

MANUFACTURING MILK LAW OF 2001 (EXCERPT)
Act 267 of 2001

***** 288.577.amended THIS AMENDED SECTION IS EFFECTIVE JUNE 27, 2008 *****

288.577.amended Definitions; S to W.

Sec. 17. As used in this act:

(a) "Sample transfer instrument" means any of the following:

- (i) Individually wrapped, sterile, single-service sampling tubes.
- (ii) Stainless steel metal dippers, with long handles having capacities of 10 ml. or greater.
- (iii) Sampling devices approved by the director.

(b) "Sanitary standards" means the dairy equipment construction standards or accepted dairy system operating practices formulated by 1 of the following:

(i) 3-A sanitary standards committees representing the international association for food protection, the United States public health service, the United States department of agriculture, and the dairy industry committee.

(ii) If sanitary standards are not available for a particular piece of equipment, general sanitary construction standards for dairy equipment formulated by the United States department of agriculture or the food and drug administration.

(iii) The equipment or practice approved by the director on a case-by-case basis.

(c) "Sanitizing" means the application of any effective method or sanitizing agent in compliance with the federal act to a clean surface for the destruction of pathogens and other organisms as far as is practicable.

(d) "Scheduled process" means the aseptic process selected by the processor as adequate under the conditions of manufacture for a given product to be free of viable microorganisms having a public health significance as well as microorganisms of nonhealth significance capable of reproducing in the food under normal nonrefrigerated conditions. Scheduled process includes an aseptic process that may be in excess of that necessary to ensure destruction of microorganisms of public health significance but at least equivalent to the process established by a competent processing authority to achieve commercial sterility under 21 CFR part 113.

(e) "Standard methods" means the sixteenth edition of "Standard Methods for the Examination of Dairy Products", published by the American public health association, dated 1992, incorporated by reference.

(f) "Sterilization or aseptic processing" means the complete destruction of living organisms by 1 of the following methods:

(i) Heating a container and its contents to a temperature between 212°F (100°C) to 280°F (138°C) for a period of time established by the scheduled process or by the department.

(ii) Creating a continuous product flow above a temperature of 280°F (138°C) for a period of time established by the scheduled process or by the department.

(iii) Employing a process described in subdivision (i) or (ii), and following packaging of the sterilized product, applying a heat treatment approved by the department.

(g) "Sterilized or aseptic milk and dairy products" means products hermetically sealed in a container and thermally processed or otherwise processed so as to render the product free of microorganisms capable of reproducing in the product under normal nonrefrigeration conditions of storage and distribution and free of viable microorganisms including spores of public health significance.

(h) "Transfer station" means any place, premises, or establishment where milk or dairy products are transferred directly from 1 milk tank truck to another.

(i) "Verified financial statement" means a financial statement that contains a notarized statement, signed and sworn to by an authorized representative of the dairy plant, attesting that the financial statement is correct.

(j) "Wholesale" means selling or offering to sell dairy products to retailers, jobbers, or distributors rather than directly to a consumer.

History: 2001, Act 267, Eff. Feb. 8, 2002;—Am. 2008, Act 147, Eff. June 27, 2008.