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Dairy Digest

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Food & Dairy Division

Inaugural Issue

Governor Engler Signs New Dairy Laws



By Dan Wyant, Director
Michigan Department of Agriculture

Governor John Engler recently signed legislation that updated and modernized Michigan's dairy laws.

The Food & Dairy Division, Michigan Department of Agriculture, worked with a diverse group of stakeholders for two years to substantially update Michigan's dairy laws. This effort builds on the successful adoption of the Food Law of 2000 by making food safety the focal point and by consolidating old laws into a comprehensive act with uniform definitions and standards.

The work group (dairy farmers, milk haulers and processors, Michigan State University staff, industry organizations, and Michigan Department of Agriculture staff), combined 21 laws and regulations into two updated acts—the Manufacturing Milk Law and the Grade A Milk Law. One of the major goals of this project was to adopt the 2001 revision of the federal Pasteurized Milk Ordinance, which is the milk safety standard for all fifty states. The legislation was unanimously supported in the legislature and signed into law on January 9, 2002.

Public Act 266 of 2001, the Grade A Milk Law of 2001, adopts the federal Grade A Pasteurized Milk Ordinance. Among other key subjects, the bill:

- ▶ Requires that bovine milk be picked up from Grade A farms within 72 hours to increase freshness and maintain quality;
- ▶ Provides for a drug residue avoidance control measures program and requires it to be completed after a positive residue and before issuance of a permit; institutes record keeping and testing requirements for violators; increases penalties for drug residues found in milk;
- ▶ Specifies requirements on handling of milk from a bovine TB reactor cow;
- ▶ Provides greater oversight for facilities where milk tank trucks are cleaned; and
- ▶ Expands enforcement options for violations.

Public Act 267, the Manufacturing Milk Law of 2001, combines 19 previous laws and regulations into a comprehensive and consistent act. Among other key subjects, the bill:

- ▶ Provides a complete list of pasteurization temperature and time requirements for all manufacturing milk products;
- ▶ Provides temperature, bacterial, and composition standards for all manufacturing milk and milk products;
- ▶ Makes drug residue testing and penalties consistent with Grade A Milk Law;
- ▶ Requires that plant codes and manufacturer lot numbers be placed on package containers to help facilitate recalls when necessary; and
- ▶ Establishes uniform license fees and allows for administrative hearings in addition to permit and license suspensions.



"...updated and modernized Michigan's dairy laws"

Assuring the Safety and Quality of Milk in 2001

The Food & Dairy Division inspected 3,200 Michigan farms at least once every six months to ensure the safety and quality of milk in 2001. The division also examined and regulated dairy processing plants and bulk milk haulers.

The Food and Drug Administration (FDA) is required by the National Conference on Interstate Milk Shipments (NCIMS) to evaluate Grade A dairy programs in each state on a periodic basis. In 2001 FDA completed an evaluation of the dairy program administered by the Food and Dairy Division. It was FDA's opinion that the Michigan Department of Agriculture (MDA) is conducting its Grade A Milk program in substantial compliance with national guidelines.



Responding to Michigan's TB Challenge

On June 22, 2000, the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA, APHIS) lowered Michigan's bovine tuberculosis classification status to nonmodified accredited. As a result of this action, all milk produced in Michigan had to come from herds that had passed an annual whole-herd bovine tuberculosis test. Within one year, all dairy farms (nearly 3,200 with approximately 580,000 animals) had been tested. This accomplishment was the result of cooperation by dairy producers and their local veterinarians. Many people felt this task was not achievable but dairy producers understood the importance of TB testing. To date, the good news is there have been no dairy herds found to be TB positive outside of Northeast Michigan. Two dairy herds in the high-risk area have been found with tuberculosis infected animals. These herds are successfully managing a test and removal program.

In May of last year, the Michigan Department of Agriculture, in cooperation with USDA, APHIS and the Food and Drug Administration, recommended a change to the *Pasteurized Milk Ordinance* which was adopted at the National Conference of Interstate Milk Shipments. The change is that annual whole-herd tuberculosis testing is not required for all dairy farms if an alternative bovine TB testing protocol that is approved by FDA, USDA, and the state regulatory agency is established. This protocol was developed, approved and is currently being implemented.

The Michigan Department of Agriculture thanks you for your cooperation in the Michigan Tuberculosis Eradication Project.

Bulk Milk Hauler/Samplers and the New Dairy Laws

The enactment of Michigan's new dairy laws brings about some changes that will affect the operation and licensing of bulk milk hauler/samplers.

The operational change is a requirement that all Grade A dairy farm bulk tanks must be picked up at least every 72 hours. This may make changes necessary in some milk pickup routes.

The licensing change is that a bulk milk tanker permit, milk transportation company license, and milk tank truck wash facility license are all now required in Michigan. These licenses are necessary for Michigan to be in compliance with the federal Grade A Pasteurized Milk Ordinance.

Please contact the Food and Dairy Division at (517) 373-1086 if you have any questions concerning these changes.



MDA Strongly Advises Against Raw Milk Consumption

In the United States, pasteurization requirements for milk have been in effect for many years. In fact, Michigan became the first state to legislate a statewide milk pasteurization law, which became effective July 1, 1948. The pasteurization requirements established by the U.S. Food and Drug Administration and contained in the Grade A Pasteurized Milk Ordinance, which has been adopted by all 50 states, are recognized worldwide as the gold standard for milk safety.

Unpasteurized (raw) milk may serve as the vehicle for the transmission of many organisms that cause disease in humans. Pasteurization has virtually eliminated the spread of diseases such as brucellosis, tuberculosis, listeriosis, and campylobacteriosis through the milk supply. Raw milk can also contain *salmonella* organisms. Most susceptible to this disease are infants and the elderly because the diarrhea and vomiting can lead to life-threatening dehydration. Raw milk should not be given to infants, the elderly or anyone else.

On December 18, 2001, the state of Wisconsin issued a health alert for Northwestern Wisconsin because an outbreak of food-borne illness was linked to the consumption of raw milk. So far, 19 people have been confirmed to have Campylobacter infections. A Salmonella outbreak in Michigan's Upper Peninsula in December 2001 has been traced to the consumption of raw milk. In both cases, the unpasteurized milk came from Grade A dairy farms.

This is why Michigan's dairy laws state that "Only pasteurized milk and milk products shall be offered for sale or sold, directly or indirectly, to the final consumer or to restaurants, grocery stores or similar establishments." While Michigan law does not prohibit dairy farmers from drinking the raw milk they produce on their farms, MDA strongly advises against this practice.

It is particularly unwise to give raw milk to on-farm visitors such as school groups on class trips. The Federal Center for Disease Control has numerous documented cases of school children becoming ill from drinking raw milk on these visits. Children are especially susceptible to milk-borne bacterial infections and should not be given raw milk or dairy products made on-farm from raw milk.

Finding Out about Allergens

The mission of the U. S. Food and Drug Administration (FDA) is to keep food safe. Recently, FDA has increased its activity on food allergen awareness. One of FDA's major goals is to provide guidance to industry and regulators on how to manage allergens through appropriate manufacturing and labeling practices.

There is no cure for food allergies. People who have food allergies are constantly challenged to strictly avoid allergy-inducing foods. To do this a person must know whether an allergen is contained in any of the foods they eat. According to the Food Allergy and Anaphylaxis Network (FAAN), six to seven million Americans suffer from a food allergy. FAAN estimates that up to 200 people die each year from food allergy-related reactions.

FDA believes there is scientific consensus that the following foods can cause serious allergic reactions in some individuals and account for more than 90% of all food allergies. These include:

Peanuts	Fish
Soybeans	Crustacea
Milk	Tree nuts
Eggs	Wheat

Undeclared allergen residues can be introduced during all phases of food production or food handling. Check regularly with ingredient suppliers to verify that your product label is up to date and accurately lists all ingredients.

Declaring ingredients on the label is only the first step in preventing allergens from finding their way to consumers. Adequate control procedures must be in place within the processing system to prevent allergens from being inadvertently introduced into products not labeled to contain them. Proper sequencing of products throughout the production day can greatly reduce the chance of inadvertent allergen addition to products. Thoroughly cleaning equipment after running products with a known allergen is essential to reducing cross contamination of products. Another highly effective way to reduce cross contamination is to use dedicated equipment for processing a product containing an allergen.

If you have questions or concerns about allergens please contact your MDA dairy inspector or the Dairy Section of the Food & Dairy Division of the Michigan Department of Agriculture.

Dairy Regional Offices



For the convenience of dairy farmers and those having dairy questions, Michigan is divided into two regions as shown.

East Region

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Saginaw Regional Office

Dairy Section

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West Region

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Grand Rapids Regional Office

Dairy Section

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Phone: **(616) 356-0600**

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Questions may also be directed to:

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