

901:11-2-03

**Bacterial count.**

(A) During at least four separate months within any consecutive six month period, each dairy plant or co-operative association shall collect, ~~at irregular intervals,~~ and submit individual producer raw milk samples to a laboratory for examination to determine the bacterial count of the samples. Samples shall be representative of all raw milk shipped from bulk tanks and all raw milk received in cans.

(B) Samples shall be analyzed at a laboratory approved by the director, and the laboratory results shall be transmitted to the department as requested by the director. Each producer's raw milk sample shall be tested for bacterial count using one of the following methods ~~or any other method listed in the standard methods, as defined in rule 901:11-2-01 of the Administrative Code or by any other equivalent method approved by the director:~~

(1) Direct microscopic clump count;

(2) Standard plate count;

(3) Plate loop count;

(4) Pectin gel plate count;

(5) Petrifilm™ aerobic count;

(6) Spiral plate count;

(7) Hydrophobic grid membrane filter count; ~~or~~

(8) Impedance/conductance count;

(9) Any method listed in the standard methods, as defined in rule 901:11-2-01 of the Administrative Code; or

(10) Any equivalent method approved by the director.

(C) Milk shall not exceed the following bacterial standards:

(1) Milk shipped from the farm in a bulk milk tank shall not have a raw milk bacteria count of more than five hundred thousand bacteria per mL.

(2) Milk shipped from the farm in cans shall not have a raw milk bacteria count of more than one million bacteria per mL.

~~(C)~~(D) Whenever the producer's raw milk bacteria count indicates the presence of more than five hundred thousand bacteria per mL. for milk shipped from the farm bulk milk tank, or more than one million bacteria per mL. for producer raw milk shipped from the farm via can, exceeds the standards in paragraph (C) of this rule, the producer shall be notified of the excessive bacteria count, the following procedures shall be applied:

(1) ~~The producer shall be notified of an excessive bacteria count; and~~

(2) ~~Whenever two of the last four bacteria counts exceed the bacteria standard as stated in paragraph (C) of this rule, the director shall send a written warning notice to the producer. The notice shall be in effect so long as two of the last four consecutive samples exceed the bacterial standard.~~

(E) Whenever two of the last four bacteria counts exceed the bacteria standard as stated in paragraph (C) of this rule, the director shall send a written warning notice to the producer. The notice shall be in effect so long as two of the last four consecutive samples exceed the bacterial standard

~~(D)~~(F) An additional sample shall be taken no sooner than three days and no later than twenty-one days after sending of the warning notice required in paragraph ~~(C)~~(2)(E) of this rule. If this sample also exceeds the bacteria standard as established in paragraph (C) of this rule, the producer license or registration shall be suspended until satisfactory compliance is obtained. Shipment may be resumed and the producer license or registration reinstated by the director when an additional sample of the producer raw milk is tested and found satisfactory. The producer license or registration shall remain in a warning status as long as two of the last four bacteria counts exceed the standard. The director shall suspend the producer license or registration immediately for at least seven days, in accordance with section 917.22 of the Revised Code, whenever three of the last five bacteria counts within any twelve month period exceed the standard.

(1) The director shall suspend the producer license or producer registration for at least fourteen consecutive days, in accordance with section 917.22 of the Revised Code, whenever a second suspension occurs within any twelve month period.

(2) The director shall suspend the producer license or producer registration for at least thirty consecutive days, in accordance with section 917.22 of the Revised Code, whenever three or more suspensions occur within any twelve month period.

(3) Somatic cell limit violations shall not be included in paragraph (D) of rule

901:11-2-03 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 09/17/2017

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 917.02  
Rule Amplifies: 917.05, 917.22  
Prior Effective Dates: 06/18/01, 06/06/05, 09/19/07, 08/09/09