

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

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

288.700.amended Manufacturing milk into dairy product; duties of plant owner or operator.

Sec. 140. A person who owns or operates a plant receiving milk for manufacturing into a dairy product shall do each of the following:

- (a) Maintain premises in a clean and orderly condition.
- (b) Prevent the emission of an odor, smoke, or pollutant within the plant that may adulterate or negatively impact the quality of the milk or dairy products, as determined by the department.
- (c) Construct plant driveways and adjacent vehicular traffic areas using concrete, asphalt, or other material approved by the department for minimizing dust and mud and maintain those sites in good repair.
- (d) Construct a drainage system that provides for rapid, nonhazardous water drainage from the plant, driveways, adjacent traffic areas, and surface water sites located on plant property, in a manner that prevents the development of a nuisance.
- (e) Ensure that each plant structure is of sound construction and kept in good repair to prevent the entering or harboring of rodents, birds, insects, vermin, dogs, and cats.
- (f) Ensure that all exterior wall openings for pipes are effectively sealed around the pipes or fitted with tight metal collars.
- (g) Ensure that all openings to the outdoors, including doors, windows, skylights, and transoms, are effectively maintained and protected or screened against the entrance of insects, rodents, birds, dust, and dirt. On new construction, window sills should be slanted downward at a 45-degree angle.
- (h) Ensure that all exterior doors fit properly and that all hinged, exterior screen doors open outward.
- (i) Ensure that all conveyor and other exterior openings are effectively maintained and protected by the use of doors, screens, flaps, fans, or tunnels to prevent the entrance of insects, rodents, birds, dust, and dirt.
- (j) Ensure that outside openings for sanitary pipelines are covered when not in use.
- (k) Ensure that wall, ceiling, partition, and post surfaces of each room in which a milk or dairy product is stored, or in which a dairy utensil is washed or stored, are smoothly finished in a light colored material impervious to moisture.
- (l) Refinish a surface described in subdivision (k) as frequently as necessary to maintain a smooth finish.
- (m) Ensure that the floor of each room in which a milk or dairy product is processed, manufactured, packaged, handled or stored, or in which a dairy utensil is washed or stored, is each of the following:
 - (i) Except as provided in subdivision (n), constructed of an impervious material approved by the department.
 - (ii) Maintained in good repair.
 - (iii) Graded to prevent the forming of standing water or milk.
 - (iv) Equipped with drains containing properly constructed and maintained traps and designed to prevent sewage backup into drain lines and the floor of the plant.
- (n) Store new containers, supplies, and certain packaged products in a room or rooms with floors described in subdivision (m) or, upon department approval, in a room or rooms with a clean, smooth wood floor.
- (o) Equip the plant with adequate and well-distributed lighting of at least 50 foot-candles where dairy products are graded or examined for condition and quality such as a can milk receiving room dumping area; 20 foot-candles at working surfaces in rooms for manufacturing, processing, or packaging of dairy products or for washing of equipment and utensils; 5 foot-candles in all other rooms, including storage rooms and coolers; or as specified by the director. Light intensity shall be measured at a distance of 30 inches from the floor with the use of a light meter.
- (p) Protect from potential broken glass contamination all milk, dairy products, or dairy product ingredients located beneath a suspended lightbulb, fixture, window, or other glass.
- (q) Ensure that each room and compartment has adequate heating, air-conditioning, and ventilation to maintain sanitary conditions and provide exhaust or inlet fans, vents, hoods, and temperature and humidity control facilities as needed to minimize or eliminate undesirable room temperatures, odors, moisture, condensation, or mold.
- (r) Install adequate air filtering devices on air inlet fans to prevent the entrance of dirt and dust and ensure that each exhaust outlet is screened or provided with self-closing louvers to prevent the entrance of insects when not in use.
- (s) Clean and maintain in good repair each ventilation system.
- (t) Ensure that each room and compartment in which a raw dairy material, packaging material, ingredient

supplies, or dairy product is manufactured, handled, packaged, or stored is designed, constructed, and maintained to assure a stable and appropriate temperature and clean operating conditions.

(u) Separate a processing room from a bulk milk receiving room by walls or partitions and a solid, tight-fitting, self-closing door.

(v) Keep processing rooms free from equipment not regularly used.

(w) Maintain coolers and freezers containing milk or dairy products as follows:

(i) At temperature and humidity levels that protect cooler or freezer contents and minimize mold growth on or within the cooler or freezer.

(ii) In a condition that protects cooler or freezer contents from rodents, insects, and vermin.

(iii) With shelves that are clean and dry.

(iv) With equipment for the collection and disposal of condensate.

(x) Maintain a supply room used for the storing of packaging materials and miscellaneous ingredients in a clean, dry condition, free from insects, rodents, and mold, and maintained in good repair.

(y) Protect items stored in a supply room from dust, dirt, or other extraneous matter and arrange those items on racks, shelves, or pallets to permit cleaning and inspection of the room and access to the items.

(z) Label, segregate, and store insecticides, rodenticides, cleaning compounds, and other nonfood products in a separate supply room or cabinet away from milk, dairy products, ingredients, or packaging supplies.

(aa) Separate a boiler room and a shop room from other rooms where milk and dairy products are processed, packaged, handled, or stored and keep a boiler room and a shop room orderly and reasonably clean.

(bb) Maintain conveniently located and adequate toilet facilities in the processing plant that comply with the following:

(i) Are not open directly into any room in which milk or dairy products are processed, packaged, or stored.

(ii) Have doors that are self-closing and ventilation provided by mechanical means or screened openings to the outside air.

(iii) Have fixtures that are kept clean and in good repair.

(cc) Furnish each employee with a locker or other suitable facility that is kept clean and orderly.

(dd) Conspicuously post signs in each toilet and locker room directing employees to wash their hands before returning to work.

(ee) Maintain and adequately equip a laboratory consistent with the size and type of plant and the volume of dairy products manufactured and staff that laboratory with personnel qualified and trained for quality control and analytical testing.

(ff) Maintain a central laboratory serving more than 1 plant only if that laboratory is approved by the department and is conveniently located to the dairy plants.

(gg) Provide adequate sanitary starter facilities for the handling of starter cultures.

(hh) Provide an adequate supply of both hot and cold water of safe and sanitary quality, protected against contamination and pollution, with adequate facilities for proper distribution of water throughout the plant. Upon department approval, water from other facilities may be used for boiler feed water and condenser water if water lines are completely separated from the plant water supply and the equipment constructed and controlled to preclude contamination of product contact surfaces.

(ii) Prevent any cross-connection between safe water supply and either an unsafe or questionable water supply or another source through which contamination of the safe water supply is possible.

(jj) Make an examination of the sanitary water supply and recirculated product cooling mediums at least every 6 months or as often as necessary to determine purity and suitability for use in manufacturing dairy product systems. Such tests shall be made and approved by the department except for supplies that are regularly tested for purity and bacteriological quality. The most recent results of all water and cooling medium tests shall be kept on file at the plant for which the test was performed.

(kk) Ensure that the location, construction, and operation of a well complies with the safe drinking water act, 1976 PA 399, MCL 325.1001 to 325.1023.

(ll) Provide conveniently located drinking water facilities of a sanitary type in the plant.

(mm) Provide convenient hand-washing facilities, including hot and cold running water, soap or other detergents, sanitary single-service towels or air dryers, and covered trash containers for used towels or other wastes and locate those facilities in or adjacent to toilet and dressing rooms and convenient to the areas where milk and dairy products are handled, processed, or stored or where equipment is cleaned, sanitized, and stored.

(nn) Prohibit hand-washing in vats used for the cleaning of equipment or utensils.

(oo) Supply steam in sufficient volume and pressure for satisfactory operation of each applicable piece of equipment and ensure each of the following:

(i) That culinary steam used in direct contact with milk or dairy products complies with sanitary standards and is free from harmful substances or extraneous material.

(ii) That only nontoxic boiler compounds are used.

(iii) That steam traps, strainers, and condensate traps are used as necessary to ensure a safe steam supply.

(pp) Ensure that air under pressure that comes in contact with milk or dairy products or any product contact surface complies with sanitary standards and ensure that the air under pressure at the point of application is free from volatile substances, which may impart any flavor or odor to the products, and extraneous or harmful substances.

(qq) Properly dispose of wastes from the plant and premises and ensure that the plant sewer system has sufficient capacity to readily remove all wastes from the various processing and plant operations so as not to contaminate products or equipment or create a nuisance or public health hazard.

(rr) Ensure that containers used for the collection and holding of wastes are constructed of metal, plastic, or other equally impervious material and kept covered with tight-fitting lids and ensure that solid wastes are disposed of regularly and the containers and surroundings kept reasonably clean.

(ss) In accordance with department policy, periodically inspect and analyze dairy products being processed at the plant during each process.

(tt) Submit detailed plans to the department for approval before commencing new construction, remodeling, or equipment changes. Plans for new construction or remodeling shall include a plan that provides for operational or physical isolation of the milk plant from sources of potential product contamination caused by animal production facilities located in close proximity to the milk plant. Retail or public viewing areas shall be separated from processing areas by a solid floor-to-ceiling partition, except that other equally effective means of protection may be used, as approved by the director.

(uu) Provide adequate electrical power for on-demand support of lighting, cooling, heating, agitation, and ventilation systems.

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