

*The Agri-Food Act, 2004*  
[section 12]

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*THE MILK MARKETING PLAN REGULATIONS – FACILITY STANDARDS*

**Order No. 36/18.** The SASKATCHEWAN MILK MARKETING BOARD, pursuant to the provisions of *The Milk Marketing Plan Regulations* and *The Agri-Food Act, 2004*, hereby determines and orders as follows:

- 1 No person shall supply milk to a licensed processor unless that person holds a milk production facility licence issued pursuant to this Order.
- 2 A person who desires to be licensed pursuant to this Order shall apply to, and in a form required by, the Board and shall supply any additional information that the Board may require.
- 3 When an application has been submitted, the Board may issue a milk production facility licence to the applicant conditional on producing milk in accordance with all applicable legislation, the Regulations, and all Orders and directions of the Board, including all requirements respecting milk production facilities, equipment, and health and sanitation.
- 4 Milk production facility licences are to be in the form issued by the Board and signed by the Chairperson or designate.
- 5 No milk production facility licence is transferable.
- 6 Every milk production facility licence, unless previously cancelled, expires on December 31 of the year for which it is issued.
- 7 Every licensee shall comply with the Act, Regulations, any Order or direction of the Board, and any other Acts or regulations of Saskatchewan.
- 8 The Board may refuse an application for a milk production facility licence or the renewal of such licence where the licensed producer has failed to comply with any requirement mentioned in section 7.
- 9 Every licensee shall ensure that his or her milk production facility licence is displayed at all times in a conspicuous place in the milk house.
- 10 Where, in the opinion of the Board, a licensee has failed to comply with the Act, Regulations, any Order or direction of the Board, the Board may suspend the milk production facility licence after giving the licensee an opportunity to be heard in accordance with the process described in section 13.

**11** Notwithstanding section 10, where the Board has determined that it is necessary in the public interest or for reasons of public health, they may do the following without giving the licensee an opportunity to be heard:

- (a) suspend a milk production facility licence; and
- (b) suspend the pick-up of milk from a milk production facility until satisfactory evidence is furnished that the issue leading to the suspension has been resolved to the Board's satisfaction.

**12** Notice of suspension pursuant to section 11 is to be made in writing.

**13** Where a determination has been made to suspend the milk production facility licence pursuant to section 10:

- (a) notice of suspension in writing is to be given by prepaid registered mail to the licensee;
- (b) a licensee is deemed to have received the notice given pursuant to clause (a) on the fifth day after the day of mailing;
- (c) the licensee is to be given an opportunity to be heard within 15 days of receiving the notice of suspension;
- (d) after hearing from the licensee or upon the expiration of 15 days, the Board will determine whether to suspend the licence, and such decision is effective immediately;
- (e) the Board may reinstate a suspended milk production facility licence if the licensee, within 30 days of his or her suspension, furnishes written evidence to the satisfaction of the Board that he or she can comply with the provisions on account of which the milk production facility licence was suspended.

**14** Where a milk production facility licence has been reinstated pursuant to section 13(e), notice in writing is to be given to the licensee that his or her milk production facility licence has been removed from suspension, together with reinstatement of the milk production facility licence.

**15** Where the evidence mentioned in section 13(e) has not been provided within the 30 days mentioned in that section, the Board may cancel the licence and:

- (a) send notice of the cancellation to the licensee by prepaid registered mail; and
- (b) the notice is deemed to be received on the fifth day after the day of mailing.

**16** A licensed producer who wishes to design, construct or renovate a dairy barn or milk house shall first obtain the written approval of the Board.

**17** The Board may require a licensed producer mentioned in section 16 to provide the Board with any information that the Board needs in order to decide whether to grant the approval.

**18** The design, construction or renovation must meet the standards prescribed in the most recent edition of national farm building codes issued by Agriculture and Agri-Food Canada, the Associate Committee on the National Building Code, or the National Research Council of Canada.

**19** A licensed producer shall ensure that the milking and milk handling equipment meets all applicable 3-A sanitary standards for design, fabrication and installation.

- 20** Unless otherwise approved by the Board, a licensed producer:
- (a) shall have not more than one farm bulk milk tank; and
  - (b) shall have a capacity sufficient to hold and cool milk produced in three consecutive days at peak production.
- 21** A licensed producer shall ensure that:
- (a) the farm bulk milk tank meets all applicable 3-A sanitary standards;
  - (b) the farm bulk milk tank is provided with lugs on which to place a spirit leveling device;
- and
- (c) a farm bulk milk tank manufactured after January 1, 1996 has a recording thermometer or means for installing a recording thermometer.
- 22** A licensed producer shall ensure that:
- (a) the measuring rod or device and the conversion chart are accurate;
  - (b) the measuring rod and calibration chart bear the same serial number as the serial number on the farm bulk milk tank; and
  - (c) the farm bulk milk tank is calibrated at least once every five years.
- 23** No person shall:
- (a) except with the prior written approval of the Board, permit animals other than those of the bovine species to be stabled in a dairy barn;
  - (b) permit animals other than females of the bovine species to enter a milking parlour; or
  - (c) permit animals of any species to enter a milk house or milk room.
- 24** A licensed producer shall ensure that:
- (a) the dairy production facility is clean and sanitary and meets with the approval of the Board;
  - (b) the dairy barn is managed in such a way as to keep the fly, insect and pest population at a minimal level;
  - (c) the dairy barn is kept clean, and that its walls and ceiling are of a cleanable surface;
  - (d) the milking parlour is kept clean, the walls and ceiling are painted at regular intervals, and the floor is flushed with water after each milking;
  - (e) the milk house and milk room are kept painted, clean, and tidy;
  - (f) the water supply used for all dairy purposes is of adequate quantity and potable quality;
  - (g) the equipment used for production and handling of milk is cleaned after each use, sanitized before each milking, stored in a sanitary manner and kept in good condition;
  - (h) milking is done under clean and sanitary conditions and that no milking is done other than in a stanchion barn, tie stall barn or milking parlour;
  - (i) freshly drawn milk is cooled immediately and maintained at a temperature greater than 0 degrees and less than, or equal to, 4 degrees Celsius in accordance with 3-A sanitary standards;
- and
- (j) persons who do the milking or who enter the milk house:
    - (i) are clean;
    - (ii) keep their hands clean while engaged in work;
    - (iii) wear clean and washable outer garments;

- (iv) refrain from any unsanitary practice that may result in contamination of milk or equipment; and
- (v) are free of any communicable disease that is transmissible through milk and that the licensed producer could reasonably be expected to be aware of.

25 Any licensed producer on whose milk production facility any communicable disease that is transmissible through milk occurs, or who suspects that a dairy worker has contracted a communicable disease of that nature or has become a carrier, shall promptly notify the Board.

26 Order No. 18/12 is hereby wholly revoked.

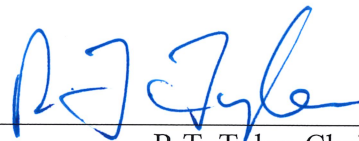
27 This Order will remain in effect for a period no longer than ten years from the date this Order is approved by the Agri-Food Council.

Order No. 36/18 is made pursuant to section 5, 7(1)(h), 7(1)(y), 7(1)(ee), 7(1)(ff), 7(1)(gg), 20, 20.1, 20.2, and 20.3 of *The Milk Marketing Plan Regulations* and shall be effective upon the date of this Order. By order of the Saskatchewan Milk Marketing Board.



Mel Foth, Chairperson  
Saskatchewan Milk Marketing Board

Pursuant to sections 5, 7(1)(h), 7(1)(y), 7(1)(ee), 7(1)(ff), 7(1)(gg), 20, 20.1, 20.2, and 20.3 of *The Milk Marketing Plan Regulations* and section 12 of *The Agri-Food Act, 2004*, the above Order No. 36/18 of the Saskatchewan Milk Marketing Board is approved this 28<sup>th</sup> day of September, 2018.



R.T. Tyler, Chairperson  
Agri-Food Council, Saskatchewan