

Dairy Food Processing - Pennsylvania Regulations

Dairy food processors must meet all regulations that apply to food processors, as well as regulations for dairy food processing and standards for specific products.

Dairy Food Regulations

Food products are regulated to ensure that the food supply is safe for all people. Regulations provide minimum standards for all food processors, small and large alike, to ensure quality food that does not harm consumers. Microbial contamination of foods is of particular concern for consumers that are more susceptible to illness, such as infants, small children, pregnant women, the elderly, people on some medications, undergoing treatments, or that may be otherwise immunocompromised.

Some food processing regulations are administered at the federal level and some at the state level or a more local level. Some regulations apply to all food processors such as registering your facility with the FDA and following Good Manufacturing Practices (GMPs), while other regulations may only apply to certain food products, such as pasteurization conditions or yogurt standards.



It is the responsibility of each food processor to make themselves aware of, and meet, all of the regulations in their area.

Milk, and the delicious array of products made from it, are an excellent source of nutrition and have had a place at the human table for thousands of years. Milk and dairy products have long been associated with foodborne illnesses, which led the milk industry to become the first sector of the food industry to implement its own regulations to improve food safety. When the first Pasteurized Milk Ordinance (PMO) was passed in 1924, milk products accounted for approximately 25% of all foodborne illness, and now they account for less than 1% of foodborne illness. As so nicely stated in the 2015 PMO, "Despite the progress that has been made, occasional milkborne outbreaks still occur, emphasizing the need for continued vigilance at every stage of production, processing, pasteurization and distribution of milk and milk products. Problems associated with assuring the safety of milk and milk products have become extremely complex because of new products, new processes, new materials and new marketing patterns, which must be evaluated in terms of their public health significance."

Indeed, there is great innovation and growth occurring in all sectors of the dairy industry, and ongoing reports of illness and death from dairy product consumption. The versatility of milk allows the creation of products ranging from new artisanal cheeses sold at the local farmers market to specialty high-protein ingredients made using the latest in filtration and separation technologies that are sold on the global market. Whether a processor is making a traditional or an innovative dairy product, each product has its own manufacturing requirements, safety concerns, and regulatory requirements. Dairy innovators may need to go beyond the current regulations to provide scientific basis to show that their products are a low risk for causing illness.

The processor has the responsibility to meet the current:

- federal, state, and local regulations that apply to all food processors,
- federal, state, and local regulations that apply to all dairy processors, and
- regulations that apply to the specific food they manufacture, such as yogurt, ice cream, or Gouda cheese.

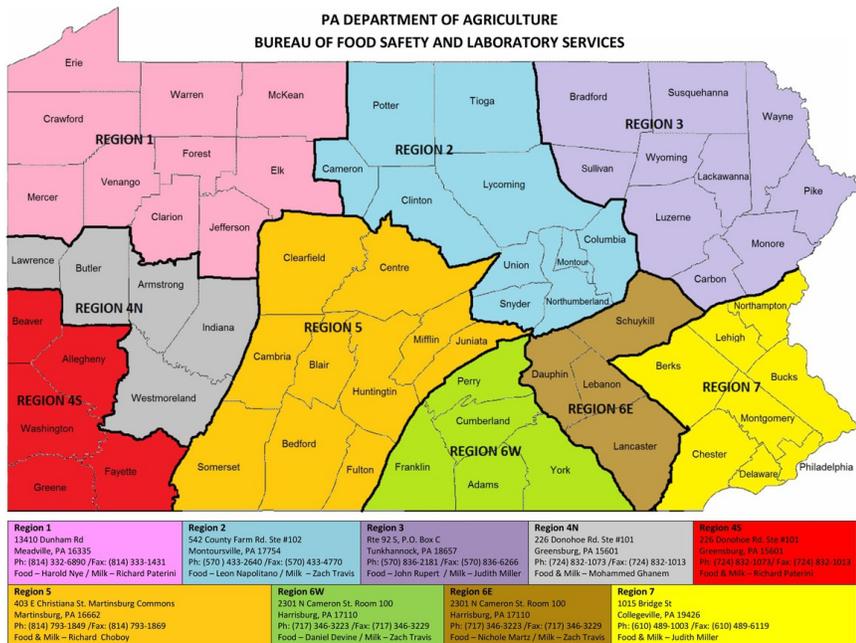
Pennsylvania allows the sale of raw milk and the manufacture of aged raw milk cheeses. It is recommended that manufacturers of raw milk products be familiar with state and federal regulations and resources for pasteurized products, as some of this information



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also applies to raw milk products.

Pennsylvania Regulations



The dairy industry in Pennsylvania is regulated by the Milk Sanitation Program of the Department of Agriculture.

The Milk Sanitation Program

The [Bureau of Food Safety and Laboratory Services](#), of the Pennsylvania Department of Agriculture (PDA), has responsibility to oversee the manufacture and sale of dairy products. The [Milk Sanitation Program](#) issues permits for the manufacture and sale of dairy products, conducts inspections and enforces regulations for all raw milk and pasteurized dairy processing plants and permit holders, and assists manufacturers with operational and regulatory questions.

The PDA regional milk sanitarian is the day-to-day contact for dairy manufacturers, and should be the first point of contact for people looking to start a new dairy processing operation or make significant changes to an existing one. Pennsylvania is divided into 7 agricultural regions, and your local sanitarian can be found by contacting the regional Bureau of Food Safety Offices or the Milk Sanitation Program (Paul Hoge, phoge@pstate.pa.gov, 724-443-1585, or Steve Kurtz, skurtz@pa.gov, 717-836-3257).

Pennsylvania regulations, forms, and resources for dairy processors are found on the PDA web pages that support the dairy foods industry:

- The [Milk Sanitation Program](#) page contains the application for a permit to sell milk products, regulatory guidelines, and forms related to dairy processing. Contact: Steve Kurtz, Program Specialist, 717-836-3257, skurtz@pa.gov or Paul Hoge, Program Specialist, 724-443-1585, phoge@state.pa.gov
- The [Frozen Dessert Regulations](#) page contains regulations for the manufacture and testing of frozen desserts, including retail operations. Wholesale manufacturers are also subject to Chapter 59a requirements of the Milk Sanitation Program. Contact: Sherri Morris, Program Manager, 717-787-5289, shmorris@state.pa.us
- The [Food Safety Laboratory Division](#) page contains information on required compositional, microbial, and antibiotic testing for milk and dairy products, official test procedures and laboratory certification, and a list of contract laboratories. Contact: Mike Hydock, Chief of Lab Division, 717-772-3236, mhydock@state.pa.us

Obtaining a Permit to Sell Milk or Milk Products

All permits to sell milk or milk products are issued and regulated by the Milk Sanitation Program, Bureau of Food Safety and Laboratory Services, PDA. The permit application can be obtained by contacting the Milk Sanitation Program.

There is no cost for the permit, but the manufacturer is responsible for following all appropriate Pennsylvania and Federal regulations, and is financially responsible for any testing required to meet regulations.

Milk and Dairy Product Regulations

The regulations for milk and dairy products are covered in Chapters 39, 57, and 59a of the Pennsylvania Code, under [Title 7 - Agriculture](#). Regulations for raw milk permits and products are outlined in the [Raw Milk Guidance document](#) of Milk Sanitation Program. Manufacturers of raw milk products should be aware that some state and federal regulations and resources for pasteurized products, such as the PMO, also apply to raw milk products, and, therefore, manufacturers should also be familiar with these regulations and documents.

Chapter 59a - Milk Sanitation

Chapter 59a contains the basic regulatory framework for the Milk Sanitation Program that all applies to all Pennsylvania dairy processors. Key provisions include permit requirements, farm and milk plant facility requirements and inspections, laboratory testing, and adoption of the PMO and USDA standards for manufacturing milk products.

Chapter 59a contains regulations pertaining to

1. The production, transportation, processing, handling, sampling, examination, labeling and sale of milk, raw milk, milk products and manufactured dairy products.
2. The inspection of dairy farms, milk plants, receiving stations, transfer stations, milk tank truck cleaning facilities, milk tank trucks and bulk milk haulers/samplers.
3. The issuing, suspension and revocation of permits to milk plants, receiving stations, transfer stations, milk tank truck cleaning facilities and distributors.

Chapter 59a was passed on May 21, 2011 and replaced Chapter 59 as the most current rule on Milk Sanitation. This rule provides guidance on the basic sanitation and safe production practices for the dairy industry to protect the health and safety of consumers. These regulations helped bring the Commonwealth's standards into alignment with other federal milk product standards, the current Grade "A" Pasteurized Milk Ordinance (Grade "A" PMO), and the current state-of-the-science.

The full text of Chapter 59a is sometimes difficult to retrieve from the Milk Sanitation Program page and can also be accessed from Title 7 of the Pennsylvania Code.

Chapter 57 - Milk and Dairy Product Standards

Many dairy products in the U.S. and Pennsylvania have defined compositional or other manufacturing characteristics. Chapter 57 contains the Pennsylvania definitions and compositional standards for dairy products, and often defers to the Federal standards in the Code of Federal Regulations (CFR).

Chapter 57 includes standards, or the CFR reference, for almost 100 dairy products like milk, lowfat milk, buttermilk, yogurt, butter, and dry products, and cheeses. Standards for frozen dairy desserts are found in Chapter 39.

In the case of standardized products, it is important that dairy processors meet these definitions and requirements to ensure the consistent manufacture of high quality dairy products throughout the industry. In the case of non-standardized products, the manufacturer has a responsibility to produce safe dairy products that taste good.

Chapter 39 - Frozen Dessert Standards

Chapter 39 contains standards and requirements for frozen desserts, including retail operations. Manufacturers and retailers of frozen desserts must have a frozen dessert permit. Wholesale manufacturers of frozen desserts must also comply with Chapter 59a.

Chapter 39 has compositional standards for over 20 frozen desserts and includes label requirements, sanitation, facility requirements, and laboratory testing requirements for mix manufacturers, wholesalers of frozen products, retail operations, and mobile operations.

Raw Milk Guidance Document

The Raw Milk Guidance Document was issued on November 21, 2011 to describe the requirements for obtaining and maintaining a permit to produce raw milk for human consumption. This document contains practices and requirements for raw milk microbial standards, sanitation, animal health, facilities, water supplies, packaging, and enforcement.

You can download this article as a pdf by using the "Download PDF" link at the top of the page.

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