shipment to a plant after a period of
non-shipment. The milk shall meet the
requirements for acceptable milk, som-
matic cell count and drug residue level
(§§ 58.133, 58.134 and 58.135). The buyer
shall also confirm that the producer's
milk is currently not excluded from the
market (§ 58.137). Thereafter, the
milk shall be tested in accordance with
the provisions in §§ 58.133, 58.134 and
58.135.

[58 FR 26913, May 6, 1993]

§ 58.139 Record of tests.

Accurate records listing the results of
quality and drug residue tests for
each producer shall be kept on file at
the plant. Additionally, the plant shall
obtain the quality and drug residue
test records (§§ 58.148(a), (e) and (g)) for
any producer transferring milk ship-
ment from another plant. These
records shall be available for examina-
tion by the inspector.

[58 FR 26913, May 6, 1993]

§ 58.140 Field service.

A representative of the plant shall
arrange to promptly visit the farm of
each producer whose milk tests pos-
tive for drug residue, exceeds the max-
imum somatic cell count level, or does
not meet the requirements for accept-
able milk. The purpose of the visit
shall be to inspect the milking equip-
ment and facilities and to offer assis-
tance to improve the quality of the pro-
ducer's milk and eliminate any poten-
tial causes of drug residues. A rep-
resentative of the plant should rou-
tinely visit each producer as often as
necessary to assist and encourage the
production of high quality milk.

[58 FR 26913, May 6, 1993]

§ 58.141 Alternate quality control pro-
gram.

When a plant has in operation an ac-
cetable quality program, at the pro-
ducer level, which is approved by the
Administrator as being effective in ob-
taining results comparable to or higher
than the quality program as outlined
above for milk or cream, then such a
program may be accepted in lieu of the
program herein prescribed.

§ 58.142 Product quality and stability.

The receiving, holding and processing
of milk and cream and the manufac-
turing, handling, packaging, storing
and delivery of dairy products shall be
in accordance with clean and sanitary
methods, consistent with good com-
mercial practices to promote the pro-
duction of the highest quality of fin-
ished product and improve product sta-
bility. Milk should not be more than
three days old when picked up from the
producer and delivered to the plant, re-
ceiving station or transfer station.

§ 58.143 Raw product storage.

(a) All milk shall be held and proc-
essed under conditions and at tempera-
tures that will avoid contamination
and rapid deterioration. Drip milk
from can washers and any other source
shall not be used for the manufacture
of dairy products. Bulk milk in storage
tanks within the dairy plant shall be
handled in such a manner as to mini-
mize bacterial increase and shall be
maintained at 45 °F. or lower until
processing begins. This does not pre-
clude holding milk at higher tempera-
tures for a period of time, where appli-
cable to particular manufacturing or
processing practices.

(b) The bacteriological quality of
commingled milk in storage tanks
shall not exceed 1,000,000/ml.

[40 FR 47911, Oct. 10, 1975. Redesignated at 42
FR 32514, June 27, 1977, and further redesig-
nated at 46 FR 63203, Dec. 31, 1981, as amend-
ed at 67 FR 48976, July 29, 2002]

§ 58.144 Pasteurization or ultra-pas-
teurization.

When pasteurization or ultra-pas-
teurization is intended or required, or
when a product is designated “pasteur-
ized” or “ultra-pasteurized” every par-
ticle of the product shall be subjected
to such temperatures and holding peri-
ods in approved systems as will assure
proper pasteurization or ultra-pasteur-
zation of the product. The heat treat-
ment by either process shall be suffi-
cient to insure public health safety and
to assure adequate keeping quality, yet
retaining the most desirable flavor and