

§ 59.302. Raw milk.

(a) *Herd health.* Raw milk shall be milk from cows or goats that have been determined to be free from brucellosis and tuberculosis by annual tests conducted in accordance with the Individual Certified and Accredited Herd Plan set forth in Chapters 7 and 9 (relating to brucellosis regulations; and control and eradication of tuberculosis of livestock). An annual physical examination of the animals shall be made by a licensed veterinarian and report of the examination shall be filed with the producer.

(b) *General requirements.* Raw milk shall meet all the requirements of §§ 59.101—59.121 (relating to sanitation requirements applicable to production of milk for pasteurization) with the following exceptions:

(1) Permits shall be issued for sale of raw milk only upon submission of the required application.

(2) Labeling on all containers and caps except those owned by customers shall be approved by the Department.

(3) Water supplies shall meet the requirements of § 59.108 (relating to water supply), except that samples for bacteriological testing of individual water supplies shall be taken upon the initial approval of the physical structure, each 6 months thereafter, and when any repair or alteration of the water supply system has been made. Bacteriological examinations shall be conducted in a laboratory acceptable to the Department.

(4) One-room milk houses shall be sufficient if the milk is to be sold in containers owned by the customers. If the containers of the producers are to be used, an additional room shall be provided for bottle washing.

(5) Milk houses or milk plants in which raw milk is handled shall not be constructed or altered until the Department has approved the plans and specifications.

(6) Raw milk shall be delivered to the consumer only in containers that have been filled in the milk house or milk room.

(7) For prepackaging, a mechanical means of filling and capping bottles shall be used. The cap or closure shall protect the pouring lip to its largest diameter.

(8) Raw milk shall be tested in conformance with requirements of §§ 59.32—59.34 (relating to sampling and examination; problems; analysis) and Subchapter B (relating to standards for milk and milk products).