

**CHAPTER 7-03.2-07  
MILK AND MILK PRODUCTS STANDARDS**

Section

7-03.2-07-01 Chemical, Physical, Bacteriological, and Temperature Standards

7-03.2-07-02 Enforcement Procedures

**7-03.2-07-01. Chemical, physical, bacteriological, and temperature standards.**

All milk and milk products must meet the chemical, physical, bacteriological, and temperature standards established by the United States department of agriculture regulations and by the pasteurized milk ordinance.

**History:** Effective October 1, 2009.

**General Authority:** NDCC 4.1-25-50

**Law Implemented:** NDCC 4.1-25-29, 4.1-25-30

**7-03.2-07-02. Enforcement procedures.**

1. Whenever three of the last five consecutive bacteria, temperature, or coliform counts exceed the standards of the pasteurized milk ordinance or United States department of agriculture regulations, the commissioner will suspend the license of the plant processing the product.
2. Whenever any phosphatase test is positive, the commissioner shall conduct an investigation to determine the cause and the product in question may not be offered for sale until the cause is determined and eliminated.
3. Whenever any drug or pesticide test results in a level exceeding the limits established by the food and drug administration or environmental protection agency, the product in question must be removed from the market and the commissioner shall conduct an investigation to determine the cause. The milk product in question may not be offered for sale until the cause is determined and eliminated.
4. Raw milk cheese may not be processed or sold in North Dakota. All milk to be used for cheese processing must be heat-treated or pasteurized. The heat treatment must be at least one hundred forty-seven degrees Fahrenheit [63.89 degrees Celsius] for twenty-one seconds, or at least one hundred fifty-three degrees Fahrenheit [67.22 degrees Celsius] for fifteen seconds.

**History:** Effective October 1, 2009.

**General Authority:** NDCC 4.1-25-50

**Law Implemented:** NDCC 4.1-25-29, 4.1-25-30, 4.1-25-52