Chapter 16-101X WAC

DEGRADES, LICENSE SUSPENSIONS AND REVOCATIONS FOR DAIRY PRODUCERS AND PROCESSORS

WAC

WAC 16-101X-010 Under what circumstances will the director degrade a dairy farm operation or a milk processing plant operation? (1) The director shall call for a degrade of a dairy farm operation of a producer or a Grade A milk processing plant operation for one or more repeat violations of chapter 15.36 RCW, or rules adopted thereunder, which are noted on consecutive inspections as provided in RCW 15.36.111.

(2) For purposes of this chapter, "degrade" means the lowering in grade from Grade A to Grade C.

[Statutory Authority: RCW 15.36.021. WSR 96-24-058 (Order 6006), § 16-101X-010, filed 11/27/96, effective 12/28/96.]

WAC 16-101X-020 How is the length of a degrade of a producer or a milk processing plant determined? The length of a degrade of a dairy farm operation or a grade A milk processing plant operation shall be based on the total number of debit points awarded to repeat violations as provided in WAC 16-101X-030 or until the director determines the violations that caused the degrade are corrected, which ever is longer. The schedule for determining a degrade period is as follows.

TOTAL DEBIT POINTS	DEGRADE PERIOD
1-10	2 Days
11-15	4 Days
16-20	6 Days
21-30	8 Days
31-40	10 Days
41-50	12 Days
51 or more	14 Days

[Statutory Authority: RCW 15.36.021. WSR 96-24-058 (Order 6006), § 16-101X-020, filed 11/27/96, effective 12/28/96.]

WAC 16-101X-030 How is the debit point value of each violation determined? (1) The debit point for each violation, as shown in the table below, is the same as the debit points awarded to dairy farms or milk processing plants during state surveys and federal check ratings as determined in the 1995 "Methods of Making Sanitation Ratings of Milk Supplies" published by the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration.

(2) A copy of the 1995 "Methods of Making Sanitation Ratings of Milk Supplies" may be obtained by request from the Washington State Department of Agriculture Food Safety Program, P.O. Box 42560, Olympia, Washington 98504-2560 (360-902-1875).

(3) **DAIRY FARM SANITATION VIOLATION DEBIT POINT VALUES**

ITEM NO	DESCRIPTION	DEBIT POINT VALUE
	ABNORMAL MILK	
1a	Cows secreting abnormal milk milked last or in SEPARATE equipment	5
1b	Abnormal milk property handled and disposed of	5
1c	Proper care of abnormal milk handling equipment	5
	MILKING PARLOR	
2a	Floors, gutters and fee troughs of concrete or of equally impervious materials; in good repair	1
2b	Walls and ceilings smooth, painted or finished adequately; in good repair; ceiling dust tight	1
2c	Separate stalls or pens for horses, calves and bulls	1
2d	Adequate natural and/or artificial light; well distributed	1
2e	Properly ventilated;	1
3a	Clean and free of litter	3
3b	No swine or fowl	3
4a	Cowyard graded to drain; no pooled water or wastes	3
4b	Cowyard clean; cattle housing areas and manure packs properly maintained	3
4c	No swine	3
4d	Manure stored inaccessible to cows	3

ITEM NO	DESCRIPTION	DEBIT POINT VALUE
	MILKHOUSE	
	Floors	
5a	Smooth; concrete or other impervious material; in good repair	1
5b	Graded to drain	1
5c	Drains trapped, if connected to sanitary system	1
	Walls and Ceilings	
5a	Approved material and finish	1
5b	Good repair (windows, doors and hoseport included)	1
	Lighting and Ventilation	
5a	Adequate natural and/or artificial light; properly distributed	2
5b	Adequate ventilation	2
5c	Doors and windows closed during dusty weather	2
5d	Vents and lighting fixtures properly installed	2
	Miscellaneous Requirements	
5a	Used for milkhouse operations only; sufficient size	2
5b	No direct opening into living quarters or barn; except as permitted by Ordinance	2
5c	Liquid wastes properly disposed of	2
5d	Proper hoseport where required	2
5e	Acceptable surface under hoseport	2
5f	Suitable shelter for transport truck as required by this Ordinance	2
	Cleaning Facilities	
5a	Two-compartment wash and rinse vat of adequate size	2
5b	Suitable water heating facilities	2
5c	Water under pressure piped to milkhouse	2
	Cleanliness	
6a	Floors, walls, windows, tables and similar nonproduct surfaces clean	4
6b	No trash, unnecessary articles, animals or fowl	4
	Toilet	
7a	Provided; conveniently located	4
7b	Constructed and operated according to Ordinance	4
7c	No evidence of human wastes about premises	4
7d	Toilet room in compliance with Ordinance	4
	Water Supply	
8a	Constructed and operated according to Ordinance	2 or 5
8b	Complies with bacteriological standards	5
8c	No connection between safe and unsafe supplies; no improper submerged inlets	5
	UTENSILS AND EQUIPMENT	
9a	Smooth, impervious, nonabsorbent, safe materials; easily cleanable;	4
9b	In good repair; accessible for inspection;	4
9c	Approved single service articles; not reused	4
9d	Of proper design	4
9e	Approved CIP milk pipeline system	4
10a	Utensils and equipment clean	5
11a	All multiuse containers and equipment subjected to approved sanitization process	5
12a	All multiuse containers and equipment properly stored	2
12b	Stored to assure complete drainage where applicable	2
12c	Single-service articles properly stored	2
	MILKING	
13a	Milking done in barn, stable or parlor	5
13b	Brushing completed before milking begun	5
13c	Flanks, bellies, udders, and tails of cows clean at time of milking; clipped when required	5
13d	Teats treated with sanitizing solution and dried just prior to milking	5
13e	No wet hand milking	5
	TRANSFER AND PROTECTION OF MILK	
	Protection from Contamination	
14a	No overcrowding	3
14b	Product and CIP circuits separated	3
14c	Improperly handled milk discarded	3
14d	Immediate removal of milk	3

ITEM NO	DESCRIPTION	DEBIT POINT VALUE
14e	Milk and equipment properly protected	3
14f	Sanitized milk surfaces not exposed to contamination	3
14g	Air under pressure of proper quality	3
	Drug and Chemical Control	
15a	Cleaners and sanitizers properly identified	2
15b	Drug administration equipment properly handled and stored	2
15c	Drugs properly labeled (name and address) and stored	2
15d	Drugs properly labeled (directions for use, cautionary statements, active ingredients)	7
15e	Drugs properly used and stored to preclude contamination of milk	7
	PERSONNEL	
	Handwashing Facilities	
16a	Proper handwashing facilities convenient to milking operations	2
16b	Wash and rinse vats not used as handwashing facilities	2
	Personnel Cleanliness	
17a	Hands washed clean and dried before milking, or performing milkhouse functions; rewashed when contaminated	1
17b	Clean outer garments worn	1
	COOLING	
18a	Milked cooled to 45°F or less within 2 hours after milking	5
18b	Recirculated cooling water from safe source and properly protected; complies with bacteriological standards	5
18c	Temperature recorder with 7 day chart	5*
	INSECTS AND RODENTS	
19a	Fly breeding minimized by approved manure disposal methods	3
19b	Manure packs properly maintained	3
19c	All milkhouse openings effectively screened or otherwise protected; doors tight and self-closing; screen doors open outward	2
19d	Milkhouse free of insects and rodents	2
19e	Approved pesticides; used properly	2
19f	Equipment and utensils not exposed to pesticide contamination	2
19g	Surrounding neat and clean; free of harborage and breeding areas	2
19h	Feed storage not attraction for birds, rodents or insects	2

* This is a requirement of chapter 16-125 WAC rated in accordance with cooling criteria in similar sections of the 1995 "Methods of Making Sanitation Ratings of Milk Supplies" for dairy plants.

(4) **MILK PROCESSING PLANT SANITATION VIOLATION DEBIT POINT VALUES**

ITEM NO	DESCRIPTION	DEBIT POINT VALUE
1	FLOORS	
1a	Smooth; impervious; no pools; good repair; trapped drains	1
2	WALLS AND CEILINGS	
2a	Smooth; washable; light-colored; good repair	1
3	DOORS AND WINDOWS	
3a	All outer openings effectively protected against entry of flies and rodents	2
3b	Outer doors self-closing; screen doors open outward	2
4	LIGHTING AND VENTILATION	
4a	Adequate in all rooms	1
4b	Well ventilated to preclude odors and condensation; filtered air with pressured systems	1
5	SEPARATE ROOMS	
5a	Separate rooms as required; adequate size	3
5b	No direct opening to barn or living quarters	3
5c	Storage tanks properly vented	3
6	TOILET FACILITIES	
6a	Complies with local ordinances	3
6b	No direct opening to processing rooms; self-closing doors	3
6c	Clean; well-lighted and ventilated; proper facilities	3
6d	Sewage and other liquid wastes disposed of in a sanitary manner	3
7	WATER SUPPLY	
7a	Constructed and operated in accordance with Ordinance	4

ITEM NO	DESCRIPTION	DEBIT POINT VALUE
7b	No direct or indirect connection between safe and unsafe water	4
7c	Condensing water and vacuum water in compliance with Ordinance requirements	4
7d	Complies with bacteriological standards	4
8	**HANDWASHING FACILITIES**	
8a	Located and equipped as required; clean and in good repair; improper facilities not used	2
9	**MILK PLANT CLEANLINESS**	
9a	Neat; clean; no evidence of insects or rodents; trash properly handled	3
9b	No unnecessary equipment	3
10	**SANITARY PIPING**	
10a	Smooth; impervious; corrosion-resistant; nontoxic; easily cleanable materials; good repair; accessible for inspection	3
10b	Clean-in-place lines meet Ordinance specifications	3
10c	Pasteurized products conducted in sanitary piping, except as permitted by Ordinance	3
11	**CONSTRUCTION AND REPAIR OF CONTAINERS AND EQUIPMENT**	
11a	Smooth; impervious; corrosion-resistant; nontoxic; easily cleanable materials; good repair; accessible for inspection	3
11b	Self-draining; strainers of approved design	3
11c	Approved single-service articles; not reused	3
12	**CLEANING AND SANITIZING OF CONTAINERS/EQUIPMENT**	
12a	Containers, utensils and equipment effectively cleaned	5
12b	Mechanical cleaning requirements of Ordinance in compliance; records complete	5
12c	Approved sanitization process applied prior to the use of product-contact surfaces	5
12d	Required efficiency tests in compliance	5
12e	Multiple use plastic containers in compliance	5
12f	Aseptic system sterilized	5
13	**STORAGE OF CLEANED CONTAINERS AND EQUIPMENT**	
13a	Stored to assure drainage and protected from contamination	3
14	**STORAGE OF SINGLE SERVICE ARTICLES**	
14a	Received, stored and handled in a sanitary manner; paperboard containers not reused except as permitted by the Ordinance	2
15A	**PROTECTION FROM CONTAMINATION**	
15a	Operations conducted and located so as to preclude contamination of milk, milk products, ingredients, containers, equipment and utensils	3
15b	Air and steam used to process products in compliance with Ordinance	3
15c	Approved pesticides, safely used	3
15B	**CROSS CONNECTIONS**	
15a	No direct connections between pasteurized and raw milk or milk products.	5
15b	Overflow, spilled and leaked products or ingredients discarded	5
15c	No direct connections between milk or milk products and cleaning and/or sanitizing solutions	5
16A	**PASTEURIZATION-BATCH**	
(1)	**INDICATING AND RECORDING THERMOMETERS**	
16a	Comply with Ordinance specifications	4
(2)	**TIME AND TEMPERATURE CONTROLS**	
16a	Adequate agitation throughout holding; agitator sufficiently submerged	15
16b	Each pasteurizer equipped with indicating and recording thermometer; bulb submerged	15
16c	Recording thermometer reads no higher than indicating thermometer	15
16d	Product held minimum pasteurization temperature continuously for 30 minutes, plus filling time if product preheated before entering vat, plus emptying time, if cooling is begun after opening outlet	15
16e	No product added after holding begun	15

ITEM NO	DESCRIPTION	DEBIT POINT VALUE
16f	Airspace above product held at not less than 5.0°F higher than minimum required pasteurization temperature during holding	15
16g	Approved airspace thermometer; bulb not less than 1 inch above product level	15
16h	Inlet and outlet valves and connections in compliance with Ordinance	15
16B	**PASTEURIZATION-HIGH TEMPERATURE**	
(1)	**INDICATING AND RECORDING THERMOMETERS**	
16a	Comply with Ordinance specifications	4
(2)	**TIME AND TEMPERATURE CONTROLS**	
16a	Flow diversion device complies with Ordinance requirements	15
16b	Recorder-controller complies with Ordinance requirements	15
16c	Holding tube complies with Ordinance requirements	15
16d	Flow promoting devices comply with Ordinance requirements	15
(3)	**ADULTERATION CONTROLS**	
16a	Satisfactory means to prevent adulteration with added water	3
16C	**ASEPTIC PROCESSING**	
(1)	**INDICATING AND RECORDING THERMOMETERS**	
16a	Comply with Ordinance specifications	4
(2)	**TIME AND TEMPERATURE CONTROLS**	
16a	Flow diversion device complies with Ordinance requirements	15
16b	Recorder-controller complies with Ordinance requirements	15
16c	Holding tube complies with Ordinance requirements	15
16d	Flow promoting devices comply with Ordinance requirements	15
(3)	**ADULTERATION CONTROLS**	
16a	Satisfactory means to prevent adulteration with added water	3
16D	**REGENERATIVE HEATING**	
16a	Pasteurized or aseptic product in regenerator automatically under greater pressure than raw product in regenerator at all times	10
16b	Accurate pressure gauges installed as required; booster pump properly identified and installed	10
16c	Regenerator pressures meet Ordinance requirements	10
16E	**TEMPERATURE RECORDING CHARTS**	
16a	Batch pasteurizer charts comply with applicable Ordinance requirements	4
16b	HTST pasteurizer charts comply with applicable Ordinance requirements	4
16c	Aseptic charts comply with applicable Ordinance requirements	4
17	**COOLING OF MILK**	
17a	Raw milk maintained at 45°F or less until processed	5
17b	Pasteurized milk and milk products, except those to be cultured, cooled immediately to 45°F or less in approved equipment; all milk and milk products stored thereat until delivered	5
17c	Approved thermometers properly located in all refrigeration rooms and storage tanks	5
17d	Recirculated cooling water from safe source and properly protected; complies with bacteriological standards	5
18	**BOTTLING AND PACKAGING**	
18a	Performed in plant where contents finally pasteurized	5
18b	Performed in sanitary manner by approved mechanical equipment	5
18c	Aseptic filling in compliance	5
19	**CAPPING**	
19a	Capping and/or closing performed in sanitary manner by approved mechanical equipment	5
19b	Imperfectly capped/closed products properly handled	5
19c	Caps and closures comply with Ordinance	5
20	**PERSONNEL CLEANLINESS**	
20a	Hands washed clean before performing plant functions; rewashed when contaminated	1
20b	Clean outer garments and hair covering worn	1
20c	No use of tobacco in processing areas	1
21	**VEHICLES**	

ITEM NO	DESCRIPTION	DEBIT POINT VALUE
21a	Vehicles clean; constructed to protect milk	1
21b	No contaminating substances transported	1
22	**SURROUNDINGS**	
22a	Neat and clean; free of pooled water, harborages and breeding areas	2
22b	Tank unloading areas properly constructed	2
22c	Approved pesticides; used properly	2

[Statutory Authority: RCW 15.36.021. WSR 96-24-059 (Order 6007), § 16-101X-030, filed 11/27/96, effective 12/28/96.]

WAC 16-101X-040 How can a degraded dairy farm or milk processing plant operation be regraded? A producer or processor subject to degrade action for repeat violations must apply on an application provided by the department to have his or her dairy farm or milk processing plant regraded. The application must be signed by the producer or processor and must state that all violations, both repeat violations and nonrepeat violations, cited on the inspection that caused the degrade have been corrected. Within seven days after receiving a completed application for regrade, the department will reinspect the dairy farm or milk processing plant. If the department determines that all violations, both repeat violations and nonrepeat violations, cited on the inspection that caused the degrade have been corrected and the degrade period as determined by the director has ended, the department will regrade the dairy farm or milk processing plant operation.

[Statutory Authority: RCW 15.36.021. WSR 96-24-059 (Order 6007), § 16-101X-040, filed 11/27/96, effective 12/28/96.]

WAC 16-101X-050 Under what circumstances may the director initiate revocation action against the grade A license of a producer or processor? The director may initiate revocation proceedings against a dairy producer or milk processor whenever that producer or processor has had his or her milk processing plant operation or dairy farm operation degraded for repeated violations and/or had his or her Grade A producer's license or milk processing plant license suspended and/or his or her milk degraded due to temperature violations, excessive coliform bacteria counts, total bacterial counts, or somatic cell counts, more than four times within a continuous three year period. A license may also be revoked as provided for in RCW 15.36.401 or 15.36.411.

[Statutory Authority: RCW 15.36.021. WSR 96-24-058 (Order 6006), § 16-101X-050, filed 11/27/96, effective 12/28/96.]