



NCIMS
National Conference on Interstate Milk Shipments

2023 Revision
Grade "A"
Pasteurized
Milk
Ordinance
(PMO)



accordance with label recommendations, may contaminate the milk or milk products processed by the milk plant.

ADMINISTRATIVE PROCEDURES

This Item is deemed to be satisfied when:

1. There is no accumulation of trash, garbage or similar waste in areas adjacent to the milk plant. Waste material stored in suitable covered containers shall be considered in compliance.
2. Driveways, lanes and areas serving milk plant vehicular traffic are graded, drained and free from pools of standing water.
3. Outdoor areas for milk tank truck unloading are constructed of smooth concrete or equally impervious material, properly sloped to drain and equipped with trapped drains of sufficient size.
4. Only insecticides and rodenticides approved for use by the Regulatory Agency and/or registered with EPA shall be used for insect and rodent control.
5. Rooftops are kept clean of dry milk or milk products, which may accumulate and contribute to unsanitary conditions.

NOTE: Appendix M. of this *Ordinance* provides a source for milk plant, receiving station and transfer station inspection forms, which summarize the applicable sanitation requirements of this Section.

SECTION 8. ANIMAL HEALTH

1. All milk for pasteurization, ultra-pasteurization, aseptic processing and packaging, retort processed after packaging or fermented high-acid, shelf-stable processing and packaging shall be from herds under a tuberculosis eradication program, which meets one (1) of the following conditions:

- a. Areas which have Modified Accredited Advanced Tuberculosis (TB) status or higher as determined by the USDA; or
- b. An Area which fails to maintain such status:
 - (1) Any herd shall have been accredited by USDA; or
 - (2) Shall have passed an annual tuberculosis test; or
 - (3) The Area shall have established a tuberculosis testing protocol for livestock that assures tuberculosis protection and surveillance of the dairy industry within the Area and that is approved by FDA, USDA and the Regulatory Agency.

NOTE: Under the Federal USDA Bovine Tuberculosis Eradication Program, only cattle, bison and captive cervids are covered under the USDA State tuberculosis status determination. Therefore, other hooved mammals (goats, sheep, water buffalo, camels, etc.) are not covered within the program and shall comply with one (1) of the options cited under 3 below.

2. All milk for pasteurization, ultra-pasteurization, aseptic processing and packaging, retort processed after packaging or fermented high-acid, shelf-stable processing and packaging shall be from herds under a brucellosis eradication program, which meets one (1) of the following conditions:

- a. Located in a Certified Brucellosis-Free Area as defined by USDA and enrolled in the testing program for such areas; or
- b. Meet USDA requirements for a Certified Brucellosis-Free Herd; or

- c. Participating in a milk ring testing program at least two (2) times per year at approximately one hundred eighty (180) day intervals and all herds with positive milk ring results shall have the entire herd blood tested within thirty (30) days from the date of the laboratory ring tests; or
- d. Have an individual blood agglutination test on all cattle or bison six (6) months of age or older, except steers and spayed heifers, annually with an allowable maximum grace period not exceeding two (2) months.

NOTE: Under the Federal USDA Bovine Brucellosis Eradication Program, only cattle and bison are covered under the USDA State brucellosis status determination. Therefore, cattle are the only dairy animal currently covered by both the Federal USDA brucellosis and tuberculosis programs. All other hooved mammals (goats, sheep, water buffalo, camels, etc.) are not covered within these programs and shall comply with one (1) of the options cited under 3 below.

3. Goat, sheep, water buffalo, camel, or any other hooved mammal milk for pasteurization, ultra-pasteurization, aseptic processing and packaging, retort processed after packaging or fermented high-acid, shelf-stable processing and packaging, defined under this *Ordinance*, shall be from a herd or flock that:

- a. Has passed an annual whole herd or flock brucellosis and/or tuberculosis testing as recommended by the State Veterinarian or USDA Area Veterinarian in Charge (AVIC) using tests approved by USDA APHIS for the specific disease and species (blood testing for brucellosis and the caudal fold tuberculin test for tuberculosis); or
- b. Has passed an initial whole herd brucellosis and/or tuberculosis testing, followed only by testing replacement animals or any animals entering the milking group or sold as dairy animals using tests approved by USDA APHIS for the specific disease and species (blood testing for brucellosis and the caudal fold tuberculin test for tuberculosis); or
- c. Has passed an annual random individual animal brucellosis and/or tuberculosis testing program, using tests approved by USDA APHIS for the specific disease and species (blood testing for brucellosis and the caudal fold tuberculin test for tuberculosis), sufficient to provide a confidence level of 99% with a P value of 0.05. Any herd or flock with one (1) or more confirmed positive animals shall go to 100% testing until the whole herd tests show no positive animals are found; or
- d. Has passed a USDA APHIS approved bulk milk test for the specific disease and species, at USDA APHIS recommended frequency, with an implementation date based on the availability of the bulk milk test once USDA APHIS has approved such a test for the specific disease and species (The brucellosis ring test is USDA APHIS approved for the bovine species and is not suitable for most non-bovine species.); or
- e. Is determined to be free of brucellosis and/or tuberculosis as provided by the development and implementation of a State administered brucellosis-free and/or tuberculosis-free herd certification program involving a documented surveillance program, which includes records supporting the tests required in this Section, and an official annual written certification from the State Veterinarian documenting their brucellosis-free and/or tuberculosis-free status. The surveillance program shall be documented and the official annual written State brucellosis-free and/or tuberculosis-free certification shall be retained on file with the State Regulatory Agency. This official annual written State brucellosis-free and/or tuberculosis-free certification shall include a current list of Grade “A” non-cattle dairy herds and/or flocks (goats, sheep, water buffalo, camels, etc.) that are covered within the documented surveillance program and contained within the official annual written State brucellosis-free and/or tuberculosis-free certification.

(Refer to the **NOTE** on page 31.)

The following table¹⁴ will provide the random sampling size needed to achieve 99% confidence with a P value of 0.05:

Herd/Flock Size	Sampling Size	Herd/Flock Size	Sampling Size
20	20	500	82
50	41	600	83
100	59	700	84
150	67	800	85
200	72	1000	86
250	75	1400	87
300	77	1800	88
350	79	4000	89
400	80	10000	89
450	81	100000	90

4. For diseases other than brucellosis and tuberculosis, the Regulatory Agency shall require such physical, chemical or bacteriological tests, as it deems necessary. The diagnosis of other diseases in dairy animals shall be based upon the findings of a licensed and accredited¹⁵ veterinarian or an accredited veterinarian in the employ of an official Agency. Any diseased animal disclosed by such test(s) shall be disposed of as the Regulatory Agency directs.

5. Records supporting the tests required in this Section shall be available to the Regulatory Agency and be validated with the signature of a licensed and accredited veterinarian or an accredited veterinarian in the employ of an official Agency.

NOTE: For the ICP, references to USDA and/or State in Items 1 through 5 above, shall mean the Government Agency responsible for animal disease control in the Country or region of that Country. The term “accredited veterinarian” shall mean an individual veterinarian authorized for those activities in said Country or region of that Country.

PUBLIC HEALTH REASON

The health of the animal is a very important consideration, because a number of diseases of cattle, including tuberculosis, brucellosis, Q-fever, salmonellosis, staphylococcal infection and streptococci infection, may be transmitted to man through the medium of milk. The organisms of most of these diseases may get into the milk either directly from the udder, or indirectly through infected body discharges which may drop, splash or be blown into the milk.

The great reduction in the incidence of bovine tuberculosis in man indicates that the practice of good sanitation in animal husbandry, the testing of dairy animals and removal of the reactors from the herds, and the pasteurization of milk, have been effective in the control of this disease. The reservoir of bovine tuberculosis still exists; however, constant vigilance against this disease must be continued by industry and Regulatory Agencies.

ADMINISTRATIVE PROCEDURES

BOVINE TUBERCULOSIS: All tuberculin tests and retests shall be made, and any reactors disposed of, in accordance with the current edition of *Uniform Methods and Rules; Bovine*

Tuberculosis Eradication, Uniform Methods and Rules for Establishment and Maintenance of Tuberculosis-Free Accredited Herds of Cattle, Modified Accredited Areas and Areas Accredited Free of Bovine Tuberculosis in the Domestic Bovine, as published by USDA. For tuberculosis test purposes, the herd is defined as all adult cattle twenty-four (24) months of age and over, including any commingled beef animals. Dairy cattle less than two (2) years of age and already milking shall be included in the herd test. A letter or other official correspondence attesting to the accreditation status of the locality in which the herd is located, including the date of accreditation, or a certificate identifying the animals tested, the date of injection, the date of reading of the test and the results of the test signed by a USDA accredited veterinarian, shall be evidence of compliance with the above requirements and shall be filed with the Regulatory Agency. (Refer to Appendix A. of this *Ordinance*.)

NOTE: For the ICP, an official letter or other official correspondence attesting to the accreditation status of the locality in which the herd is located, including the date of accreditation or recertification, or certificate identifying the animals tested, the date of injection, the date of the reading of the test and the results of the test signed by the Country's Veterinary Services shall be provided as directed by the TPC.

BOVINE BRUCELLOSIS: All brucellosis tests, retests, disposal of reactors, vaccination of calves and certification of herds and areas shall be in accordance with the current edition of *Brucellosis Eradication, Recommended Uniform Methods and Rules*, as published by USDA. All reactors disclosed on blood agglutination tests shall be separated immediately from the milking herd and the milk of these reactors shall not be used for human consumption.

A certificate identifying each animal, signed by the veterinarian and the director of the laboratory making the test, shall be filed as directed by the Regulatory Agency. Provided, that in the event the herd is subject to the milk ring test, the record shall be required to show only the date and results of such test. Within thirty (30) days following the expiration of an official milk ring testing program, or in the case of a herd subject to annual blood tests, thirteen (13) months following the last annual blood tests, the Regulatory Agency shall notify the herd owner or operator of the necessity to comply with the brucellosis requirements. The failure of the herd owner or operator to comply with the brucellosis requirements within thirty (30) days of written notice shall result in immediate suspension of the permit. (Refer to Appendix A. of this *Ordinance*)

NOTE: For the ICP, a certificate identifying each animal signed by the Country's Veterinary Services and director of the laboratory conducting the testing, shall be provided as directed by the TPC.

SECTION 9. MILK AND/OR MILK PRODUCTS WHICH MAY BE SOLD

From and after twelve (12) months from the date on which this *Ordinance* is adopted, only Grade "A" pasteurized, ultra-pasteurized, aseptically processed and packaged low-acid milk and/or milk products, retort processed after packaged low-acid milk and/or milk products or fermented high-acid, shelf-stable processed and packaged milk and/or milk products shall be sold to the final consumer, to restaurants, soda fountains, grocery stores or similar establishments. Provided, only Grade "A" milk and/or milk products shall be sold to milk plants for use in the commercial preparation of Grade "A" milk and/or milk products. Provided further, that in an emergency, the sale of pasteurized, ultra-pasteurized, aseptically processed and packaged low-acid milk and/or milk products, retort processed after packaged low-acid milk and/or milk products or fermented high-acid, shelf-stable processed and packaged milk and/or milk products, which have not been