

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 product in question until an acceptable sample is received.
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. Cheeses processed or sold in North Dakota must meet definitions and standards found in title 21, Code of Federal Regulations, Part 133.

History: Effective October 1, 2009; amended effective July 1, 2024; April 1, 2026.

General Authority: NDCC 4.1-25-50

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