

Schedule 5 - Transportation of Milk Regulations

made under Sections 9 and 11 of the

Dairy Industry Act

S.N.S. 2000, c. 24

N.S. Reg. 202/89 (August 11, 1989)

as amended to N.S. Reg. 39/2015 (February 11, 2015)

[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Sections 1 to 6 repealed: N.S. Reg. 23/2003 (Bulk Haulage Regulations).

7 In these regulations

(a) "farm bulk tank" means a stationary storage tank used only for the holding and cooling of milk on the premises of a producer and includes fixtures related thereto and the equipment required for use of the tank;

(b) "milk tank truck" means a motor vehicle having a tank used only for the purpose of hauling milk from farm bulk tanks to plants of distributors, manufacturers or processors or from one plant to another plant;

(c) "milk tank truck grader" is a person who is the holder of a letter or certificate issued by the Manager of Food Safety Services Section of the Province of Nova Scotia stating that, in his opinion, the person is qualified to perform the duties of a milk tank truck grader under these regulations.

Clause 7(c) replaced: N.S. Reg. 10/99.

8 The driver of a milk tank truck shall be a milk tank truck grader and no person shall drive a milk tank truck unless he is a milk tank truck grader provided, however, this regulation shall not apply where a milk tank truck is used for the purpose of hauling milk from one plant to another plant or when the driver of the milk tank truck is accompanied by a qualified milk tank truck grader.

9 A milk tank truck grader shall, before transferring any milk from a farm bulk tank, examine the milk in the farm bulk tank and if there is any abnormal odor, flavour or appearance, shall not transfer any of the milk to the milk tank truck and shall

(a) take a sample of the milk;

(b) make out a rejection tag showing the cause of rejection;

(c) deliver the rejection tag to the producer, or attach it to the farm bulk tank; and

(d) deliver the sample together with a report containing the producer's name and number and the cause of rejection to the distributor, manufacturer or processor.

10 The milk tank truck grader shall not transfer milk from a farm bulk tank until he has made a written report addressed to the producer showing

(a) the producer's name and number;

(b) the date;

(c) the weight of milk in the tank;

(d) the reading of the gauge rod or other measuring device; and

(e) the temperature of the milk.

11 (1) Immediately after determining the volume of milk in the farm bulk tank the milk tank truck grader shall start the agitator.

Subsection 11(1) amended: N.S. Reg. 39/2015.

(2) The milk tank truck grader shall obtain a representative sample of raw milk from the farm bulk tank.

Subsection 11(2) amended: N.S. Reg. 39/2015.

12 The milk tank truck grader shall take additional samples of milk that may be required by the Commission.

13 The milk tank truck grader shall

(a) put each sample of milk taken by him in accordance with Regulation 11 in a container approved by the Commission and said container must be clearly identified with the producer's name or number;

(b) keep each container that contains a sample of milk so taken by him in a cooled compartment of the milk tank truck while it is being transported;

(c) deliver without undue delay each container that contains a sample of milk so taken by him to the producer's distributor, manufacturer or processor; and

(d) deliver to the producer's distributor, manufacturer or processor a duplicate copy of the written report referred to in Regulation 10.

14 The milk tank truck grader, immediately after transferring the milk from a farm bulk tank to the milk tank truck shall rinse the farm bulk tank with cold or lukewarm water.

15 A milk tank truck shall not be used for any other purpose than the transportation of milk and fluid dairy products.

16 No person shall transfer milk to or from a milk tank truck except by means of a hose as prescribed in Section [clause] 17(c).

17 No person shall operate a tank truck for the transportation of milk from a farm bulk tank except a truck equipped with

(a) an insulated dust-tight cabinet constructed of stainless steel for the holding of milk hose, a pump and other equipment used in transferring milk from farm bulk tanks to the tank truck;

(b) an insulated, dust-tight cabinet constructed of stainless steel for the holding of samples of milk and means by which the samples are kept cool; and

(c) a hose that has smooth surfaces, is readily cleaned, is not toxic and does not affect the flavour of milk that comes in contact with the hose.

18 Milk from each producer shall be collected and delivered to the dairy plant not less frequently than three times per week, provided however, that in no case shall milk be left in the bulk tank more than two consecutive days.

19 Where more than one load is picked up in one day in a milk tank truck, the pump, hose and fittings of this tank truck shall be washed and sanitized between loads.

20 After unloading the last load of milk in each twenty-four hour period, the milk tank truck, the pump, hose and fittings shall be properly washed and sanitized.