) Every producer shall, within one hour of time of milking, cool milk to a temperature of 4o C or lower.

32 All milk cooled shall be kept at a temperature not lower than 1o C and not exceeding 4o C until the milk is received at a processing plant.

Bulk tank cooling

33 Where a farm bulk tank is installed by a milk producer on his premises, the farm bulk tank shall be located in a milkhouse.

34 (1) Every milkhouse in which a farm bulk tank is located shall

(a) have at least 60 centimetres clear space between the tank and any wall of the milkhouse except at the outlet and where the distance shall be 90 centimetres;

(b) have the drain in the floor of the milkhouse located so as not to be under the farm bulk tank or directly under the outlet of the farm bulk tank;

(c) be provided with an opening equipped with a self-closing device, used only for the passing of the hose in the transfer of the milk from the bulk tank to the tank truck; and

(d) have a hose connected to the water supply and so located that the bulk tank can be reached for washing purposes.

(2) A farm bulk tank in a milkhouse shall be at least 15 centimetres above the floor of the milk room, provided that in the case of a tank with a rounded bottom the lowest part of the tank may not be less than 10 centimetres above the floor.

(3) A farm bulk tank shall be of sufficient capacity to hold, under normal conditions, a minimum of four milkings of the herd with which it is used.

35 (1) A farm bulk tank shall be completely emptied not less frequently than three times a week provided, however, that in no case shall milk be left in the bulk tank more than two consecutive days.

(2) Every producer shall clean his farm bulk tank after each time it is emptied and before it is used again by means of a cleaning compound capable of removing dirt and milk deposits and shall rinse the tank with a solution containing an effective disinfecting agent.

36 Each farm bulk tank installed in a milkhouse shall be equipped with

(a) a refrigeration unit capable of

(i) cooling milk in the tank to a temperature of 10°C or lower within one-half hour, and 4°C or lower within one hour,

(ii) except in a period of one hour after milking, maintaining a temperature of milk in the tank not lower than 10 C and not exceeding 40 C while milk remains in the tank, and

(iii) regulating the temperature by an automatic control mechanism within 10 C of a designated temperature;

(b) an agitator capable of stirring milk in the tank without splashing or churning, so that the milk is thoroughly mixed;

(c) an indicating thermometer with scale divisions of at least 2 mm for each change of 10 C, within range of temperature from 00 C to 1000 C, that measures accurately to within 10 C, the temperature of the milk in the tank and located so as to register temperatures of the milk when the tank contains 20% of its capacity.

37 Each farm bulk tank shall be of a type and shall be installed in a location that is approved by the Commission.

38 Each farm bulk tank shall be equipped with a measuring device by which the volume of milk in the tank may be accurately determined.

39 Each farm bulk tank shall be

(a) installed and maintained in a level position;

(b) equipped with a means of adjusting the tank to a level position and determining whether the tank is in a level position; and

(c) anchored to the floor firmly enough to prevent such movement of the tank as is likely to affect the accuracy of the measuring device by which the volume in the tank is determined.

40 Where a gauge rod is used as the measuring device to determine the volume of milk in a farm bulk tank, the gauge rod shall be plainly marked beginning at the bottom of the rod.

(a) Where a farm bulk tank is designed for the use of a gauge rod the tank shall be provided with a fixed point for the suspension of the gauge rod.

(b) Each gauge rod shall be supported in the vertical position at which the tank has been calibrated.

41 Each producer who has a farm bulk tank shall maintain in good condition near the farm bulk tank in the milkhouse a chart showing the number of litres of milk for each reading of the measuring device used to determine the volume of milk in the tank and showing the number of litres for each graduation of the measuring device.

42 No person shall use a measuring device or a chart other than a measuring device or chart having the same manufacturer's serial number as the serial number of the farm bulk tank.

43 Every farm bulk tank shall be supported on adjustable legs of adequate size and spacing to support the weight of the tank when filled to capacity.

44 The bases of the legs on a farm bulk tank shall rest on solid masonry or steel.

45 The legs of a farm bulk tank shall be capable of raising the tank high enough for attachment of fittings and for draining the tank.

46 The outside of the leg sockets of a farm bulk tank shall be of corrosion resistant material or painted and shall be readily cleanable.

47 Where a producer received a rejection tag, he may apply to the operator of the plant to which he supplies milk, for acceptance of the milk.

#### The grading of milk

48 The purchaser or consignee of milk supplied by producers for the fluid trade shall examine or cause to be examined all such milk as follows:

(a) all milk received in tank trucks shall be examined in the farm holding tank by a licensed tank truck driver before transfer to the tank truck;

(b) all milk received shall be examined by the plant milk receiver within two hours after its arrival at the dairy plant to which it is consigned;

(c) the examination carried out under clauses (a) and (b) shall be for undesirable flavours and odours and for physical defects or objectionable matter of any description;

(d) tests of milk for composition, sediment, adulteration or contamination will be made by, or at the direction of a dairy fieldman by methods prescribed by the Commission.

49 Any milk that is adulterated or contains excessive amounts of sediment or is contaminated or whose composition is abnormal, may, by direction of an inspector be rejected and returned to the producer or left in the farm holding tank.

50 Any milk that has any of the defects listed under clause (c) of Section 50 [48] of these regulations shall, if suitable, be set aside for manufacturing purposes, or, if not suitable, shall be returned to the producer.

51 In addition to any examination made according to clauses (a) and (b) of Section 48, every person who purchases milk or is the consignee of milk shall on six occasions during each six month period, provided that at least fourteen days have lapsed since the previous sample was taken, take or cause to be taken a sample representative of a milk shipment from each producer, and shall test or cause to be tested such samples for bacterial and somatic cell content by methods described by the Commission. Such samples shall be taken by an inspector or by qualified dairy plant personnel. Notification of results of all tests taken in accordance with this Section shall, when the samples were taken and analyzed by dairy plant personnel, be promptly sent to the producer of such milk and to the Commission. If the samples were taken by an inspector and analyzed by the Commission, the results of all tests shall be promptly sent by the Commission to the producer of such milk and to the dairy plant to which the milk was consigned.

Sections 52-54 repealed: N.S. Reg. 204/2003 (Milk Producer Licensing Regulations).

55 All milk which is to be rejected and returned to the producers or left on the farm shall be accompanied by a written statement showing the reason for its rejection.

56 The standard of quality for milk to be used for the fluid trade shall be a bacterial count of not more than 50,000 cfu per ml total living mesophilic aerobic bacteria per ml or 121,000 Individual Bacterial Count per ml (i.e., Bactoscan®), and a somatic cell count of not more than 400,000 per ml, where the milk is collected from a farm bulk tank.

Section 56 replaced: N.S. Reg. 135/96; amended: N.S. Reg. 150/2012.

57 Where samples of milk taken in accordance with Section 51 are tested for bacterial content by the Commission on behalf of the purchaser or consignee of milk, the fee of each sample so tested shall be established by the Commission from time to time.

58 The Commission may, in the event of non-payment of fees prescribed in Section 57, refuse to test samples for bacterial content on behalf of the purchaser or consignee of milk.

59 The Commission insofar as is possible and in cooperation with the Dairy Manufacturing Plant and with the producer, shall assist such producers in their attempts to locate and eliminate the factors which are causing the milk to fail to meet the standard.

Section 60 repealed: N.S. Reg. 59/2012 (Abnormal Freezing Point Standard for Cow's Milk Regulations).

Section 61 repealed: N.S. Reg. 204/2003 (Milk Producer Licensing Regulations).

62 The Commission shall at regular intervals test or authorize the testing of producer samples for unnatural inhibitors. Such samples shall be taken by an inspector or by qualified Dairy Plant personnel. Producers whose milk contains unnatural inhibitors shall be promptly notified.

Sections 63-64 repealed: N.S. Reg. 204/2003 (Milk Producer Licensing Regulations).