

**Wisconsin Administrative Code
AGRICULTURE, TRADE AND CONSUMER PROTECTION
Chapter ATCP 48 DRAINAGE DISTRICTS
Chapter ATCP 60 DAIRY FARMS
Subchapter I — Definitions**

ATCP 60.01 Definitions.

As used in this chapter:

(1) "Bulk tank" means a permanent or semi-permanent tank or container used to receive, cool or store bulk quantities of milk on a dairy farm. "Bulk tank" does not include milk cans or a bulk transport container.

(1g) "Bulk transport container" means a vehicle or container that a milk producer uses to ship bulk milk from a dairy farm to a dairy plant.

(1m) "C-I-P equipment" means any form of equipment which is designed to be cleaned in place by the mechanical circulation of cleaning and sanitizing solutions onto interior milk contact surfaces. "C-I-P equipment" includes C-I-P milking equipment, C-I-P pipelines and C-I-P bulk tanks.

(2) "C-I-P milking equipment" means equipment items including milker claws, inflations, weigh jars, meters, milk hoses, milk receivers, takeoff units and milk pumps, which are designed to be cleaned in place by the mechanical circulation of cleaning and sanitizing solutions onto interior milk contact surfaces.

(3) "C-I-P milk pipelines" means permanently mounted milk pipelines and their appurtenances which are designed to be cleaned in place by the mechanical circulation of cleaning and sanitizing solutions onto interior milk contact surfaces.

(4) "Cowyard" means an enclosed or unenclosed area, approximately adjacent to a milking barn or parlor, in which milking animals congregate'. "Cowyard" includes milking animal walkways, feeding areas, watering areas, washing areas and housing areas located outside but adjacent to a milking barn or parlor.

(5) "Dairy farm" means a dairy farm as defined in s. 97.22(1) (a), Stats., operated by a milk producer.

(6) "Dairy plant" means a dairy plant as defined in s. **97.20(1)** (a), Stats.

(7) "Dairy plant operator" means a person who operates a dairy plant. "Dairy plant operator" includes the operator of a dairy plant located outside this state if the operator procures milk from producers located in this state. "Dairy plant operator" does not include a person identified under s. **97.20(2)** (e), Stats.

(8) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.

(8m) "Drug" has the meaning given in **21 USC 321(g)**. "Drug" includes antibiotics and inhibitory substances.

(9) "Equipment" means an implement, vessel, machine or apparatus, other than a utensil, which:

(a) Has one or more milk contact surfaces; and

(b) Is used to draw milk from milking animals or to transport, hold, handle, cool or store milk on a dairy farm.

(10) "Food safety division" means the department's division of food safety.

(11) "Grade A farm" means a dairy farm for which a grade A permit is required under s. **ATCP 60.03** and s. **97.22(3)**, Stats.

(12) "Grade A milk" means grade A milk as defined in s. **97.24(1)** (b), Stats.

(13) "Grade B farm" means a dairy farm other than a grade A farm.

(14) "Grade B milk" means milk other than grade A milk.

(15) "Key violation" means any of the following:

(a) A repeat violation of any dairy farm standard under subch. III, as determined on 2 consecutive regular inspections of a dairy farm.

(b) An initial violation of any dairy farm standard under subch. III if the violation creates a substantial risk of milk adulteration, whether or not the violation constitutes an

imminent health hazard. The following conditions are considered key violations under this paragraph unless the inspector determines, under all of the surrounding circumstances, that they do not create a substantial risk of milk adulteration:

1. Unclean milk contact surfaces of equipment or utensils.
2. Filthy conditions in a milking barn or parlor, such as several days' accumulation of manure in gutters or other areas.
3. Filthy conditions in a cowyard, resulting in very dirty milking animals.
4. Filthy conditions in a milkhouse.
5. Water supply, water pressure, or water heating facilities fail to comply with this chapter.
6. No access to a toilet facility on the farm premises, or to a handwashing facility in the milkhouse.
7. Violation of standards under this chapter related to well construction or potability of" water supply, including any cross connection between potable and non-potable water sources.
8. Lack of an approved sanitizer in the milkhouse or adjacent storage areas to meet the sanitizing requirements under s. **ATCP 60.09(5)**.
9. Visibly dirty udders and teats on milking animals being milked.
10. Milk not cooled in compliance with s. **ATCP 60.12(4)**.
11. Rodent activity in the milkhouse.
12. Dead animals in the milking barn or cowyard.
13. Violations of standards related to the design, construction or installation of equipment or utensils, if the violation creates a substantial risk of adulteration.

(c) Two or more initial violations of dairy farm standards under subch. III which combine to create a substantial risk of

milk adulteration, whether or not the violations individually create a substantial risk of adulteration.

(16) "Milk" means the lacteal secretion of milking animals, and includes skim milk and cream.

(17) "Milk contact surfaces" means all surfaces of equipment or utensils which may come in contact with milk, or from which liquids may drain, splash or be drawn into milk.

(17m) "Milk hauler" means any person who collects milk at a dairy farm.

(18) "Milkhouse" means an enclosed facility, separate from the milking barn or parlor, in which milk is cooled or stored, and in which equipment and utensils are cleaned, sanitized and stored. "Milkhouse" includes a milkhouse sharing one or more walls with a milking barn or parlor.

(19) "Milking and milk handling system" means an automated system, and all components of that system, used to draw milk from milking animals, or to transport milk to a bulk tank or other container on a dairy farm. "Milking and milk handling system" includes C-I-P milking equipment and C-I-P milk pipelines.

(19m) "Milking animals" means all of the following:

(a) Cows, sheep and goats.

(b) Other hooved animals whose milk is collected and distributed for human consumption.

(20) "Milking barn" means a roofed and enclosed facility, other than a milking parlor, in which milking animals, are milked on a dairy farm.

(21) "Milking parlor" means a roofed and enclosed facility which is designed and used exclusively for the milking of milking animals, and which is not designed or used to house any animals.

(22) "Milk producer" or "producer" means a milk producer as defined in s. **97.22**(1) (f), Stats.

(23) "Person" means an individual, partnership, firm, association, corporation or any other business unit or entity.

(23m) "PMO" means the grade A pasteurized milk ordinance, 2005 revision, published by the United States department of health and human services, public health service, food and drug administration.

(23r) "Procure milk" means to buy milk or acquire the right to market milk.

(24) "Reinspection" means any of the following:

(a) A dairy farm inspection, other than a regularly scheduled inspection under s. **ATCP 60.24(2)** or 60.245, which the department makes in response to a key violation.

(b) A dairy farm inspection, other than a regularly scheduled inspection under s. **ATCP 60.24(2)** or 60.245, for which a fee is chargeable under s. **ATCP 60.18(6)**, 60.19(9), 60.25(4), 60.26, 60.27(6) (b)1., or 60.28(2) or (3).

(25) "Sanitize" means to destroy pathogens and other microorganisms, to the maximum extent practicable, by applying a sanitizer or sanitizing method approved by the department to an otherwise clean surface.

(26) "Secretary" means the secretary of the department.

(27) "Single-service articles" means utensils, including containers, filters and other articles, which are designed to be used only once prior to disposal.

(29) "Utensil" means any hand-held or similarly portable container, device, article or implement which:

(a) Has one or more milk contact surfaces; and

(b) Is used to draw milk from milking animals or to transport, hold, strain, handle or store milk on a dairy farm.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; cr. (8m) and am. (24) (b), Register, June, 1992, No. 438, eff. 7-1-92; am. (10). Register, November, 1994, No. 467, eff. 12-1-94: CR 01-125: am. (1), (4), (7), (9b), (10), (15) (b)8., (19) to (22), (24) and (29) (b), cr. (1g), r. (28). Register December 2002 No. 564, eff. 1-1-03; CR 07-006: am. (4), (9) (b), (15) (b)3, and 9., (19), (20), (21) and (29) (b), r. and recr. (16), cr. (17m), (19m), (23m) and (23r). Register January 2008 No. 625, eff. 2-1-08.