

The Agri-Food Act, 2004
[section 12]

THE MILK MARKETING PLAN REGULATIONS – MILK PRODUCTION STANDARDS

Order No. 45/23. 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 sell, supply or offer for sale any milk:
 - (a) that contains antibiotics, insecticides, herbicides, colouring matter, blood, preservatives, added water or anything foreign to milk, or that is of disagreeable odour or taste;
 - (b) that is produced during the period beginning 15 days prior to and ending three days after parturition; or
 - (c) that is obtained from an animal that shows evidence or visible signs of disease transmissible to humans by milk.

- 2 A licence holder of a milk production facility licence shall permit a dairy inspector, or any person authorized by the Board, to collect samples of milk and provide all reasonable co-operation to a dairy inspector or authorized person.

- 3 A licensed producer supplying milk to a licensed processor shall ensure that all milk:
 - (a) tests negative for veterinary drug residues and inhibitory substances;
 - (b) has a bacteria count not exceeding 50,000 colony forming units per milliliter or 121,000 individual bacteria per millilitre;
 - (c) has a somatic cell count not exceeding 400,000 cells per millilitre; and
 - (d) has a maximum freezing point value of -0.525° Hortvet.

- 4 Where the milk of a licensed producer does not meet the standards set out in section 3(a):
 - (a) an infraction is committed and the licensed producer is subject to the following price differential for the full month in which the infraction occurred for all milk supplied in that month:
 - (i) 11% below the blend price for the first infraction incurred within any 12-month period;
 - (ii) 15% below the blend price for the second infraction incurred within any 12-month period;
 - (iii) 23% below the blend price for the third infraction incurred within any 12-month period; and
 - (iv) 31% below the blend price for the fourth or a subsequent infraction incurred within any 12-month period.
 - (b) when the infraction requires the disposal of two days' production volume, the producer shall be compensated for two days' production volume in accordance with the Producer Milk Pools Board Order and in the usual manner regardless of whether the disposal was performed on the farm, at the plant, or another location approved by the board.
 - (c) the licensed producer is not permitted to market milk until a subsequent farm bulk milk tank sample tests negative for veterinary drug residues or inhibitory substances.

5 Where the milk of a licensed producer does not meet the standards set out in section 3(b), (c), or (d):

(a) an infraction is committed and the licensed producer is subject to the following penalty on the volume of milk shipped that does not meet the standards set out in section 3(b), (c), or (d):

(i) \$0.05 per litre (\$5 per hectolitre) for the first 10 infractions within a rolling 12-month period;

(ii) \$0.15 per litre (\$15 per hectolitre) for the 11th to 20th infractions within a rolling 12-month period; and

(iii) \$0.45 per litre (\$45 per hectolitre) for the 21st and subsequent infractions within a rolling 12-month period.

(b) The Board may impose a facility license suspension for 31st and subsequent infractions within a rolling 12-month period, and establish the period of the suspension and the conditions for reinstatement that it considers appropriate.

(c) penalties are applied separately for infractions under sections 3(b), (c), and (d) and are cumulative.

(d) if milk is picked up more than once in a two-day period, all shipments of substandard milk within that two-day period are counted as a single infraction for the purpose of the cumulative infraction count.

6 Where, in the opinion of the Board, a person who is subject to this Order is in default of any requirement imposed by this Order, the Board may order the person in default to remedy the default within a specified time, and the person to whom the order is made shall comply with that order.

7 No licensed producer shall vary the butterfat content of milk obtained from a milking animal when such milk is intended for delivery to a processor.

8 Order 42/21 is hereby wholly revoked.

Order No. 45/23 is made pursuant to section 5, 7(1)(h), 7(1)(y), 7(1)(z), and 20 of *The Milk Marketing Plan Regulations* and shall be effective May 1, 2023. By order of the Saskatchewan Milk Marketing Board.



Matthew Flaman, Chairperson
Saskatchewan Milk Marketing Board

Pursuant to sections 5, 7(1)(h), 7(1)(y), 7(1)(z), and 20 of *The Milk Marketing Plan Regulations* and section 12 of *The Agri-Food Act, 2004*, the above Order No. 45/23 of the Saskatchewan Milk Marketing Board is approved this 6 day of March, 2023.



Joan Heath, Chairperson
Agri-Food Council, Saskatchewan