Changes to Drug Residue Testing Requirements for Producer-Dealers and Small Processors

At the April 2013 National Conference on Interstate Milk Shipments (NCIMS) conference in Indianapolis, IN, delegates passed as amended Proposal 208. The purpose of this proposal was to ensure that all Grade A milk, no matter how it arrives at a processing plant, is tested for animal drug residues. This position is consistent with FDA’s guidance and interpretation of Appendix N in the Pasteurized Milk Ordinance (PMO). The term Grade A refers to milk from hooved mammals which has been produced and handled in accordance with and under the auspices of the cooperative state/FDA program of Certification of Interstate Milk Shippers using the PMO as sanitary regulation. The vast majority of milk produced in New York State is Grade A and thus regulated under the PMO. The affected portion of Appendix N in the 2013 PMO which will become effective in New York State in November 2014 now reads:

All raw milk supplies that have not been transported in bulk milk pickup tankers shall be sampled prior to processing the milk. The sample(s) shall be representative of each farm bulk milk tank(s)/silo(s), milk plant raw milk tank(s) and/or silo(s), other raw milk storage container(s), etc. Testing of all raw milk supplies that have not been transported in bulk milk pickup tankers shall be completed prior to processing the milk.

What this essentially means is that producers of Grade A prepasteurized milk who utilize a portion of that milk for use in processing it into other dairy products such as cheese, yogurt, pasteurized milk, etc. will now be required to test a sample taken from that portion for animal drug residues under the provisions of Appendix N. Producer-Dealers or other small processors who purchase or otherwise obtain prepasteurized milk from a Grade A source for processing will also be required to test a sample taken from each milk shipment that they receive prior to processing. Each sample must be taken by a licensed milk receiver/sampler and analyzed in a laboratory certified under the NCIMS/FDA program. Failure to test the portion of milk used in on-farm processing or purchased by a small processor may result in adverse actions against the
producer (dairy farm) including possible permit suspension, failure of the producer during a NCIMS certification rating or FDA check rating, or removal of the producer’s NCIMS Bulk Tank Unit (BTU) certification from the NCIMS/FDA list of approved milk sources. Any of these adverse actions could result in the suspension of the producer’s ability to ship milk to a processor.

**Producer-Dealers and small processors using their own milk, purchasing, or otherwise obtaining Grade A prepasteurized milk may either take a representative sample to an existing certified drug residue testing laboratory for analysis prior to processing or they may set up their own laboratory on premises. If they choose to create their own laboratory, it will be required to meet all conditions for certification based on the NCIMS/FDA laboratory evaluation program including on-site evaluations of equipment, records, and testing procedures as well as participation in an annual proficiency testing program. The Division of Milk Control is planning to hold at least two workshops and provide laboratory establishment guidance materials in the near future. Additionally, Laboratory Evaluation Officers will be available to provide detailed information on NCIMS/FDA laboratory requirements and will assist those processors interested in creating a compliant animal drug testing laboratory.**

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