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Withdrawn 5-1
Senate File 735

By COMMITTEE ON AGRICULTURE
(Committee on Agriculture)

H.F. 685 substituted 5-1

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

An Act relating to production and sale of milk and milk products.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section one hundred ninety point one (190.1),
2 Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the word "chapter" and
4 inserting in lieu thereof the word "title".

5 2. By striking all of subsection six (6) and inserting in
6 lieu thereof the following:

7 "a. Cream is the sweet, fatty liquid separated from milk,
8 with or without the addition of milk or skim milk, which con-
9 tains not less than eighteen (18) percent milk fat.

10 "b. Light cream, coffee cream, or table cream is cream
11 which contains not less than eighteen (18) percent but less
12 than thirty (30) percent milk fat.

13 "c. Whipping cream is cream which contains not less than
14 thirty (30) percent milk fat.

15 "d. Light whipping cream is cream that contains not less
16 than thirty (30) percent but less than thirty-six (36) percent
17 milk fat.

18 "e. Heavy cream or heavy whipping cream is cream which
19 contains not less than thirty-six (36) percent milk fat.

20 "f. Whipped cream is whipping cream into which air or gas
21 has been incorporated.

22 "g. Whipped light cream, coffee cream, or table cream is
23 light cream, coffee cream, or table cream into which air or

24 gas has been incorporated.

25 "h. Sour cream or cultured sour cream is a fluid or semi-
26 fluid cream resulting from the souring, by lactic acid pro-
27 ducing bacteria or similar culture, of pasteurized cream,
28 which contains not less than one-fifth (1/5) of one (1) per-
29 cent acidity expressed as lactic acid."

30 3. By striking all of subsection thirty-eight (38) and
31 inserting in lieu thereof the following:

32 "Milk is hereby defined to be the lacteal secretion, prac-
33 tically free from colostrum, obtained by the complete milking
34 of one (1) or more healthy cows, which contains not less than
35 eight and one-fourth (8 1/4) percent milk solids-not-fat and
36 not less than three and one-fourth (3 1/4) percent milk fat.
37 (Milk fat or butterfat is the fat of milk.)"

38 4. By striking all of subsection thirty-nine (39) and
39 inserting in lieu thereof the following:

40 "Skim milk or skimmed milk is milk from which sufficient
41 milk fat has been removed to reduce its milk fat content to
42 less than one-half (1/2) of one (1) percent."

43 5. By adding thereto the following new subsections:

44 a. "Goat milk is the lacteal secretion, practically free
45 from colostrum, obtained by the complete milking of healthy
46 goats. The word 'milk' shall be interpreted to include goat
47 milk."

48 b. "Half-and-half is a product consisting of a mixture of
49 milk and cream which contains not less than ten and one-half
50 (10 1/2) percent milk fat."

51 c. "Sour half-and-half or cultured half-and-half is fluid
52 or semifluid half-and-half derived from the souring, by lactic
53 acid producing bacteria or similar culture, of pasteurized
54 half-and-half, which contains not less than one-fifth (1/5)
55 of one (1) percent acidity expressed as lactic acid."

56 d. "Reconstituted or recombined milk or milk products shall
57 mean milk or milk products defined in this section which
58 result from the recombining of milk constituents with potable

59 water."

60 e. "Concentrated milk is a fluid product, unsterilized and
61 unsweetened, resulting from the removal of a considerable por-
62 tion of the water from milk, which, when combined with potable
63 water, results in a product conforming with the standards for
64 milk fat and solids-not-fat of milk."

65 f. "Concentrated milk products shall mean and include
66 homogenized concentrated milk, vitamin D concentrated milk,
67 concentrated skim milk, fortified concentrated skim milk, con-
68 centrated low fat milk, fortified concentrated low fat milk,
69 concentrated flavored milk, concentrated flavored milk products,
70 and similar concentrated products made from concentrated milk
71 or concentrated skim milk, and which, when combined with pot-
72 able water in accordance with instructions printed on the con-
73 tainer, conform with the definitions of the corresponding milk
74 products in this chapter and chapters one hundred ninety-one
75 (191) and one hundred ninety-two (192) of the Code."

76 g. "Low fat milk is milk from which a sufficient portion
77 of milk fat has been removed to reduce its milk fat content to
78 not less than one-half (1/2) of one (1) percent and not more
79 than two (2) percent."

80 h. "Vitamin D milk and milk products are milk and milk
81 products, the vitamin D content of which has been increased by
82 an approved method to at least four hundred (400) U.S.P. units
83 per quart."

84 i. "Fortified milk and milk products are milk and milk
85 products other than vitamin D milk and milk products, the vita-
86 min or mineral content of which have been increased by a method
87 and in an amount approved by the secretary."

88 j. "Homogenized milk is milk which has been treated to
89 insure breakup of the fat globules to such an extent that,
90 after forty-eight (48) hours of quiescent storage at forty-five
91 (45) degrees Fahrenheit, no visible cream separation occurs on
92 the milk, and the fat percentage of the top one hundred (100)

93 milliliters of milk in a quart, or of proportionate volumes
94 in containers of other sizes, does not differ by more than
95 ten (10) percent from the fat percentage of the remaining
96 milk as determined after thorough mixing. The word 'milk'
97 shall be interpreted to include homogenized milk."

98 k. "Flavored milk or milk products shall mean milk and
99 milk products as defined in this chapter and chapters one
100 hundred ninety-one (191) and one hundred ninety-two (192) of
101 the Code to which has been added a flavor or sweetener or
102 both."

103 1. "Buttermilk is a fluid product containing not less
104 than eight and one-fourth (8 1/4) percent of milk solids-not-
105 fat and resulting from the manufacture of butter from milk
106 or cream."

107 m. "Cultured buttermilk is a fluid product resulting
108 from the souring, by lactic acid producing bacteria or simi-
109 lar culture, of pasteurized skim milk or pasteurized low fat
110 milk."

111 n. "Cultured milk or cultured whole milk buttermilk is a
112 fluid product resulting from the souring, by lactic acid pro-
113 ducing bacteria or similar culture, of pasteurized milk."

114 o. "Acidified milk and milk products are milk and milk
115 products obtained by the addition of food grade acids to
116 pasteurized cream, half-and-half, milk, low fat milk, or skim
117 milk, resulting in a product acidity of not less than one-fifth
118 (1/5) of one (1) percent expressed as lactic acid."

119 p. "Milk products include cream, light cream, coffee cream,
120 table cream, whipping cream, light whipping cream, heavy cream,
121 heavy whipping cream, whipped cream, whipped light cream,
122 whipped coffee cream, whipped table cream, sour cream, cul-
123 tured sour cream, half-and-half, sour half-and-half, cultured
124 half-and-half, reconstituted or recombined milk and milk pro-
125 ducts, concentrated milk, concentrated milk products, skim
126 milk, skimmed milk, low fat milk, fortified milk and milk

127 products, vitamin D milk and milk products, homogenized milk,
128 flavored milk or milk products, buttermilk, cultured butter-
129 milk, cultured milk, cultured whole milk buttermilk, and
130 acidified milk and milk products.

131 "This definition is not intended to include such products
132 as sterilized milk and milk products hermetically sealed in
133 a container and so processed, either before or after sealing,
134 as to prevent microbial spoilage, or evaporated milk, condensed
135 milk, ice cream and other frozen desserts, butter, dry milk
136 products, except as defined herein, or cheese except when they
137 are combined with other substances to produce any pastuerized
138 milk or milk product defined herein."

139 q. "Grade A dry milk products are milk products which have
140 been produced for use in grade A pasteurized milk products
141 and which have been manufactured under the provisions of Grade
142 'A' Dry Milk Products--Recommended Sanitation Ordinance and
143 Code for Dry Milk Products Used in Grade 'A' Pasteurized Milk
144 Products (1956) of the United States Public Health Service."

145 r. "Optional ingredients shall mean and include grade A
146 dry milk products, concentrated milk, concentrated milk prod-
147 ucts, flavors, sweeteners, stabilizers, emulsifiers, acidifiers,
148 vitamins, minerals, and similar ingredients."

1 Sec. 2. Chapter one hundred ninety (190), Code 1966, is
2 hereby amended by inserting immediately after section one
3 hundred ninety point four (190.4), Code 1966, the following
4 new section and renumbering the remaining sections:

5 "Any milk or milk product shall further be deemed to be
6 adulterated:

7 "1. If it bears or contains any poisonous or deleterious
8 substance in a quantity which may render it injurious to
9 health.

10 "2. If it bears or contains any added poisonous or dele-
11 terious substance for which no safe tolerance has been es-
12 tablished by state or federal regulation, or in excess of such
13 tolerance if one has been established.

14 "3. If it consists, in whole or in part, of any substance
15 unfit for human consumption.

16 "4. If it has been produced, processed, prepared, packed,
17 or held under insanitary conditions.

18 "5. If its container is composed, in whole or in part, of
19 any poisonous or deleterious substance which may render the
20 contents injurious to health.

21 "6. If any substance has been added thereto or mixed or
22 packed therewith so as to increase its bulk or weight, or re-
23 duce its quality or strength, or make it appear better or of
24 greater value than it is."

1 Sec. 3. Section one hundred ninety-one point two (191.2),
2 Code 1966, is hereby amended as follows:

3 1. By striking subsection one (1) of such section.

4 2. By adding thereto the following subsections:

5 a. "All bottles, containers, and packages enclosing milk or
6 milk products as defined in section one (1) of this Act shall
7 be conspicuously labeled or marked with:

8 "a. The name of the contents as given in the definitions
9 of this chapter and chapters one hundred ninety (190) and
10 one hundred ninety-two (192) of the Code.

11 "b. The word 'reconstituted' or 'recombined' if the
12 product is made by reconstitution or recombination.

13 "c. The grade of the contents.

14 "d. The word 'pasteurized' if the contents are pasteurized
15 and the identity of the plant where pasteurized.

16 "e. The word 'raw' if the contents are raw and the name
17 or other identity of the producer.

18 "f. The designation 'vitamin D' and the number of U.S.P.
19 units per quart in the case of vitamin D milk or milk prod-
20 ucts.

21 "g. The volume or proportion of water to be added for
22 recombining in the case of concentrated milk or milk products.

23 "h. The words 'nonfat milk solids added' and the per-
24 centage added if such solids have been added, except that this

25 requirement shall not apply to reconstituted or recombined
26 milk and milk products.

27 "i. The words 'artificially sweetened' in the name if non-
28 nutritive or artificial sweeteners or both are used.

29 "j. The common name of stabilizers, distillates, and in-
30 gredients, provided that:

31 "(1) Only the identity of the milk producer shall be
32 required on cans delivered to a milk plant which receives
33 only grade A raw milk for pasteurization, and which immediately
34 dumps, washes, and returns the cans to the milk producer.

35 "(2) The identity of both milk producer and the grade shall
36 be required on cans delivered to a milk plant which receives
37 both grade A raw milk for pasteurization and ungraded raw
38 milk and which immediately dumps, washes, and returns the
39 cans to the milk producer.

40 "(3) In the case of concentrated milk products, the speci-
41 fic name of the product shall be substituted for the generic
42 term 'concentrated milk products', e.g., 'homogenized concen-
43 trated milk', 'concentrated skim milk', 'concentrated choco-
44 late milk', 'concentrated chocolate flavored low fat milk'.

45 "(4) In the case of flavored milk or flavored reconsti-
46 tuted milk, the name of the principal flavor shall be substi-
47 tuted for the word 'flavored'.

48 "(5) In the case of cultured milk and milk products, the
49 special type culture used may be substituted for the word
50 'cultured', e.g., 'acidophilus buttermilk', 'Bulgarian but-
51 termilk', and 'yogurt'."

52 b. "All vehicles and transport tanks containing milk or
53 milk products, except those referred to in section one hun-
54 dred ninety-two point five (192.5) of the Code, shall be
55 legibly marked with the name and address of the milk plant
56 or hauler in possession of the contents."

57 c. "Tanks transporting raw milk and milk products to a
58 milk plant from sources of supply not under the supervision
59 of the secretary are required to be marked with the name and

60 address of the milk plant or hauler and shall be sealed; in
61 addition, for each such shipment, a shipping statement shall
62 be prepared containing at least the following information:

- 63 "a. Shipper's name, address, and permit number.
- 64 "b. Permit number of hauler, if not employee of shipper.
- 65 "c. Point of origin of shipment.
- 66 "d. Tanker identity number.
- 67 "e. Name of product.
- 68 "f. Weight of product.
- 69 "g. Grade of product.
- 70 "h. Temperature of product.
- 71 "i. Date of shipment.
- 72 "j. Name of supervising health authority at the point of
73 origin.
- 74 "k. Whether the contents are raw, pasteurized, or other-
75 wise heat treated.

76 "Such statement shall be prepared in triplicate and shall
77 be kept on file by the shipper, the consignee, and the car-
78 rier for a period of six (6) months for the information of
79 the secretary."

80 d. "The labeling information which is required on all
81 bottles, containers, or packages of milk or milk products
82 shall be in letters of an acceptable size, kind, and color
83 satisfactory to the secretary and shall contain no marks or
84 words which are misleading."

85 3. By adding thereto the following:

86 "Milk and milk products are misbranded:

87 "a. When their container bears or accompanies any false
88 or misleading written, printed, or graphic matter.

89 "b. When such milk and milk products do not conform to
90 their definitions as contained in this Act.

91 "c. When such products are not labeled in accordance with
92 this section."

1 Sec. 4. Section one hundred ninety-one point four (191.4),
2 Code 1966, is hereby repealed and the following enacted in

3 lieu thereof:

4 "'Person' as used in chapters one hundred ninety (190), one
5 hundred ninety-one (191), and one hundred ninety-two (192) of
6 the Code means any individual, plant operator, partnership,
7 corporation, company, firm, trustee, or association."

1 Sec. 5. Chapter one hundred ninety-two (192), Code 1966,
2 is hereby amended by inserting immediately after section one
3 hundred ninety-two point four (192.4) of the Code the follow-
4 ing new section and renumbering the remaining sections:

5 "It shall be unlawful for any person who does not possess
6 a permit from the secretary or authorized municipal corpora-
7 tion to bring into, send into, or receive into the state for
8 sale, or to sell, or offer for sale therein, or to have in
9 storage any milk or milk products defined in this chapter and
10 chapters one hundred ninety (190) and one hundred ninety-
11 one (191) of the Code; provided that, grocery stores,
12 restaurants, soda fountains, and similar establishments where
13 milk or milk products or both are served or sold at retail,
14 but not processed, may be exempt from the requirements of
15 this section. However, only the secretary of agriculture
16 may issue the permit referred to in this section for any
17 milk plant or receiving station.

18 "Only a person who complies with the requirements of this
19 chapter and chapters one hundred ninety (190) and one hundred
20 ninety-one (191) of the Code shall be entitled to receive and
21 retain such a permit from the department or authorized muni-
22 cipal corporation. Permits shall not be transferable with
23 respect to persons or locations.

24 "The secretary or authorized municipal corporation shall
25 suspend such permit whenever there is reason to believe that
26 a public health hazard exists, or whenever the permit holder
27 has violated any of the requirements of said chapters or
28 whenever the permit holder has interfered with the secretary
29 or authorized municipal corporation in the performance of
30 their duties; except where the milk or milk product involved

31 creates, or appears to create, an imminent hazard to the
32 public health; or in any case of a willful refusal to permit
33 authorized inspection, the secretary or authorized municipal
34 corporation shall serve upon the holder a written notice of
35 intent to suspend the permit. The notice shall specify with
36 particularity the violations in question and afford the holder
37 such reasonable opportunity to correct such violations as may
38 be agreed to by the parties, or in the absence of agreement,
39 fixed by the secretary or authorized municipal corporation
40 before making any order of suspension effective. A suspension
41 of permit shall remain in effect until the violation has
42 been corrected to the satisfaction of the secretary or
43 authorized municipal corporation.

44 "Upon written application of any person whose permit has
45 been suspended, or upon application within forty-eight (48)
46 hours of any person who has been served with a notice of in-
47 tention to suspend, and in the latter case before suspension,
48 the secretary or authorized municipal corporation shall
49 within seventy-two (72) hours proceed to a hearing to ascer-
50 tain the facts of such violation or interference and upon
51 evidence presented at such hearing shall affirm, modify, or
52 rescind the suspension or intention to suspend.

53 "Upon repeated violation, the secretary or authorized
54 municipal corporation may revoke such permit following reason-
55 able notice to the permit holder and an opportunity for a
56 hearing. This section is not intended to preclude the
57 institution of court action as provided in section seven
58 (7) of this Act.

59 "The provisions of this section are intended for the regu-
60 lation of the production, processing, labeling, and distri-
61 bution of grade A milk and grade A milk products under sani-
62 tary requirements which are uniform throughout the state."

1 Sec. 6. Section one hundred ninety-two point seven
2 (192.7), Code 1966, is hereby repealed and the following en-
3 acted in lieu thereof.

4 "For the purpose of this title, unless the context other-
5 wise requires:

6 "1. 'Pasteurization', 'pasteurized', and similar terms
7 mean the process of heating every particle of milk or milk
8 product to at least one hundred forty-five (145) degrees
9 Fahrenheit, and holding it continuously at or above this tem-
10 perature for at least thirty (30) minutes, or to at least
11 one hundred sixty-one (161) degrees Fahrenheit, and holding
12 it continuously at or above this temperature for at least
13 fifteen (15) seconds, in equipment which is properly operated
14 and approved by the secretary; except, that milk products
15 which have a higher milk fat content than milk or contain
16 added sweeteners or both shall be heated to at least one hun-
17 dred fifty (150) degrees Fahrenheit, and held continuously at
18 or above that temperature for at least thirty (30) minutes,
19 or to at least one hundred sixty-six (166) degrees Fahrenheit,
20 and held continuously at or above that temperature for at
21 least fifteen (15) seconds. Nothing in this definition shall
22 be construed as barring any other pasteurization process which
23 has been recognized by the United States public health ser-
24 vice to be equally efficient and which is approved by the
25 department of agriculture.

26 "2. Sanitization is the application of any effective
27 method or substance to a clean surface for the destruction of
28 pathogens, and of other organisms as far as is practicable.
29 Such treatment shall not adversely affect the equipment, the
30 milk or milk product or the health of consumers, and shall
31 be acceptable to the secretary.

32 "3. A milk producer is any person who operates a dairy
33 farm and provides, sells, or offers milk for sale to a milk
34 plant, receiving station, or transfer station.

35 "4. A milk hauler is any person who transports raw milk
36 or raw milk products or both to or from a milk plant or a
37 receiving or transfer station.

38 "5. A milk distributor is any person who offers for sale

39 or sells to another any milk or milk products.

40 "6. A dairy farm is any place or location where one (1)
41 or more cows or goats are kept, and from which a part or all
42 of any milk or milk product is provided, sold, or offered
43 for sale to a milk plant, transfer station, or receiving
44 station.

45 "7. A milk plant or receiving station is any place, loca-
46 tion, or establishment where milk or milk products are col-
47 lected, handled, processed, stored, pasteurized, bottled, or
48 prepared for distribution.

49 "8. A transfer station is any place, location, or es-
50 tablishment where milk or milk products are transferred directly
51 from one (1) transport tank to another.

52 "9. An official laboratory is a biological, chemical, or
53 physical laboratory which is under the direct supervision of
54 the department or local health authority.

55 "10. An officially designated laboratory is a commercial
56 laboratory authorized to do official work by the department
57 or other supervising agency, or a milk industry laboratory
58 officially designated by the department or other supervising
59 agency for the examination of producer samples of grade A
60 raw milk for pasteurization."

1 Sec. 7. Section one hundred ninety-two point ten (192.10),
2 Code 1966, is hereby repealed and the following enacted in lieu
3 thereof:

4 "From and after July 1, 1968, only grade A pasteurized
5 milk and milk products shall be sold to the final consumer,
6 or to restaurants, soda fountains, grocery stores, or similar
7 establishments; except in an emergency, the sale of pasteur-
8 ized milk and milk products which have not been graded, or
9 the grade of which is unknown, may be authorized by the
10 secretary, in which case, such products shall be labeled
11 'ungraded'.

12 "No person shall within the state produce, provide, sell,
13 offer, or expose for sale, or have in possession with intent

14 to sell, any milk or milk product which is adulterated or
15 misbranded; except, in an emergency, the sale of pasteurized
16 milk and milk products which have not been graded, or the grade
17 of which is unknown, may be authorized by the secretary, in
18 which case such products shall be labeled 'ungraded'.

19 "Any adulterated or misbranded milk or milk product may
20 be impounded by the secretary and disposed of in accordance
21 with applicable laws or regulations.

22 "Each dairy farm, milk plant, receiving station, and
23 transfer station whose milk or milk products are intended for
24 consumption shall be inspected by the commissioner of public
25 health prior to the issuance of the permit provided for in
26 section five (5) of this Act. However, if any municipal
27 corporation makes application to the secretary for authority
28 to conduct such inspections, the secretary, upon finding that
29 such municipal corporation has qualified personnel to perform
30 the same, shall enter into agreements with the municipal
31 corporation providing for such inspection. Inspection by
32 either the secretary or approved municipal corporation shall
33 be acceptable for issuance of such permit by the secretary or
34 municipal corporation.

35 "When inspections are conducted and permits are issued by a
36 municipal corporation under this chapter, in a manner which
37 the secretary deems consistent with the provisions of this
38 chapter and chapter one hundred ninety (190) and one hundred
39 ninety-one (191) of the Code, as evidenced by the annual survey
40 by the state department of health, the secretary shall accept
41 such procedures in lieu of administration of the provisions
42 of said chapters by the state, within the jurisdiction involved.
43 In the event the survey required in section twenty-seven (27)
44 of this Act indicates that a municipal corporation is acting
45 in a manner which is inconsistent with the provisions of said
46 chapters, the secretary may revoke the agreement with the
47 municipal corporation after notice and hearing, in the manner

48 described for permit revocation in section five (5) of this
49 Act, and perform such acts as are necessary to regulate grade
50 A milk and milk products in such jurisdiction in conformity
51 herewith.

52 "Following the issuance of such permit, each dairy farm and
53 transfer station shall be inspected at least once every six (6)
54 months and each milk plant and receiving station shall be in-
55 spected at least once every three (3) months. Should the vio-
56 lation of any requirement set forth in sections fifteen (15)
57 through twenty-one (21) of this Act be found to exist, a second
58 inspection shall be required after the time deemed necessary to
59 remedy the violation, but not before three (3) days from the
60 previous inspection. The reinspection shall be used to deter-
61 mine compliance with the requirements of said sections. Any
62 violation of the same requirement of said sections on such re-
63 inspection shall call for permit suspension in accordance with
64 section five (5) of this Act or court action or both.

65 "One (1) copy of the inspection report shall be handed to
66 the operator, or other responsible person, or be posted in a
67 conspicuous place on an inside wall of the establishment.
68 The inspection report shall not be defaced and shall be made
69 available to the secretary upon request. An identical copy of
70 the inspection report shall be filed with the records of the
71 secretary."

1 Sec. 8. Every milk producer, hauler, distributor, or plant
2 operator shall, upon request of the secretary, permit access
3 of officially designated persons to all parts of his establish-
4 ment or facilities to determine compliance with the provisions
5 of this Act. A distributor or plant operator shall furnish
6 the secretary, upon request, for official use only, a true
7 statement of the actual quantities of milk and milk products
8 of each grade purchased and sold, and a list of all sources of
9 such milk and milk products, records of inspections, tests,
10 and pasteurization time and temperature records.

1 Sec. 9. It shall be unlawful for any person who in an
2 official capacity obtains any information under the pro-
3 visions of this Act which is entitled to protection as a
4 trade secret, including information as to quantity, quality,
5 source or disposition of milk or milk products, or results
6 of inspections or tests thereof, to use such information
7 to his own advantage or to reveal it to any unauthorized
8 person.

1 Sec. 10. During any consecutive six (6) months, at least
2 four (4) samples of raw milk for pasteurization shall be taken
3 from each producer and four (4) samples of raw milk for pasteur-
4 ization shall be taken from each milk plant after receipt of
5 the milk by the milk plant and prior to pasteurization. In
6 addition, during any consecutive six (6) months, at least four
7 (4) samples of pasteurized milk and at least four (4) samples
8 of each milk product defined in this Act and chapters one hundred
9 ninety (190) and one hundred ninety-one (191) of the Code shall
10 be taken from every milk plant. Such samples of milk and milk
11 products shall be taken while in possession of the producer
12 or distributor at any time prior to final delivery. Samples
13 of milk and milk products from dairy retail stores, restaurants
14 and food establishments as defined in chapter one hundred
15 seventy (170) of the Code, grocery stores, vending machines,
16 and other places where milk and milk products are sold shall
17 be examined periodically as determined by the secretary and
18 the results of such examination shall be used to determine
19 compliance with sections two (2), seven (7), nineteen (19),
20 twenty (20), and twenty-one (21) of this Act. Proprietors of
21 such establishments shall furnish the secretary, upon his
22 request, with the names of all the distributors from whom milk
23 or milk products are obtained.

1 Sec. 11. Required bacterial counts and cooling temperature
2 checks shall be performed on raw milk for pasteurization. In
3 addition, antibiotic tests on each producer's milk or on

4 commingled raw milk shall be conducted at least four (4) times
5 during any consecutive six (6) months. When commingled milk
6 is tested, all producers shall be represented in the sample.
7 All individual sources of milk shall be tested when test
8 results on the commingled milk are positive. Required
9 bacterial counts, coliform determinations, phosphatase, and
10 cooling temperatures checks shall be performed on pasteurized
11 milk and milk products.

1 Sec. 12. Whenever two (2) of the last four (4) consecutive
2 bacteria counts, coliform determinations, or cooling temperatures,
3 taken on separate days, exceed the limit of the standard for
4 the milk or milk products or both, the health authority shall
5 send a written notice thereof to the person concerned. The
6 notice shall be in effect so long as two (2) of the last four
7 (4) consecutive samples exceed the limit of the standard.
8 An additional sample shall be taken within fourteen (14) days
9 of the sending of such notice, but not before the lapse of
10 three (3) days from the previous sampling. Immediate suspen-
11 sion of permit in accordance with section five (5) of this Act
12 or court action or both shall be instituted whenever the stan-
13 dard is violated by three (3) of the last five (5) bacteria
14 counts, coliform determinations, or cooling temperatures.

1 Sec. 13. Whenever a phosphatase test is positive, the
2 cause shall be determined. Where the cause is improper pasteur-
3 ization, the cause shall be corrected and any milk or milk
4 product involved shall not be offered for sale.

1 Sec. 14. Samples shall be analyzed at an official or
2 appropriate officially designated laboratory. All sampling
3 procedures and required laboratory examinations shall be
4 in substantial compliance with the Standard Methods for the
5 Examination of Dairy Products, Eleventh (11th) Edition 1960,
6 of the American Public Health Association, and the Official
7 Methods of Analyses of the Association of Official Agricul-
8 tural Chemists, Ninth (9th) Edition 1960. Such procedures

9 and examinations shall be evaluated in accordance with the
 10 methods of evaluating milk laboratories recommended by the
 11 United States public health service. Examinations and tests
 12 shall be conducted to detect adulterants, including pesticides,
 13 as the secretary shall require. Assays of vitamin D milk or
 14 milk products or fortified milk and milk products or both
 15 shall be made at least annually in a laboratory acceptable
 16 to the secretary.

1 Sec. 15. All grade A raw milk for pasteurization and
 2 all grade A pasteurized milk and milk products shall be pro-
 3 duced, processed, and pasteurized to conform with the follow-
 4 ing chemical, bacteriological, and temperature standards, and
 5 the sanitation requirements of this Act.

6 No process or manipulation other than pasteurization,
 7 processing methods integral therewith, and appropriate re-
 8 frigeration shall be applied to milk and milk products for the
 9 purpose of removing or deactivating microorganisms.

10 Chemical, Bacteriological and Temperature Standards
 11 for Grade A Milk and Milk Products.

12	Grade A raw milk	Temperature	Cooled to 50° Fahrenheit
13	for pasteurization.		or less and maintained
14		Bacterial limits	thereat until processed.
15			Individual producer milk
16			not to exceed 100,000
17			per milliliter prior to
18			commingling with other
19			producer milk. Not
20			exceeding 300,000 per
21			milliliter as commingled
22			milk prior to pasteur-
23			ization.
24		Antibiotics	No detectible antibiotic
25			residues.

26	Grade A pasteurized	Temperature	Cooled to 45° Fahrenheit
27	milk and milk		or less and maintained
28	products (except		thereat.
29	cultured	Bacterial limits	Milk and milk products--
30	products).		20,000 per milliliter.

31		Coliform limit	Not exceeding 10 per
32			milliliter.
33		Phosphatase	Less than 1 microgram
34			per milliliter, by
35			Scharer Rapid Method
36			(or equivalent by other
37			means).

38	Grade A pasteurized	Temperature	Cooled to 45° Fahrenheit
39	cultured products.		or less and maintained
40			thereat.
41		Coliform limit	Not exceeding 10 per
42			milliliter.
43		Phosphatase	Less than 1 microgram
44			per milliliter, by
45			Scharer Rapid Method
46			(or equivalent by other
47			means).
48		Bacterial limits	Exempt.

1 Sec. 16. Sanitation requirements for grade A raw milk for
2 pasteurization.

3 1. Cows which show evidence of the secretion of abnormal
4 milk in one (1) or more quarters based upon bacteriological,
5 chemical, or physical examination, shall be milked last or
6 with separate equipment, and the milk shall be discarded.
7 Cows treated with, or cows which have consumed chemical, medi-
8 cinal or radioactive agents which are capable of being secreted
9 in the milk and which, in the judgment of the health authority,
10 may be deleterious to human health, shall be milked last or
11 with separate equipment, and the milk disposed of as the health
12 authority may direct.

13 2. A milking barn, stable, or parlor shall be provided
14 on all dairy farms in which the milking herd shall be housed
15 during milking time operations. The areas used for milking
16 purposes shall:

17 a. Have floors constructed of concrete or equally imper-
18 vious material.

19 b. Have walls and ceilings which are smooth, painted or

20 finished in an approved manner and are in good repair and
21 ceilings shall be dust tight.

22 c. Have separate stalls or pens for horses, calves, and
23 bulls.

24 d. Be provided with natural or artificial light, or both,
25 well distributed for day milking or night milking, or both.

26 e. Provide sufficient airspace and air circulation to
27 prevent condensation and excessive odors.

28 f. Not be overcrowded.

29 g. Have dust-tight covered boxes or bins or separate
30 storage facilities for ground, chopped, or concentrated feed.

31 The interior of such places shall be kept clean. Floors,
32 walls, windows, pipelines, and equipment shall be free of filth
33 and litter and shall be clean. Swine and fowl shall be kept
34 out of the milking barn.

35 3. Cow yards shall be graded and drained and shall have
36 no standing pools of water or accumulations of organic wastes.
37 In loafing or cattle-housing areas, cow droppings and soiled
38 bedding shall be removed or clean bedding added at suffi-
39 ciently frequent intervals to prevent the soiling of the cow's
40 udder and flanks. Waste feed shall not be allowed to accumu-
41 late. Manure packs shall be properly drained and shall provide
42 a reasonably firm footing. Swine shall be kept out of the
43 cow yard.

44 4. A milk house or room of sufficient size shall be pro-
45 vided in which the cooling, handling, and storing of milk and
46 the washing, sanitizing, and storing of milk containers and
47 utensils shall be conducted.

48 The milk house shall be provided with a smooth floor con-
49 structed of concrete or equally impervious material graded to
50 drain and maintained in good repair. Liquid waste shall be
51 disposed of in a sanitary manner. All floor drains shall be
52 accessible and shall be trapped if connected to a sanitary
53 sewer system.

54 The walls and ceilings shall be constructed of smooth

55 material, shall be in good repair, and shall be well painted
56 or finished in an equally suitable manner.

57 The milk house shall have adequate natural or artificial
58 light or both and be well ventilated.

59 The milk house shall be used for no other purpose than milk
60 house operations. There shall be no direct opening into any
61 barn, stable, or into a room used for domestic purposes;
62 except, a direct opening between the milk house and milking
63 barn, stable, or parlor shall be permitted when one (1) or
64 more tight-fitting, self-closing solid doors hinged to be
65 single or double acting is provided.

66 Water under pressure shall be piped into the milk house.

67 The milk house shall be equipped with a two-compartment
68 wash vat and adequate hot water heating facilities.

69 5. When a transportation tank is used for the cooling and
70 storage of milk on the dairy farm, such tank shall be provided
71 with a suitable shelter for the receipt of milk. Such shelter
72 shall be adjacent to, but not a part of, the milk room and
73 shall comply with the requirements of the milk room with respect
74 to construction, light, drainage, insect and rodent control,
75 and general maintenance.

76 6. The floors, walls, ceilings, windows, tables, shelves,
77 cabinets, wash vats, nonproduct contact surfaces of milk
78 containers, utensils, and equipment, and other milk room
79 equipment shall be clean. Only articles directly related to
80 milk room activities shall be permitted in the milk room.
81 The milk room shall be free of trash, animals, and fowl.

82 7. Every dairy farm shall be provided with one (1) or
83 more toilets, conveniently located and properly constructed,
84 operated, and maintained in a sanitary manner. The waste
85 shall be inaccessible to flies and shall not pollute the soil
86 surface or contaminate any water supply.

87 8. Water for milk house and milking operations shall be
88 from a supply properly located, protected, and operated, and
89 shall be easily accessible, adequate, and of a safe, sanitary

90 quality.

91 9. All multiuse containers, equipment, and utensils used
92 in the handling, storage, or transportation of milk shall be
93 made of smooth, nonabsorbent, corrosion-resistant, nontoxic
94 materials, and shall be so constructed as to be easily
95 cleaned. All containers, utensils, and equipment shall be
96 in good repair. All milk pails used for hand milking and
97 stripping shall be seamless and of the hooded type. Multiple-
98 use woven material shall not be used for straining milk. All
99 single-service articles shall have been manufactured, packaged,
100 transported, stored, and handled in a sanitary manner and
101 shall comply with the applicable requirements of this Act.
102 Articles intended for single-service use shall not be reused.

103 10. Farm holding or cooling tanks, welded sanitary piping,
104 and transportation tanks shall comply with the applicable
105 requirements of this Act.

106 11. The product-contact surfaces of all multiuse containers,
107 equipment, and utensils used in the handling, storage, or
108 transportation of milk shall be cleaned after each usage.

109 The product-contact surfaces of all multiuse containers,
110 equipment, and utensils used in the handling, storage, or
111 transportation of milk shall be sanitized before each usage.

112 All containers, utensils, and equipment used in the handling,
113 storage, or transportation of milk, unless stored in sanitiz-
114 ing solutions, shall be stored to assure complete drainage
115 and shall be protected from contamination prior to use.

116 After sanitization, all containers, utensils, and equip-
117 ment shall be handled in such manner as to prevent contamina-
118 tion of any product-contact surface.

119 12. Milking shall be done in the milking barn, stable, or
120 parlor. The flanks, udders, bellies, and tails of all milking
121 cows shall be free from visible dirt. All brushing shall
122 be completed prior to milking. The udders and teats of all
123 milking cows shall be cleaned and treated with a sanitizing
124 solution just prior to the time of milking and shall be rela-

125 tively dry before milking. Wet hand milking is prohibited.

126 13. Surcingles, milk stools, and antikickers shall be
127 kept clean and stored above the floor.

128 14. Each pail or container of milk shall be transferred
129 immediately from the milking barn, stable, or parlor to the
130 milk house. No milk shall be strained, poured, transferred,
131 or stored unless it is properly protected from contamination.

132 15. There shall be provided adequate hand-washing facil-
133 ities, including running water, soap or detergent, and
134 individual sanitary towels, in the milk house and in the milk-
135 ing barn, stable, or parlor, or convenient thereto.

136 16. Hands shall be washed clean and dried with an indi-
137 vidual sanitary towel immediately before milking, before per-
138 forming any milk house function, and immediately after the
139 interruption of any of these activities. Milkers and milk
140 haulers shall wear clean outer garments while milking or
141 handling milk, milk containers, utensils, or equipment.

142 17. Raw milk for pasteurization shall be cooled to fifty
143 (50) degrees Fahrenheit or less within two (2) hours after
144 milking and shall be maintained at that temperature until
145 delivered.

146 18. Vehicles used to transport milk in cans from the
147 dairy farms to the milk plant or receiving station shall be
148 constructed and operated to protect their contents from sun,
149 freezing, and contamination. Such vehicles shall be kept
150 clean inside and out, and no substance capable of contaminating
151 milk shall be transported with milk.

152 19. Effective measures shall be taken to prevent the
153 contamination of milk, containers, equipment, and utensils
154 by insects and rodents and by chemicals used to control such
155 vermin. Milk rooms shall be free of insects and rodents.
156 Surroundings shall be kept neat, clean, and free of condi-
157 tions which might harbor or be conducive to the breeding of
158 insects and rodents.

1 Sec. 17. Sanitation requirements for grade A pasteurized

2 milk and milk products. A receiving station shall comply
3 with subsections one (1) through fifteen (15), seventeen (17),
4 twenty (20), and twenty-two (22) of this section; except,
5 that the partitioning requirement of subsection five (5) of
6 this section shall not apply.

7 A transfer station shall comply with subsections one (1),
8 four (4), six (6) through twelve (12), fourteen (14), fifteen
9 (15), twenty (20), and twenty-two (22) of this section, and
10 the applicable provisions of subsections two (2) and three
11 (3) of this section as climatic and operating conditions re-
12 quire; except, in every case, overhead protection shall be
13 provided.

14 Facilities for the cleaning and sanitizing of bulk transport
15 tanks shall comply with subsections one (1), four (4), six (6)
16 through twelve (12), fourteen (14), fifteen (15), twenty (20),
17 and twenty-two (22) of this section, and the applicable pro-
18 visions of subsections two (2) and three (3) of this section
19 as climatic and operating conditions require; except, in
20 every case, overhead protection shall be provided.

21 1. The floors of all rooms in which milk or milk products
22 are processed, handled, or stored, or in which milk containers,
23 equipment, and utensils are washed, shall be constructed of
24 concrete or other equally impervious and easily cleaned
25 material and shall be smooth, properly sloped, provided with
26 trapped drains kept in good repair; except, that cold-
27 storage rooms used for storing milk and milk products need
28 not be provided with floor drains when the floors are sloped
29 to drain to one (1) or more exists and storage rooms for
30 storing dry ingredients or packaging materials or both need
31 not be provided with drains and the floors may be constructed
32 of tightly joined wood.

33 2. Walls and ceilings of rooms in which milk or milk
34 products are handled, processed, or stored, or in which milk
35 containers, utensils, and equipment are washed, shall have a
36 smooth, washable, light-colored surface in good repair.

37 3. Effective means shall be provided to prevent the access
38 of flies and rodents. All openings to the outside shall have
39 solid doors or glazed windows which shall be closed during
40 dusty weather.

41 4. All rooms in which milk and milk products are handled,
42 processed, or stored or in which milk containers, equipment,
43 and utensils are washed or both shall be well lighted and
44 well ventilated.

45 5. There shall be separate rooms for:

- 46 a. Pasteurizing, processing, cooling, and packaging.
- 47 b. Cleaning of milk cans and bottles.

48 In addition, plants receiving milk in bulk transport tanks
49 shall provide for cleaning and sanitizing facilities.

50 Unless all milk and milk products are received in bulk
51 transport tanks, a receiving room, separate from rooms a and
52 b of this subsection, shall be required. Rooms in which milk
53 or milk products are handled, processed, or stored, or in
54 which milk containers, utensils, and equipment are washed or
55 stored, shall not open directly into any stable or any room
56 used for domestic purposes.

57 6. Every milk plant shall be provided with toilet facil-
58 ities conforming with the statutes of the state of Iowa.
59 Toilet rooms shall not open directly into any room in which
60 milk or milk products or both are processed. Toilet rooms
61 shall be completely enclosed and shall have tight-fitting,
62 self-closing doors. Dressing rooms, toilet rooms, and fix-
63 tures shall be kept in a clean condition and good repair and
64 shall be well ventilated and well lighted. Sewage and other
65 liquid wastes shall be disposed of in a sanitary manner.

66 7. Water for milk plant purposes shall be from a supply
67 properly located, protected, and operated and shall be easily
68 accessible, adequate, and of a safe, sanitary quality.

69 8. Convenient hand-washing facilities shall be provided,
70 including hot and cold or warm running water or both, soap,
71 and individual sanitary towels or other approved hand-drying

72 devices. Hand-washing facilities shall be kept in a clean
73 condition and in good repair.

74 9. All rooms in which milk and milk products are handled,
75 processed, or stored, or in which containers, utensils, or
76 equipment are washed or stored, or both, shall be kept clean,
77 neat, and free of evidence of insects and rodents. Pesticides
78 shall be safely used. Only equipment directly related to
79 processing operations or to the handling of containers, utensils,
80 and equipment shall be permitted in the pasteurizing, pro-
81 cessing, cooling, packaging, and bulk milk storage rooms.

82 10. All sanitary piping, fittings, and connections exposed
83 to milk and milk products or from which liquids may drip, drain,
84 or be drawn into milk or milk products shall consist of smooth,
85 impervious, corrosion-resistant, nontoxic, easily cleanable
86 material. All piping shall be in good repair. Pasteurized
87 milk and milk products shall be conducted from one (1) piece
88 of equipment to another only through sanitary piping.

89 11. All multiuse containers and equipment with which milk
90 or milk products come into contact shall be of smooth, imper-
91 vious, corrosion-resistant, nontoxic material, shall be con-
92 structed for ease of cleaning, and shall be kept in good re-
93 pair. All single-service containers, closures, gaskets, and
94 other articles with which milk or milk products come in con-
95 tact shall be nontoxic, and shall have been manufactured,
96 packaged, transported, and handled in a sanitary manner.
97 Articles intended for single-service use shall not be reused.

98 12. The product-contact surfaces of all multiuse con-
99 tainers, utensils, and equipment used in the transportation,
100 processing, handling, and storage of milk and milk products
101 shall be effectively cleaned and shall be sanitized before
102 each use.

103 13. After cleaning, all multiuse milk or milk product
104 containers, utensils, and equipment shall be transported and
105 stored to assure complete drainage, and shall be protected
106 from contamination before use.

107 14. Single-service caps, cap stock, parchment paper, con-
108 tainers, gaskets, and other single-service articles for use
109 in contact with milk and milk products shall be purchased and
110 stored in sanitary tubes, wrappings, or cartons, shall be
111 kept therein in a clean, dry place until used, and shall be
112 handled in a sanitary manner.

113 15. Milk plant operations, equipment, and facilities shall
114 be located and conducted to prevent any contamination of milk
115 or milk products, ingredients, equipment, containers, and
116 utensils. All milk or milk products or ingredients which
117 have been spilled, overflowed, or leaked shall be discarded.
118 The processing or handling of products other than milk and
119 milk products in the pasteurization plant shall be performed
120 to preclude the contamination of such milk and milk products.

121 16. Pasteurization shall be performed as defined in section
122 six (6), subsection one (1), of this Act.

123 17. All raw milk and milk products shall be maintained at
124 fifty (50) degrees Fahrenheit or less until processed. All
125 pasteurized milk and milk products, except those to be cultured,
126 shall be cooled immediately prior to filling or packaging in
127 approved equipment to a temperature of forty-five (45) degrees
128 Fahrenheit or less. All pasteurized milk and milk products shall
129 be stored at a temperature of forty-five (45) degrees Fahren-
130 heit or less. On delivery vehicles, the temperature of milk
131 and milk products shall not exceed fifty (50) degrees Fahren-
132 heit. Every room or tank in which milk or milk products are
133 stored shall be equipped with an accurate thermometer.

134 18. Bottling and packaging of milk and milk products shall
135 be done at the place of pasteurization in approved mechanical
136 equipment.

137 19. Capping or closing of milk and milk product containers
138 shall be done in a sanitary manner by approved mechanical cap-
139 ping or closing equipment, or both. The cap or closure shall
140 protect the pouring lip to at least its largest diameter.

141 20. Hands shall be thoroughly washed before commencing

142 plant functions and as often as may be required to remove soil
143 and contamination. No employee shall resume work after visit-
144 ing the toilet room without thoroughly washing his hands. All
145 persons engaged in the processing, pasteurization, handling,
146 storage, or transportation of milk, milk products, containers,
147 equipment, and utensils shall wear clean outer garments. The
148 use of tobacco by any person while engaged in the processing of
149 milk or milk products is prohibited.

150 21. All vehicles used for transportation of pasteurized
151 milk and milk products shall be constructed and operated so
152 that the milk and milk products are protected from sun, from
153 freezing, and from contamination.

154 22. Milk plant surroundings shall be kept neat, clean, and
155 free from conditions which might attract or harbor flies, other
156 insects, or rodents, or which otherwise constitute a nuisance.

1 Sec. 18. All milk for pasteurization shall be from herds
2 which are located in a modified accredited tuberculosis area
3 as determined by the United States department of agriculture;
4 except, that herds located in an area that fails to maintain
5 such accredited status shall have been accredited by the de-
6 partment as tuberculosis free or shall have passed an annual
7 tuberculosis test.

8 All milk for pasteurization shall be from herds under a
9 brucellosis eradication program which meets one (1) of the
10 following conditions:

11 a. Is located in a certified brucellosis free area as
12 defined by the United States department of agriculture and
13 enrolled in the testing program for such areas.

14 b. Is located in a modified certified brucellosis area as
15 defined by the United States department of agriculture and
16 enrolled in the testing program for such areas.

17 c. Meets United States department of agriculture require-
18 ments for an individually certified herd.

19 d. Is participating in a milk ring testing program which
20 is conducted on a continuing basis at intervals of not less

21 than every three (3) months or more than every six (6) months
22 with individual blood tests on all animals in herds showing
23 suspicious reactions to the milk ring test.

24 e. Is having an individual blood agglutination test
25 annually with an allowable maximum grace period not exceeding
26 two (2) months.

27 For diseases other than brucellosis and tuberculosis, the
28 secretary shall require such physical, chemical, or bacterio-
29 logical tests as he deems necessary. The diagnosis of other
30 diseases in dairy cattle shall be based upon the findings of
31 a licensed veterinarian or a veterinarian in the employ of
32 an official agency. Any diseased animal disclosed by such
33 test shall be disposed of as the secretary directs.

1 Sec. 19. Except as permitted in this Act, no milk producer
2 or distributor shall transfer milk or milk products from one
3 (1) container or tank truck to another on the street, in any
4 vehicle, store, or in any place except a milk plant, receiving
5 station, transfer station, or milk house especially used for
6 that purpose. The dipping or lading of milk or fluid milk
7 products is prohibited.

1 Sec. 20. It shall be unlawful to sell or serve any milk
2 or fluid milk product except in the individual, original con-
3 tainer received from the distributor or from an approved
4 bulk dispenser; except, this prohibition shall not apply to
5 milk for mixed drinks requiring less than one-half (1/2)
6 pint of milk, or to cream, whipped cream, or half-and-half
7 which is consumed on the premises and which may be served from
8 the original container of not more than one-half (1/2) gallon
9 capacity, or from a bulk dispenser approved for such service
10 by the secretary.

1 Sec. 21. It shall be unlawful to sell or serve any
2 pasteurized milk or milk product which has not been maintained
3 at a temperature of forty-five (45) degrees Fahrenheit or
4 less except as authorized in section seventeen (17), subsec-
5 tion seventeen (17), of this Act. If containers of pasteurized

6 milk or milk products are stored in ice, the storage container
7 shall be properly drained.

1 Sec. 22. Milk and milk products from points beyond the
2 limits of the state of Iowa may be sold in Iowa provided they
3 are produced and pasteurized under regulations which are sub-
4 stantially equivalent to this Act and have been awarded an
5 acceptable milk sanitation compliance and enforcement rating
6 made by a state milk sanitation rating officer certified by
7 the United States public health service.

1 Sec. 23. Properly prepared plans for all milk houses,
2 milking barns, stables, parlors, transfer stations, receiving
3 stations, and milk plants regulated under this Act which are
4 hereafter constructed, reconstructed, or extensively altered,
5 shall be submitted to the secretary for written approval before
6 work is begun.

1 Sec. 24. No person affected with any disease in a communi-
2 cable form or while a carrier of such disease shall work at
3 any dairy farm or milk plant in any capacity which brings him
4 into contact with the production, handling, storage, or trans-
5 portation of milk, milk products, containers, equipment, and
6 utensils. No dairy farm or milk plant operator shall employ
7 in any such capacity any such person, or any person suspected
8 of having any disease in a communicable form, or of being a
9 carrier of such disease. Any producer or distributor of milk
10 or milk products, upon whose dairy farm, or in whose milk
11 plant any communicable disease occurs, or who suspects that
12 any employee has contracted any disease in a communicable form,
13 or has become a carrier of such disease shall immediately
14 notify the secretary.

1 Sec. 25. When reasonable cause exists to suspect the
2 possibility of transmission of infection from any person con-
3 cerned with the handling of milk or milk products, or both,
4 the secretary may require any and all of the following measures:

5 1. The immediate exclusion of that person from milk handling.

6 2. The immediate exclusion of the milk supply concerned
7 from distribution and use.

8 3. Adequate medical and bacteriological examination of the
9 person, of his associates, and of his and their body discharges.

1 Sec. 26. This Act shall be enforced by the secretary or
2 municipal corporations, which have entered into agreements with
3 him under section seven (7) of this Act, both of whom shall
4 make regulations which shall conform to the Grade "A" Pasteurized
5 Milk Ordinance with Administrative Procedures--1965 Recommenda-
6 tions of the United States Public Health Service, a certified
7 copy of which shall be on file at the secretary's office. Where
8 the mandatory compliance with provisions of the appendixes
9 therein is specified, such provisions shall be deemed a require-
10 ment of this Act.

1 Sec. 27. The state department of health shall annually survey
2 and certify all milk labeled grade A pasteurized and grade A
3 raw milk for pasteurization, and, in the event a survey shows
4 the requirements for production, processing, and distribution for
5 such grade are not being complied with, the fact thereof shall be
6 certified by the state department of health to the secretary of
7 agriculture who shall proceed with the provisions of section
8 five (5) of this Act for suspending the permit of the violator.

1 Sec. 28. Any person who shall violate any of the provisions
2 of chapters one hundred ninety (190), one hundred ninety-one
3 (191), and one hundred ninety-two (192) of the Code may be en-
4 joined from continuing such violations. Each day upon which
5 such a violation occurs shall constitute a separate violation.

1 Sec. 29. A rating of ninety (90) percent or more calculated
2 according to the rating system as contained in Public Health
3 Service Publication No. 678, "Method of Making Sanitation
4 Ratings of Milk Sheds", shall be necessary to receive or re-
5 tain a permit under this Act. Said publication is hereby
6 incorporated into this Act by this reference and made a
7 part hereof insofar as applicable, a copy of which shall be
8 on file in the office of the secretary of state at all times.

1 Sec. 30. Section one hundred ninety-two point forty
2 (192.40), Code 1966, is hereby repealed and the following en-
3 acted in lieu thereof:

4 "To insure uniformity in the tests and reporting, an em-
5 ployee certified by the United States public health service
6 of the bacteriological laboratory of the department shall
7 annually certify all laboratories doing work in the sanitary
8 quality of milk and dairy products for public report. Such
9 approval by the department shall be based on the evaluation of
10 the laboratories as to personnel training, laboratory methods
11 used, and reporting. The results on tests made by approved
12 laboratories shall be reported to the department on request,
13 on forms prescribed by the secretary of agriculture, and such
14 reports may be used by the department.

15 "The department shall annually certify every laboratory in
16 the state doing work in the sanitary quality of milk and dairy
17 products for public report. The certifying officer may enter
18 any such place at any reasonable hour to make such survey.
19 The management of the laboratory shall afford free access to
20 every part of the premises and render all aid and assistance
21 necessary to enable the certifying officer to make a thorough
22 and complete examination."

1 Sec. 31. Section one hundred ninety-four point three
2 (194.3), Code 1966, is hereby amended by adding thereto the
3 following new subsection:

4 "'Milk used for manufacturing purposes' means milk or milk
5 products manufactured into butter, cheese, non-grade A dry
6 milk or other dairy products except milk and milk products as
7 defined in chapter one hundred ninety (190) of the Code."

1 Sec. 32. Section three hundred sixty-eight point twenty-
2 five (368.25), Code 1966, is hereby amended by striking all
3 of such section after the word "consumption." in line nine (9).

1 Sec. 33. Section one hundred seventy-eight point two
2 (178.2), Code 1966, is hereby amended by striking therefrom
3 subsection one (1).

1 Sec. 34. This Act shall be effective July 1, 1967, except
2 grade A raw milk and pasteurized milk--grade not declared--
3 may be sold in Iowa until July 1, 1968.

1 Amend Senate File 735 as follows:

2 Sec. 1. Amend Sec. seven (7) by deleting from lines
3 twenty-four (24) and twenty-five (25) thereof the words,
4 "commissioner of public health", and inserting in lieu
5 thereof the word "secretary".

6 Sec. 2. Amend Sec. seventeen (17), subsection one (1),
7 by deleting from line twenty-nine (29) therein the word "exists"
8 and inserting in lieu thereof, the exits".

9 Sec. 3. Amend Sec. thirty-one (31) by deleting from
10 line five (5) therein the words, "non-Grade A", and inserting
11 in lieu thereof, the word, "ungraded".

Filed - *adopted as amended 5-1*
April 21, 1967

By LUCKEN and MAIN

1 Amend Lucken and Main amendment to Senate File 735, filed
2 April 21, 1967, as follows:

3 By striking from line eight (8) the word "the" and
4 by inserting in lieu thereof, quotation marks.

Filed - *adopted 5-1*
April 24, 1967

By LUCKEN and MAIN