

## Regulation - Other

# Amendment to R.R.O. 1990 Regulation 761, (Milk and Milk Products) under the Milk Act.

### Regulation Number(s):

R.R.O. 1990 Regulation 761 (Milk and Milk Products)

### Bill or Act:

Milk Act

### Summary of Proposal:

Ontario's raw milk quality programs apply to the on-farm production of cow and goat milk and its transportation to dairy processors. The programs include inspection of farm premises and tank-trucks, certification of bulk tank milk graders, oversight of milk collection and transportation, and laboratory testing of milk samples.

DFO administers and enforces the raw milk quality program for cow milk and has proposed the following amendments to Regulation 761:

#### Harmonization of Quality Standards, Testing Requirements and Penalty Programs:

DFO is the provincial group that represents Ontario's 3,800 licensed cow milk producers. DFO worked with its counterparts in Quebec, Nova Scotia, New Brunswick and Prince Edward Island to improve harmonization of raw milk quality standards, testing requirements and penalty programs. The proposed changes reflect agreement to improve harmonization by:

- Changing the method for calculating when bacterial content, somatic cell count (SCC) and abnormal freezing point (AFP) will result in a penalty; and
- Instituting a warning, rather than a penalty, for the first AFP in a 12 month period.

#### Animal Care and Welfare:

DFO has asked that specific requirements from the Code of Practice for the Care and Handling of Dairy Cattle be included in Regulation 761 to ensure compliance with these requirements as part of the on-farm inspection program. Proposed requirements include:

- A prohibition on tail docking unless it is medically necessary as determined by a veterinarian;
- Requirements related to the location and disposal of dead farm animals;
- Requirements that cattle must be:
  - stabled or milked in premises that are designed in a manner that does not cause injury or lameness;
  - provided a ration, including water, that maintains health and vigour;
  - identified for traceability and herd management purposes; and
  - provided with hoof care to ensure hooves are maintained in good condition.

The proposed amendments would allow DFO's Director of Regulatory Compliance to require a producer to obtain a written assessment from a veterinarian regarding animal care and welfare and to follow the recommendations from that veterinarian.

#### Additional Changes:

DFO has asked for a small number of other changes to Regulation 761 including:

- Setting out milk cooling requirements for second and subsequent milkings;
- Rejection of milk by bulk tank milk graders where milk cannot be properly graded by sight and smell;
- Removing the requirement that time temperature recorders display the time and date during power interruptions; and,
- Clarifying that milk is marketed once transfer to the tank-truck has started.

Amendments to sections related to cow milk will result in a small number of consequential amendments related to goat milk. The amendments would be consistent with current industry norms, and provide standards for bacteria, SCC and AFP for goat milk. The amendments regarding the rejection of milk where it cannot be properly graded, blend temperatures and clarifying when milk is considered marketed will also apply to the goat sector to ensure consistent parameters and outcomes for both species.

Regulation 121/98 under the Act designates provisions of Regulation 761 as designated legislation for which DFO is responsible for administering and enforcing. Amendments to this regulation are possible to ensure alignment with changes to Regulation 761.

### Further Information:



Current and Proposed DFO Raw Milk Quality Program Requirements (Download Adobe Reader)



R.R.O. 1990, Reg. 761: MILK AND MILK PRODUCTS

### Proposal Number:

16-MAFRA006

### Posting Date:


November 14, 2017


### Comments Due Date:

December 29, 2017

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