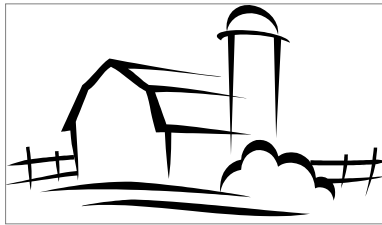

Occupational Regulation Review

Bulk Milk Haulers/Samplers Field Representatives



**Report of the Agriculture Committee Pursuant to the
Occupational Board Reform Act (§§84-933 to 84-948)**

Date: December 15, 2021

Introduction

The Occupational Board Reform Act (§§84-33 to 84-948 of the Nebraska Revised Statutes) was enacted by the Nebraska Legislature to establish a process for systematic examination of occupational regulations in Nebraska. The Act assigns a primary responsibility to the standing committees of the Legislature to perform periodic evaluation of those occupational regulations that fall within the subject matter jurisdiction of each committee.

§84-940 defines occupational regulation to mean “a statute, rule, regulation, practice, policy or other state law requiring an individual to possess certain personal qualifications or to comply with registration requirements to use an occupational title or work in a lawful occupation.” Beginning in 2019, each standing committee of the Legislature shall annually review and analyze approximately twenty percent of the occupational regulations within the jurisdiction of the committee and prepare and submit an annual report electronically to the Clerk of the Legislature by December 15 of each year. Each report shall include the committee's recommendations regarding whether the occupational regulations should be terminated, continued, or modified.

Licensing of Bulk Milk Haulers/Samplers and Milk Plant Field Representatives under the Nebraska Milk Act are occupational regulations that fall within the jurisdiction of the Agriculture Committee. This report is submitted to fulfil the requirements of the Agriculture Committee under §84-948 of the Occupational Board Reform Act with respect to these occupational regulations.

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Occupations: Bulk Milk Haulers/Samplers, Field Representatives

Occupational Board: Nebraska Department of Agriculture

Statutory Citation: Nebraska Milk Act (§§2-3965 – 2-3992)

Description of Occupation:

Bulk milk haulers/samplers and field representatives of dairy cooperatives, milk processing plants and other purchasers/aggregators of raw milk sourced from dairy farms perform services in assuring the quality and safety of milk entering the milk supply.

Bulk milk hauler/sampler: The term bulk milk hauler/sampler refers to individuals who physically receive raw milk for transport, typically from on farm bulk storage tanks for delivery to a milk processing plant, transfer facility, or other receiving facility, or other bulk transports of raw milk. Haulers/samplers apply training and acquired skills to initially accept or reject raw milk assessed through visual and other sensory cues and competent use of field testing equipment, and to accurately collect and remit official samples for laboratory testing for regulatory compliance and quality control purposes. Additionally, haulers employ skills and knowledge to competently operate and maintain specialized commercial vehicles designed for transporting bulk milk. Bulk haulers/samplers may be self-employed and provide hauling and sampling services to one or more clients as a sole proprietor. However, individuals engaging in the occupation may be employees of milk processors, dairy producer cooperatives, or milk transportation companies, which own the milk transport vehicles and sampling equipment and who may provide training and supervision of their hauler/sampler employees.

Field representative: Field representatives are individuals typically employed by, or providing contractual services for, processors or producer cooperatives. The occupation advises and assists producers and others in the milk aggregation chain in implementing management practices and equipment and facility specifications to comply with regulatory standards and to otherwise minimize risks to milk safety. Field representatives also perform official regulatory sampling functions in cooperation with regulatory agencies, employing knowledge of sound sampling techniques, equipment and processes and familiarity with regulatory requirements and milk industry practices for the storage, handling and transport of milk.

Description of Occupational Regulation:

§2-3965 of the Nebraska Milk Act incorporates several model codes developed by the National Conference on Interstate Milk Shipments and published by the Food and Drug Administration of the U.S. Department of Health and Human Services. The most relevant for purposes of this report is the Grade A Pasteurized Milk Ordinance (PMO), a model regulatory code establishing milk facility standards for sanitation and other safety practices in dairy production and in the storage, processing, packaging, labeling and transporting of milk for human consumption. Nebraska law currently adopts the 2017 edition of the Pasteurized Milk Ordinance. <https://www.fda.gov/media/99451/download>

Bulk Milk Haulers/Samplers: The Nebraska Milk Act incorporates the definitions and minimal standards of the PMO governing the qualification and licensing of bulk milk haulers and samplers. Bulk milk hauler/sampler is defined by subsection 1E of the PMO as follows:

E. BULK MILK HAULER/SAMPER: A person responsible for the collection of official "Universal" samples for regulatory purposes as outlined in Section 6.; and/or Appendix N. of this Ordinance, including those that are related to reinstatement/clearing samples at dairy farms, if acceptable to the Regulatory Agency, and may transport raw milk from a dairy farm and/or raw milk products to or from a milk plant, receiving station or transfer station and has in their possession a permit from any Regulatory Agency to sample such raw milk and/or raw milk products. This person is evaluated at least once every twenty-four month period, . . . by a Sampling Surveillance Officer or a properly delegated Sampling Surveillance Regulatory Agency Official.

Section 6 of the PMO assigns a responsibility to bulk haulers/samplers to collect official samples of milk from each bulk milk tank or other on farm storage before loading, and deliver such samples to the milk processing plant or other receiving facility.

Section 3 of the PMO specifies every individual who samples and/or collects raw milk for sale shall hold a valid permit issued by the state agency. The PMO does not provide for any exemptions to this rule; relief hauler/samplers and part-time hauler/samplers are in violation when they fail to obtain a permit prior to beginning their duties. Even if the hauler/sampler is employed by, or contracted to, operate transport vehicles owned by an entity other than the hauler that have the responsibility to permit the vehicle, the individual hauler is still required to be permitted. Any hauler/sampler found to be performing the duties of a hauler/sampler without a valid permit may be assessed a \$100 penalty in addition to the permit fee. Operation as a milk hauler/sampler without a permit is not enforced as a criminal violation under the Nebraska Milk Act but the Department may seek injunctive remedies.

PMO Section 3 further requires that regulatory agencies establish criteria for issuing permits to bulk milk hauler/samplers. Nebraska adopts the training and competencies milk hauler/samplers must demonstrate set forth in PMO Appendix B. The PMO requires that candidates for permitting meet a minimal score on a written examination whose contents are prescribed in Appendix B and pass an evaluation of the hauler/sampler permit candidate observed by a state inspector at one or more farms. The regulatory agency may provide formal training courses and/or delegate training to industry personnel. Nebraska delegates training to the industry although the state approves the training regimen provided. Typically, training consists of instruction by experienced employees or supervisors and ride-a-longs where the prospective permittee accompanies and observes an experienced hauler/sampler. Hauler/sampler permittees are evaluated at least once each two (2) year period using FORM FDA 2399a-BULK MILK HAULER/SAMPLER REPORT. (Included as an appendix to this report). Milk haulers/samplers are charged an initial and annual permit fee of \$25.

Field Representatives: §2-3966 of the Nebraska Milk Act defines a field representative as follows:

Field representative means an individual qualified and trained in the sanitary methods of production and handling of milk as set forth in the Nebraska Milk Act and who is generally employed by a processing or manufacturing milk plant or cooperative for the purpose of quality control work;

The PMO does not designate field representatives as a permit category separate from a bulk milk hauler/sampler permit, but does exempt employees of milk plants and distributors who are otherwise permitted by the regulatory authority from obtaining a bulk milk hauler/sampler permit. The Nebraska Milk Act sets forth the field representative as a separate permit category and prescribes the qualifications for such permit in §2-3977. Applicants for a field representative permit shall be trained in the sanitation practices for sampling, care of samples and milk handling requirements of the Nebraska Milk Act. Nebraska delegates training to the industry although the Department approves the training regimen. A permit applicant shall also demonstrate competence by passing an exam approved by the Department. An annual permit fee of \$25 is paid by the permittee or the permittee's employer. Field representatives are recertified every two years similar to milk haulers/samplers.

Occupational Board Information:

Report contents specified under subdivisions (3)(a) through (f) of §84-948 are not applicable to the occupations reviewed in this report.

The Nebraska Department of Agriculture, a code agency, is solely responsible for the receipt and processing of permit applications, and the issuance, monitoring and discipline of permit violations or lack of permitting. These functions are not delegated to an industry board. Permit processing is assigned to staff of the Dairy and Foods Division of the Department of Agriculture. Dairy inspectors employed by the Department conduct the testing and evaluation required as a condition of qualifying for a permit, and biennial evaluations to maintain permit qualification.

Regulatory Activity Data:

The Executive Board of the Legislature created an electronic survey to help committees accomplish the task of reviewing occupational regulations. Survey results for executive entities responsible for completing the surveys, including for the Department of Agriculture which implements the Nebraska Milk Act, are published at https://nebraskalegislature.gov/reports/committeesurvey_view.php on the website of the Nebraska Legislature.

Description of Disciplinary Actions: The Department reports no revocations, denials or other disciplinary actions over the previous 5 years, nor incidences of persons acting as a hauler/sampler or field rep without necessary permitting.

Inspections or other administrative actions: There are no regular or required inspections of milk haulers or field reps other than the two-year evaluations to maintain permit eligibility.

License Issuance and Oversight Activity: The table below summarizes the Department of Agriculture's survey response to permitting activity, associated fee revenues and the number of disciplinary actions taken for the past five complete fiscal years.

Licensure - 5 Year Summary

	Current total active permits (8/01/2021)	Permits Issued by Year**				
		2020/21	2019/20	2018/19	2017/18	2016/17
Licensed Persons						
Haulers/Samplers (new)	127	17	18	20	39	20
Haulers/Samplers (renew)		110	139	137	136	134
Field Reps (new)	7	0	2	2	2	0
Field Reps (renew)		7	7	7	6	6
Annual Permit Fee Revenue*						
Haulers/Samplers		\$2750	\$3475	\$3425	\$3400	\$3350
Field Representative		\$175	\$175	\$175	\$150	\$125
Disciplinary Actions		None				
Inspections, Audits or Other Regulatory Contacts		None				

Direct or Indirect costs to government to implement the occupational regulation: Permit fees are deposited into the Nebraska Pure Milk Cash Fund and are commingled with other permit and inspection fee revenues collected under the Act. Total fee and miscellaneous receipts remitted to the Pure Milk Cash Fund were \$271,185 in FY 2020-21. Based on permit volume from the table above, initial and annual milk hauler/sampler permit fees are assumed to be \$2,750, and field rep fees \$175, of that amount. All industry assessed fees in combination with general funds are utilized to support the Department's overall dairy licensure, inspection and enforcement program. Actual total expenditures reported by the Department for the implementation of the Nebraska Milk Act for FY 2020-21 was \$348,781 (\$167,215 general, \$181,566 cash). The current fiscal year (FY 2021-22) budgeted expenditure estimate is \$358, 970 (\$168,335 general, \$190,635 cash).

It is difficult to isolate a cost of administering the permitting activities that apply to milk haulers/samplers and field reps but such costs are only a very incremental expense within overall milk program expenditures. The Department reports one shared staff to implement the permitting program for the subject occupations. There is some cost to perform evaluations of permit candidates, developing guidance on training programs provided to permit candidates, and to verify examination scores, but these functions are performed by inspectors and other dairy program employees as an incidental activity within their overall responsibilities. Eliminating the permit requirement to engage in these occupations would be anticipated to result in only a very inconsequential reduction in costs to the Department.

Comparison to Other States' Regulation:

Pasted below is information obtained by a Department of Agriculture survey of surrounding states regarding regulation of milk haulers and field representatives. All of these states are members of the

Conference on Interstate Milk Shipments and incorporate the PMO standards developed by that organization for milk regulation, including those sections pertaining to milk hauler/sampler permitting. It would be anticipated that these states and the overwhelming majority of states nationwide that adopt PMO standards, would be substantively uniform in permitting/licensing requirements for the occupation. While no state is obligated to adopt the PMO, consistency with milk hauler and field representative permitting standards as part of the PMO standards allows dairy production in participating states to enter interstate commerce freely. The survey suggests that all states bordering Nebraska follow the PMO provisions regarding the permitting of milk haulers prescribed by the PMO as detailed above.

South Dakota

- How are milk haulers licensed in your state? Written Test, Farm Evaluation, Application
- Permit/license fee amount? \$50
- How often are they evaluated? Every two years
- Do you accept other state's permits for haulers operating in your state? They must be licensed in South Dakota, but we do accept other state evaluations after the haulers initial certification in South Dakota

Missouri

- How are milk haulers licensed in your state? Online training and testing
- Permit/license fee amount? \$25
- How often are they evaluated? Every two years
- Do you accept other state's permits for haulers operating in your state? Yes, but they must be licensed in Missouri (application + \$25)

Milk fieldmen are licensed in Missouri by written and online training, online testing and an on-site evaluation. The annual permit/license fee is \$25 and is evaluated every two years. Missouri accepts other state's permits, but the milk fieldmen must also apply for a Missouri license (\$25).

Iowa

- How are milk haulers licensed in your state? Written test, Farm Evaluation/Schooling
- Permit/license fee amount? \$20 for a two year permit
- How often are they evaluated? Every two years
- Do you accept other state's permits for haulers operating in your state? Yes, as long as the evaluation is current.

Milk fieldmen are licensed by a written test and a farm evaluation. The permit/license fee is \$20 for a two year permit evaluated every two years. Iowa will accept another state license with a current evaluation.

Kansas

- How are milk haulers licensed in your state? Must apply either online or by mail. Training and test online, evaluation by dairy inspector.
- Permit/license fee amount? Fee is \$35 annually.

- How often are they evaluated? Annually
- Do you accept other state's permits for haulers operating in your state? Yes

Milk fieldmen must apply either online or by mail. Training and testing is online with evaluation by a dairy inspector. The annual permit/license fee is \$35 and is evaluated annually. Kansas accepts other state permits for fieldmen operating in the state.

Colorado

- How are milk haulers licensed in your state? In person training/testing and onsite evaluation.
- Predominately conducted by certified industry representatives (DFA).
- Permit/license fee amount? Fee is \$50 annually.
- How often are they evaluated? Once every two years
- Do you accept other state's permits for haulers operating in your state? Yes

Colorado does not license milk fieldmen separately as most are licensed as milk haulers. There is no permit fee or evaluation. Colorado accepts other state permits, but they are not necessary.

Occupational Board Reform Act Analysis:

Assumptions underlying the creation of the occupational regulation:

Permitting of both milk hauler/samplers and fieldmen to assure minimal competency are components of a comprehensive public health regulatory scheme to safeguard the quality and safety of the nation's fluid milk supply and other dairy products. Licensure of both occupations was first put into place to meet interstate standards for milk industry regulation and to thereby enable Nebraska produced milk and dairy products to freely enter interstate commerce.

Note -- The licensure of fieldmen was first placed into statute with the enactment of LB 890 introduced by then Senator Maurice Kremer in 1969. LB 890 set forth standards for manufacturing grade milk to mirror model regulations published by USDA in 1963. Nebraska manufacturing milk statutes at one time required processors to employ fieldmen licensed by the Department of Agriculture to perform inspections of manufacturing grade dairy farms and other parts of the industry and to oversee sampling to monitor compliance of manufacturing grade milk with regulatory standards. Separate statutes governing manufacturing milk and grade A milk were combined into the current Nebraska Milk Act by enactment of LB 111 in 2013. Since that time, state law has not required milk processors to employ a fieldman. There are currently no manufacturing grade only producers, although state law would allow milk produced by Grade A licensed producers not meeting grade A standards to be marketed as manufacturing milk under certain conditions.

Occupational board statement of efficacy:

The licensing of raw bulk milk hauler/samplers in the State of Nebraska has been effective in the monitoring of persons who sample raw milk, weigh for basis of payment, and transport to processing

plants. Hauler/samplers are evaluated every two years for their sampling procedures and raw milk pick-up practices which assures that Nebraska dairy producers are accurately paid for their milk and dairy product customers are assured of a safe antibiotic free product. Repeated violations of sampling and pickup practices as set forth by the Nebraska Milk Act may result in suspension or revocation of licenses. The failure to license and consistently monitor the sampling pickup procedures of raw milk bulk hauler/samplers would place Nebraska dairy farmers at risk of lost financial payment for their product and would undermine the product safety and public health for the consumer. It would also place Nebraska at risk of losing the ability to ship milk interstate.

The licensing of dairy cooperative field representatives has proven effective for Nebraska dairy producers and processors. The field representative is responsible for the quality control and procurement of raw milk for processing as well as performing sampling duties when authorized by NDA. The public health and safety is dependent upon a quality milk supply and the field representative is a part of this.

Occupational regulation in relation to Occupational Board Reform Act Policy

§84-946 of the Occupational Board Reform Act (OBRA) declares a policy of the state of Nebraska to protect the fundamental right of an individual to pursue a lawful occupation. To assist committees in assessing current occupational regulations for purposes of OBRA, the current regulation is assessed by the following series of questions .

Do the policy justifications/need for regulation identified when the occupational regulation was enacted remain valid?

The state permitting certification of milk haulers remains a recommendation of the Conference of Interstate Milk Shippers and requirement under the PMO. Failure to permit persons engaging in the occupation in line with PMO standards would jeopardize the ability of the Nebraska milk industry to enter products in interstate markets.

What potential costs or consequences to the consuming public or society at large might arise due to poor quality of services provided by, or unethical conduct of, persons subject to the occupational regulation?

Both milk haulers and field representatives perform a vital function in minimizing the risk of milk as a source of food borne illness. Milk haulers have a responsibility to both the private sector and to the public to exclude substandard or adulterated milk from entering the milk supply. Inaccurate acceptance of milk from a producer can have serious economic implications for other producers and processors as milk from individual dairies are aggregated throughout the collection and processing chain. Even isolated, localized incidents of adulterated milk entering the supply chain can degrade large amounts of milk, causing waste, business disruptions, loss of income, the potential for regulatory sanctions, potential impact on public health and undermining the confidence of consumers in the safety and quality of milk.

Both milk haulers and field representatives perform systematic sample collecting that is analyzed for regulatory compliance and both occupations act as agents of the regulatory authority when performing that function. Competent and accurate sample collecting performed by these occupations are essential to the systematic monitoring of the milk supply for quality control and safety. Absent the assurance permitting affords that private actors performing this function do so accurately and competently, the state may have to assume the responsibility to perform systematic sampling at considerable expense.

Finally, the permitting of field representatives and milk haulers/samplers is a key element of a comprehensive regulatory scheme that allows Nebraska milk producers and processors to participate freely in interstate commerce. Removing permitting oversight would be a significant departure from model regulations that govern interstate commerce in milk and dairy products and could lead to loss of market access.

Does the occupational regulation use the least restrictive regulation necessary to achieve the public welfare interests served by the regulation?

The current occupational regulation acts as a certification and not a license as contemplated in OBRA. The act prescribes no personal qualifications as defined by §84-941 of the Occupational Board Reform Act to qualify for a permit to engage in the occupations other than the training and examination described previously. Current law does not limit participation in the occupations to persons attaining academic credentials or third-party endorsement, nor does the Act delegate authority to establish such qualifying credentials. Skills and knowledge to pass examination and periodic evaluation of actual job performance are often acquired through on-the-job training, and resource materials are easily acquired and provided at little to no cost to the prospective permittee. The annual permit fee of \$25 is nominal and not expected to be a significant barrier.

While the regulation helps assure only individuals having satisfactory competency perform essential services for the private sector and on behalf of the regulatory authority, the permitting requirements to engage in the occupations is only one element of a comprehensive regulatory scheme for the broader purpose of assuring the safety and quality of the milk supply. The purpose of the regulation is not to regulate the occupations per se or to protect direct consumers of the services provided by milk haulers and field reps. Because of the economic risks of inaccurate sampling of milk, there is considerable free market incentive for the industry to utilize only trained, competent haulers and field reps. Additionally, such personnel are often employees or contracted service providers. Private sector consumers of their services have considerable control over the recruitment and training of persons engaged in the occupations and the quality of the services performed.

Does the occupational regulation have a disproportionate impact on active duty military, veterans or spouses, immigrants with work authorizations, low income or unemployed workers, or people with criminal records?

No. These categories would face no greater barrier to entering the occupation as other demographic groups.

Is there information to indicate harm to competition and/or availability of services provided by persons subject to the occupational regulation?

It is not believed that the current permit requirements limit the availability of service providers or act as a barrier to competition. While the majority of permittees enter the milk hauler occupation as employees or contracted service providers to milk transport companies, dairy cooperatives or other milk aggregators, the permitting requirements would not be a significant barrier to persons engaging in the occupation as sole proprietors in competition with other milk haulers. The opportunities for employment or self employment in the occupations and willingness of persons to enter the occupations is primarily affected by marketplace conditions and organization. The permitting regulation would not appear to be a factor in limiting the availability of service providers to meet the needs of the private sector.

Is the occupational regulation enforced only against individuals selling goods or performing services contemplated in the regulatory act.

Although neither milk haulers/samplers or field representative are state employees and simultaneously provide valuable services to the private sector, they perform critical functions on behalf of the regulatory system to guard the safety of milk. As a milk sample collector, they act as an agent of the state. Permitting requirements are required only as they relate to the regulatory functions performed.

Agriculture Committee Recommendation

The Committee does not recommend elimination or revision to the current permitting requirements to engage in the occupations of milk hauler/sampler or field representative. The current occupational regulations applied to these occupations are minimal but allow Nebraska to be consistent with nationally recognized standards for the free participation of Nebraska's dairy industry in interstate commerce. The current regulations derive tremendous public welfare benefit for a relatively small burden on the regulated public. A draft of this report was distributed to industry contacts who did not indicate a shortage of the availability of haulers or field representative or that the current permitting requirement act as a barrier to competition in these occupations in conflict with the objectives of the Occupational Board Reform Act.

Form FDA 2399a

DEPARTMENT OF HEALTH AND HUMAN SERVICES FOOD AND DRUG ADMINISTRATION BULK MILK HAULER/SAMPLER EVALUATION REPORT	BULK MILK HAULER / SAMPLER PERMIT NO. BULK MILK HAULER / SAMPLER	TANKER PERMIT NO. DAILY PICKUP NO.
ADDRESS OF BULK MILK HAULER / SAMPLER OWNER ADDRESS OF OWNER	NAME AND ADDRESS OF INSPECTION LOCATION NAME AND ADDRESS OF RECEIVING PLANT	

An evaluation of your sampling procedures showed violations existing in the items checked below. You are further notified that this evaluation report serves as notification of the intent to suspend your permit if the violations noted are not in compliance at the time of the next inspection. (Refer to Sections 3 and 5 of the Grade "A" Pasteurized Milk Ordinance.)

<p style="text-align: center;">HAULER SANITATION PROCEDURES</p> <p>1. Pickup practices conducted to preclude contamination of milk contact surfaces <input type="checkbox"/></p> <p>2. Hands clean and dry, no infections <input type="checkbox"/></p> <p>3. Clean outer clothing, no use of tobacco <input type="checkbox"/></p> <p>4. Hose port used, tank lids closed during completion of pickup. <input type="checkbox"/></p> <p>5. Hose properly capped between milk pickup operations, hose cap protected during milk pickup..... <input type="checkbox"/></p> <p>6. Hose disconnected before tank rinsed <input type="checkbox"/></p> <p>7. Observations made for sediment/abnormalities <input type="checkbox"/></p> <p>8. Sample collected from each producer's bulk tank picked up <input type="checkbox"/></p> <p style="text-align: center;">BULK TANK SAMPLING PROCEDURES</p> <p>9. Thermometer – Approved Type <input type="checkbox"/></p> <p style="padding-left: 20px;">a. Accuracy – Checked against standard thermometer every 6 months – accuracy (+)(-) 1 division <input type="checkbox"/></p> <p style="padding-left: 20px;">b. Date checked and checker's initials attached to case <input type="checkbox"/></p> <p>10. Sample Transfer Instrument</p> <p style="padding-left: 20px;">a. Clean, sanitized or sterilized and of proper construction and repair <input type="checkbox"/></p> <p style="padding-left: 20px;">b. Sterile needle for aseptically dispensing a milk sample from the bulk tank sample septum into a sample container (i.e., vial) <input type="checkbox"/></p> <p style="padding-left: 20px;">c. Or an approved in-line sampler <input type="checkbox"/></p> <p style="padding-left: 20px;">d. Or an approved aseptic sampler <input type="checkbox"/></p> <p style="padding-left: 20px;">e. Or a sanitized sampling cock <input type="checkbox"/></p> <p>11. Sampling Instrument Container</p> <p style="padding-left: 20px;">a. Proper design, construction and repair for storing sample dipper in sanitizer <input type="checkbox"/></p> <p style="padding-left: 20px;">b. Applicable test kit for checking strength of sanitizer (200 ppm chlorine or equivalent) <input type="checkbox"/></p> <p>12. Sample Containers</p> <p style="padding-left: 20px;">a. Clean, properly sanitized or sterilized..... <input type="checkbox"/></p> <p style="padding-left: 20px;">b. Adequate supply, properly stored or handled <input type="checkbox"/></p> <p>13. Sample Storage Case</p> <p style="padding-left: 20px;">a. Rigid construction, suitable design to maintain samples at 0°C - 4.4°C (32°F - 40°F), protected from contamination <input type="checkbox"/></p> <p style="padding-left: 20px;">b. Ample space for refrigerant, racks provided as necessary <input type="checkbox"/></p> <p>14. Sample Collection – Precautions and Procedures</p> <p style="padding-left: 20px;">a. Sampling instrument and container(s) properly carried into and aseptically handled in milkhouse <input type="checkbox"/></p> <p style="padding-left: 20px;">b. Bulk tank milk outlet valve sanitized before connecting transfer hose <input type="checkbox"/></p> <p style="padding-left: 20px;">c. Smell milk through tank port hole <input type="checkbox"/></p> <p style="padding-left: 20px;">d. Observe milk in a quiescent state with lid wide open and lights on when necessary <input type="checkbox"/></p>	<p style="padding-left: 20px;">e. Test thermometer sanitized (1 min. contact time) <input type="checkbox"/></p> <p style="padding-left: 20px;">f. Non-acceptable milk rejected <input type="checkbox"/></p> <p style="padding-left: 20px;">g. Dry measuring stick with single-service paper towel <input type="checkbox"/></p> <p style="padding-left: 20px;">h. Measure milk only when quiescent <input type="checkbox"/></p> <p style="padding-left: 20px;">i. Do not contaminate milk during the measuring process <input type="checkbox"/></p> <p style="padding-left: 20px;">j. Agitate milk before sampling at least 5 min. or longer as may be required by tank specifications <input type="checkbox"/></p> <p style="padding-left: 20px;">k. Do not open bulk tank valve until milk is measured and sampled <input type="checkbox"/></p> <p style="padding-left: 20px;">l. Temperature of milk, time, date of pickup and bulk milk hauler/sampler name and license or permit no. recorded on each farm weight ticket <input type="checkbox"/></p> <p style="padding-left: 20px;">m. Tank thermometer accuracy</p> <p style="padding-left: 40px;">1. Tank thermometer accuracy checked monthly and recorded when used as test thermometer <input type="checkbox"/></p> <p style="padding-left: 40px;">2. Accuracy of required recording thermometer checked monthly against standardized thermometer and recorded <input type="checkbox"/></p> <p style="padding-left: 20px;">n. Temperature control sample provided at first sampling location for each rack of samples <input type="checkbox"/></p> <p style="padding-left: 20px;">o. Temperature control sample properly labeled with time, date, temperature, producer ID and bulk milk hauler/sampler identification <input type="checkbox"/></p> <p style="padding-left: 20px;">p. Sample containers legibly identified at collection points <input type="checkbox"/></p> <p style="padding-left: 20px;">q. Sample dipper rinsed at least two times in the milk before transferring sample <input type="checkbox"/></p> <p style="padding-left: 20px;">r. Dipper should be extended 6-8 inches into the milk to obtain a representative sample <input type="checkbox"/></p> <p style="padding-left: 20px;">s. Sample cock properly sanitized and flushed prior to sampling <input type="checkbox"/></p> <p style="padding-left: 20px;">t. Septum surface properly sanitized and single service sterile needle used <input type="checkbox"/></p> <p style="padding-left: 20px;">u. Do not hold sample container over the milk when transferring sample into the container <input type="checkbox"/></p> <p style="padding-left: 20px;">v. Fill sample container no more than ¾ full <input type="checkbox"/></p> <p style="padding-left: 20px;">w. Rinse sample dipper in safe tap water, return to storage container, open tank valve, start milk transfer pump <input type="checkbox"/></p> <p style="padding-left: 20px;">x. Immediately place milk sample in the sample case <input type="checkbox"/></p> <p>15. Sample Collection – Storage and Transportation</p> <p style="padding-left: 20px;">a. Sample storage – refrigerant maintained no higher than milk level in sample containers – maintain sample temperature – 0°C - 4.4°C (32°F - 40°F), do not bury tops of containers in ice, protect against contamination <input type="checkbox"/></p> <p style="padding-left: 20px;">b. Deliver samples to laboratory promptly <input type="checkbox"/></p> <p style="padding-left: 20px;">c. Samples and sample data – submitted to laboratory – if by common carrier, use tamper proof shipping case with top labeled "This Side Up" <input type="checkbox"/></p>
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REMARKS (If additional space is required, please place information on the back of this Form or on a separate page.)

DATE	SANITARIAN	AGENCY
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BULK MILK HAULER / SAMPLER EVALUATION REPORT

REMARKS (Continued)