

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington
Department of Agriculture

(agency name)

Administrative Order No. 1902

(1) I, C. Alan Pettibone, director of the Washington State Department of Agriculture do promulgate and adopt at Olympia, Washington the annexed rules relating to:

WAC 16-125, Recording Thermometer installation on bulk milk farm tanks

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 86-13-051 filed with the code reviser on 6-13-86. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[X] (a) This rule is promulgated pursuant to RCW 15.36 and is intended to administratively implement that statute. [] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of (name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADOPTED August 8 19 86 By C. Alan Pettibone DIRECTOR Title

AUG 8 1986 CODE REVISER'S OFFICE WSR 86-17-014

NEW SECTION

WAC 16-125-200 RECORDING THERMOMETERS--INSTALLATION. (1) After January 1, 1987, all new farm bulk tank installations shall include a recording thermometer and an automatic interval timer. Installation of a used milk tank shall be construed as a new installation.

(2) The installation and operation of recording thermometers and interval timers shall be the responsibility of the holder of the Grade A producer permit.

(3) A recording device shall not be installed on or attached to a farm tank. It may be suspended on metal brackets from the ceiling, firmly attached to the inside wall of the milk room, or at any location acceptable to the department.

(4) The sensor bulb or device shall be so located as to record the temperature of the milk in the tank before the milk reaches ten percent of the tank volume. A capillary system containing toxic gas or liquids shall not be used in a bare bulb sensor device.

(5) The recorder and chart shall be capable of recording from thirty-two degrees to one hundred eighty degrees Fahrenheit, or above, and shall be accurate within plus or minus two degrees.

(6) The case of the recording device shall be moisture-proof under operating conditions in the milk house or milk room.

(7) Means shall be provided for sealing the recording pen arm setting.

(8) The recording chart shall make one revolution every seven days. A strip chart shall not be used.

(9) The recording clock shall be electrically operated. The recorder pen shall reflect the actual time.

(10) If at any time, the recording device becomes inoperable or out of tolerance, the inspection service and the pooling agent or hauler shall be notified immediately by the producer. Repair or replacement of the device shall be made as soon as possible.

(11) The producer shall maintain an adequate supply of recording charts. The charts shall be of those recommended for the specific instrument which is installed.

(12) To preclude stratification, the interval timer shall be set and adjusted so the milk will be agitated for not less than a five minute period with a frequency of every hour.

NEW SECTION

WAC 16-125-210 RECORDING THERMOMETER--OPERATION. (1) Milk and milk products for consumption in the raw state or for pasteurization shall be cooled to forty degrees Fahrenheit or lower within two hours of completion of milking and maintained at that temperature until picked up, as determined in accordance with RCW 15.36.110: PROVIDED, That the blend temperature after the first and subsequent milkings does not exceed fifty degrees Fahrenheit.

(2) In making a milk pick-up, the licensed grader and sampler shall:

(a) Remove the chart from the recorder before the chart has lapsed;

(b) Mark the date and time of pick-up;

(c) Sign the chart;

(d) Date and install a new chart, as necessary;

(e) File the completed charts under protected conditions, provided for by the producer, unless they are taken to the purchaser's premises for his review.

(f) If the charts are taken from the dairy farm, they shall be returned within ten days from the date they were taken: PROVIDED, That subject to the approval of its members and the department, a pooling agent, processing plant, receiving plant or regular place of

business may file the recording thermometer charts at its place of business.

(g) The official milk temperature must be taken with an accurate, properly calibrated thermometer.

(3) The temperature recording charts may be used for more than one pick-up: PROVIDED, That all the pick-ups occur within the maximum time interval of the chart. When the chart is used for more than one pick-up, the licensed grader and sampler shall identify each lot of milk with the date, time of pick-up and his/her signature.

(4) Before removing milk from a farm bulk tank, the licensed grader and sampler shall check the recording chart. If the licensed grader and sampler finds milk temperature variations extending beyond the legal limits, he/she shall immediately notify the producer, or in the absence of the producer, an employee, and the producer's marketing agent. The licensed grader and sampler shall sign the chart noting the date, time, stick reading and indicate that a temperature infraction has occurred. The producer's marketing agent shall notify the department of agriculture of temperature standard violations detected through the official milk quality testing program. Temperature standard violations reported to the department will become part of the producer's official record.

(a) Milk stored at temperatures beyond the legal limits shall be tested by a representative of the producer's marketing agent and determined to be of acceptable quality before the milk can be picked up as Grade A milk.

(b) If milk stored at temperatures beyond the legal limits is determined to be of unacceptable quality by a representative of the producer's marketing agent, the milk in question is subsequently picked up as manufacturing milk or condemned.

(5) Except as otherwise provided in subsection (2) of this section, recorder charts shall be held at the dairy farm for ninety days and shall be available to the dairy sanitarian.