



## Quality Watch

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### NCIMS Adopts Proposal That Could Impact Dairy Farms

The National Conference on Interstate Milk Shipments (NCIMS) met in Salt Lake City, Utah May 5-10, to address 105 proposals submitted to revise the Pasteurized Milk Ordinance (PMO) and its related documents. Several of the 105 proposals clarified or amended the current language in documents and adopted updated changes in testing procedures and milk plant processing equipment. However, one adopted proposal that deals with enforcement ratings may have a significant impact on dairy farms.

Currently, in order for a milk marketing entity (i.e. a group of producers or a processing plant) to be listed on the Interstate Milk Shippers list and ship Grade A milk to another state, the entire producer milk supply, called a BTU (bulk tank unit), must pass both the Grade A survey Sanitation Rating and Enforcement Rating with a score of 90 percent or better. When a Grade A survey is conducted, the rating officer calculates both the Sanitation Rating, which represents how well the farms scored and the Enforcement Rating, which scores the regulatory agency (i.e. the state) on how well they enforce the Grade A program.

The Enforcement Rating on the supply is something that the dairy industry has minimal control over because it measures the regulatory agency's performance. The Enforcement Rating measures issues such as whether official samples are

taken every month, if well water tests are taken every three years, if enforcement action is taken when appropriate on the farm and whether milk haulers and farms are inspected at the required frequencies. The current rules dictate the immediate reporting of Enforcement Rating and Sanitation Rating to FDA and other states purchasing Grade A milk when either score is below 90 percent. If the Enforcement Rating is below 90 percent, dairy companies shipping milk outside the state are penalized for something that was essentially out of their control, because their milk is not able to be shipped outside their state until another survey is conducted and the Enforcement Rating scores 90 percent or above.

Under the new proposal adopted by the delegates at the 2007 NCIMS conference, the Sanitation Rating must still be at least 90 percent, however, the Enforcement Rating can fall below 90 percent and the milk can continue to be sold outside of the state for a period of up to six months. This means the dairy industry will be able to continue to ship products even if a state program has difficulty passing the Enforcement Rating and the state will then have up to six months to be able to address their problem areas. Industry will not be impacted unless the state is unable to fix the problems identified within six months. If that occurs, the Grade A milk supply will be withdrawn from the Interstate Milk Shippers list

and milk or milk products cannot move outside the state as a Grade A labeled product.

Within the past two years, the state regulatory agencies in both Michigan and Indiana have experienced funding issues. While these issues in both states are cleared up for the time being, these types of situations can create an environment that could lead to problems such as maintaining adequate regulatory personnel and failing to make inspections or collect samples at required frequencies, resulting in lowered Enforcement Ratings. Previously, that would have meant the dairy industry would immediately be penalized for the state's inability to perform without a chance to correct the enforcement deficiencies, but now the proposal allows a grace period before the supply is delisted from the Interstate Milk Shippers list. This allows the state six months to get their program back in shape, instead of immediately placing a financial burden on the dairy industry from the state's failure to perform – a huge benefit for our industry.

Although the conference delegates passed this proposal, the Food and Drug Administration (FDA) must also approve it before it becomes an official part of the PMO. We expect that to happen sometime this fall.