The Milk Transportation Regulations

Repealed
by Saskatchewan Regulations 9/2010
(effective October 1, 2010).

Formerly
Saskatchewan Regulations 50/79 (effective August 1, 1978)
as amended by Saskatchewan Regulations 24/88; and by the
Statutes of Saskatchewan, 2000, c.50.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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SASKATCHEWAN REGULATIONS 50/79

The Animal Products Act

Title

1 These regulations may be cited as "The Milk Transportation Regulations".

Interpretations

2 In these regulations:

(a) **"Act"** means The Animal Products Act, 1978;

(b) **"administrator"** means the person who manages or directs dairy programs for the Animal Industry Branch of the department;

(c) **"bulk tank cooler"** means a stationary farm storage tank maintained in a milk house and used for cooling and storing milk on the premises of a dairy producer and includes fixtures and equipment for the use thereof;

(d) **"composite sample"** means a sample comprising two or more representative samples of milk or cream taken over a determined time period and which accurately represents the total volume with respect to composition thereof;

(e) **"dairy farm"** means any place or premises where one or more lactating females of the bovine species are kept and from which a part or all of the milk from which is sold, offered for sale or delivered, for human consumption, and includes all buildings, yards and premises occupied or used in connection with the production of milk;

(f) **"dairy manufacturing plant"** means a place where any dairy product is pasteurized, standardized, dehydrated or otherwise processed and shall include a cheese factory, a creamery, a cream receiving station and an ice cream plant;

(g) **"dairy producer"** means a person who supplies milk to a diary manufacturing plant;

(h) **"dairy product"** or **"milk product"** means milk, cream, butter, cheese, ice cream, condensed milk, evaporated milk, milk powder, dry milk, malted milk, milk shake mix, ice milk, sherbet, yogurt or any other product manufactured wholly or mainly from milk;

(i) **"department"** means the Department of Agriculture for the Province of Saskatchewan;

(j) **"director"** means the Director of the Animal Industry Branch of the department;

(k) **"fluid milk"** means milk used for the fluid trade;

(l) **"industrial milk"** means milk used in the manufacture of dairy products but does not include milk used for the fluid trade;

(m) **"inspector"** means any person appointed as or authorized to be an inspector under the Act;

(n) **"licensee"** means a milk transport operator licensed under these regulations;

(o) **"milk"** means the natural lacteal secretion obtained from one or more lactating females of the bovine species and includes cream, skim milk and any other portion of milk;

(p) **"milk transport operator"** means the driver-operator of a milk transportation unit;

(q) **"milk transportation unit"** means a truck or trailer tank used for transporting:

(i) milk from dairy frams to dairy manufacturing plants; or

(ii) milk and milk products from one dairy manufacturing plant to another;

(r) **"representative sample"** means a homogeneous sample of at least 100 ml of milk transferred aseptically to a sterile sample container by a milk transport operator from a dairy producer's milk supply after the milk has been agitated for a period of not less than five minutes and maintained at a temperature between 1 and 4°C, for submission to a laboratory approved by the administrator for testing in accordance with standard methods;

(s) **"standard methods"** means the most recently publish "Standard Methods for the Examination of Dairy Products", as amended from time to time, and approved for publication by the American Public Health Association;

(t) metric units used herein shall be construed with reference to The International System of Units (SI); and

(u) words not herein defined shall be construed with reference to the interpretations of the Act, the Dairy Manufacturing Plant Regulations, the Dairy Product Grading Regulations and the Dairy Producers Regulations, such regulations made under the Act.

2 Mar 79 SR 50/79 s2; 13 May 88 SR 24/88 s2.

Licensing

3(1) No person shall operate a milk transportation unit in Saskatchewan unless he is the holder of a valid and subsisting licence issued under these regulations.

(2) Licences shall be in the form issued by the department and signed by the minister.

(3) No licence shall be transferrable.

(4) Every licence shall, unless previously cancelled or suspended, expire on the date indicated on the licence.

2 Mar 79 SR 50/79 s3; 2000, c.50, s.29.

Licences under The Dairy Products Act

4 Licences issued under regulations made under The Dairy Producers Act and filed as Saskatchewan Regulation 219/70 shall continue and be subject to these regulations and be deemed to have been issued under and meet the requirements of these regulations and such licences shall continue to be in force until December 31, 1978, unless sooner suspended or cancelled pursuant to these regulations.

2 Mar 79 SR 50/79 s4.

Conditions respecting licensing of milk transport operators

5(1) Every person required to be licensed under these regulations shall make application to the director for a licence in the form issued by the department.

(2) Upon application, successful passage of an examination prepared by the administrator respecting the handling and sampling of milk stored in bulk tank coolers and transported in milk transportation units, and fulfillment of other obligations under these regulations, the minister may issue a licence to any milk transport operator.

(3) The minister may refuse any application for a new milk transport operator's licence or the renewal of an existing licence where the milk transport operator has failed to comply with any of the provisions of the Act or these regulations regulating such a person.

(4) Every licensee shall, at all times, comply with these regulations.

2 Mar 79 SR 50/79 s5; 2000, c.50, s.29.

Licensing fees

6 No fees shall be charged for licences issued under these regulations.

2 Mar 79 SR 50/79 s6.

Licences to be displayed

7(1) Every licensee shall:

(a) ensure that his licence is displayed at all times in a conspicuous place in his business premises; or

(b) request his employer to ensure that his licence is displayed in his employer's dairy manufacturing plant.

(2) A licensee shall have in his possession a valid offical identification card in the form issued by the department duly signed by the minister and shall produce the same when requested to do so by an inspector or a dairy producer.

2 Mar 79 SR 50/79 s7; 2000, c.50, s.29.

Suspension or cancellation of licences

8(1) Where a licensee has failed to comply with any of the provisions of the Act or of these regulations regulating the licensee, the minister may:

(a) suspend the licence and, in such case, such notice of suspension in writing shall be given to the licensee and the licensee shall surrender forthwith his licence and official identification card to the director;

(b) reinstate a suspended licence if the licensee, within 30 days of the notice of his suspension, furnishes evidence to the satisfaction of the director that he can comply with the provisions of these regulations on account of which the licence was suspended and the director shall give to the licensee notice in writing that his licence has been removed from suspense, together with the reinstatement of the licence and official identification card; or

(c) where the licence has not been removed from suspense within the 30 days referred to in clause (b), cancel the licence and the director shall give notice of the cancellation to the licensee by registered mail.

(2) Where a licence is suspended, reinstated or cancelled, subject to subsection (1), the director shall submit a copy of the notice to the dairy manufacturing plant to whom or for whom the licensee transports milk.

2 Mar 79 SR 50/79 s8; 2000, c.50, s.29.

Conditions respecting deliveries from bulk tank coolers

9 Unless otherwise approved by the director, a milk transport operator shall ensure that the frequency of pick-up delivery for milk stored in a bulk tank cooler on a dairy farm and destined for a dairy manufacturing plant is collected:

(a) at least every two days from a dairy producer who supplies fluid milk; and

(b) at least every three days from a dairy producer who supplies industrial milk.

2 Mar 79 SR 50/79 s9.

10 A milk transport operator shall ensure at the time of pick-up that no milk is left in the bulk tank cooler to which a subsequent milking is added.

2 Mar 79 SR 50/79 s10.

11 No person shall put milk or cause milk to be put into a milk transportation unit unless the producer of the milk is the holder of a valid and subsisting dairy producer's licence.

2 Mar 79 SR 50/79 s11.

Operational procedures for milk transport operators

12(1) Before transferring an milk from a bulk tank cooler to a milk transportation unit, it shall be the duty of the milk transport operator to:

(a) cause the milk to be agitated for a period of not less than five minutes;

(b) clean and wipe dry the measuring device in a sanitary manner before inserting it into the tank for measurement purposes;

(c) read the measuring device at the division to which the milk has come in contact;

(d) collect, as required by the administrator or any person authorized by the administrator, representative samples for delivery to a licensed dairy manufacturing plant or to a dairy laboratory;

(e) by taste and smell, examine the milk in the bulk tank cooler for any abnormal odours, flavours or appearance and if, in his opinion, the milk is not of satisfactory quality, shall refuse to transfer any of that milk to the milk transportation unit; and

(f) if the milk is not transferred, the milk transport operator shall collect an additional representative sample for submission to the dairy manufacturing plant to which the milk was to have been delivered.

(2) Notwithstanding clause (a) in subsection (1), where bulk tank coolers are equipped with approved automatic samplers it shall not be necessary for the milk transport operator to agitate the milk.

2 Mar 79 SR 50/79 s12.

13 Before the milk transport operator leaves the dairy producer's premises, it shall be his duty to:

(a) convert the reading taken from the measuring device in the bulk tank cooler with the aid of the conversion chart bearing the same serial number as that of the bulk tank cooler and its measuring device;

(b) complete a record showing the following information:

(i) the dairy producer's name;

(ii) the dairy producer's code number;

(iii) the date and time of the pick-up;

(iv) the temperature of the milk;

(v) the measurement as read according to clause (c) of section 12;

(vi) the weight in kg as shown on the conversion chart;

(c) sign the record;

(d) file:

(i) one copy of the record with the dairy producer;

(ii) one copy of the record with the dairy manufacturing plant to which the milk is delivered;

(iii) maintain one copy for the licensee's pick-up file; and

(e) rinse the bulk tank with warm water after the milk has been removed.

2 Mar 79 SR 50/79 s13.

Cleansing criteria and standards for milk transportation equipment

14 A milk transport operator or dairy manufacturing plant operator shall ensure that milk transportation units or any other container used for transporting milk to a dairy manufacturing plant is:

(a) kept clean and in good mechanical condition; and

(b) cleaned and sanitized at the conclusion of the day's use by a method approved by the department in an enclosed building used for that purpose.

2 Mar 79 SR 50/79 s14.

Cleanliness procedures for transferring milk

15 A milk transport operator shall ensure that acceptable sanitary procedures only shall be used for transferring milk to or from any storage equipment, transportation equipment or dairy manufacturing plant.

2 Mar 79 SR 50/79 s15.

Condition for multi use of milk transportation equipment

16 A milk transport operator or dairy manufacturing plant operator shall ensure that milk transportation equipment used for transporting milk shall not be used for transporting other dairy products unless approved by the director.

2 Mar 79 SR 50/79 s16.

Compliance with director's requirements

17 Where, in the opinion of an inspector, the administrator, the director or his designate, a person who is subject to these regulations is in default of any regulation, such person shall comply with such requirements, and within the time the director may specify, to remedy any such default.

2 Mar 79 SR 50/79 s17.

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