§ 58.137 Excluded milk.

A plant shall not accept milk from a producer if:

(a) The milk has been in a proba-
tional (No. 3) sediment content classi-
fication for more than 10 calendar days
(§ 58.134);

(b) Three of the last five milk sam-
ples have exceeded the maximum bac-
terial estimate of 500,000 per ml.
(§ 58.135 (c)(3)).

(c) Three of the last five milk sam-
ples have exceeded the maximum so-
matic cell count level of 750,000 per ml.
(1,000,000 per ml. for goat milk) (§ 58.133
(b)(6)); or

(d) The producer’s milk shipments to
either the Grade A or the manufac-
turing grade milk market currently
are not permitted due to a positive
drug residue test (§ 58.133(3)(4)).

§ 58.138 Quality testing of milk from
new producers.

A quality examination and tests
shall be made on the first shipment of
milk from a producer shipping milk to
a plant for the first time or resuming
shipment to a plant after a period of
non-shipment. The milk shall meet the
requirements for acceptable milk, so-
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.

§ 58.139 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 (§58.146(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.

§ 58.140 Field service.

A representative of the plant shall
arrange to promptly visit the farm of
each producer whose milk tests posi-
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 assist-
ance 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.

§ 58.141 Alternate quality control pro-
gram.

When a plant has in operation an ac-
ceptable 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-
mmercial 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 pro-
cessed 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