



Raw Milk Quality Rules

Effective September 1, 2017

Updated December 2019

Dairy Farmers of Nova Scotia has implemented a new set of milk quality rules, starting September 1, 2017. These rules have been agreed to by the P5 boards and are contained in both the P5 Agreement and the *Milk Producer Licensing Regulations*.

The new rules cover penalty calculation and pickup shutoffs for Bacteria (IBC), Somatic Cell Count (SCC), Freezing Point (FP), and Inhibitors. Standards for each these criteria are unchanged: up to 121,000 IBC; up to 400,000 SCC; below -0.525° Hortvet for FP; and absence of Inhibitors.

IBC, SCC and FP

a) Triggering a Penalty

Penalties will continue to be determined separately for each milk quality criteria after every month end. What has changed is that we will no longer be using monthly averages. Instead, all individual test results will be used to determine if a penalty has occurred for each criterion.

For each milk quality criteria, the total number of results above the standard, in a rolling three-month window, divided by the total number of all results in the same period, must be at or above 40% for a penalty to be incurred in the third month. At least one of the results exceeding the standard must have occurred in the third month. Also, a minimum of 3 IBC/FP results or 17 SCC results within the three months are needed for a penalty to apply. In the case of the three IBC/FP, all must be high for a penalty.

For example, if a farm has 8 high SCC results out of 24 total results in a three-month window, and at least one high result in the third month, the calculation is $8 \div 24 = 33\%$ which is under the 40% threshold and no penalty applies. But, if a farm has 10 high SCC results out of 24 and at least one in the third month, $10 \div 24 = 42\%$, leading to a penalty in the third month.

b) Calculating Penalty Level

Penalty levels (P1, P2, P3+) are determined using a 12-month historical window such that if a farm had a P1 for a quality criterion within the last 11 months, and a penalty for the same criteria is calculated for the current month, the current month would be a P2.

| Penalty within 12 months | \$/hl deduction on all milk sold to DFNS that month |
|--------------------------|---|
| 1 | \$3.00 |
| 2 | \$4.00 |
| 3+ | \$5.00 |

c) Pickup Shutoff

Shutoff 1 – If a farm incurs a fourth penalty within a 12-month window, it is assessed a penalty of \$5/hl for milk sold to DFNS that month, PLUS milk pickup is shutoff for a minimum of six days. Pickup will be reinstated when a two-day milk sample test result complies with all quality criteria, and the minimum shutoff period has been met.

Shutoff 2 – If a farm incurs a fifth penalty within a 12-month window, or a second pickup shutoff in the previous 12 months, it is assessed a \$5/hl penalty for milk sold to DFNS that month PLUS milk pickup is shutoff for a minimum of 12 days. Pickup will be reinstated when a two-day milk sample test result complies with all quality criteria, the farm passes a dairy farm inspection, and the minimum shutoff period has been met.

Shutoff 3 and License Cancellation – If a farm incurs a sixth penalty within a 12-month window, it is assessed a \$5/hl penalty for milk sold to DFNS that month PLUS their milk pickup is shutoff and a hearing is held with Board Directors to determine whether the producer’s license will be permanently cancelled. If the license is not cancelled, pickup will only be reinstated:

- after a minimum period of 24 days;
- if the Board agrees that evidence provided by the producer supports that the sustained poor milk quality was due to exceptional circumstances; and
- a two-day milk sample test result complies with all quality criteria.

Inhibitor Penalties and Shutoff

A farm with a positive inhibitor will incur a penalty starting December 2019, based on the following:

| Inhibitor Positive within 12 months | \$/hl deduction on all milk sold to DFNS that month |
|-------------------------------------|---|
| Once | \$6.00 |
| Twice | \$9.00 + shutoff |
| Three or more | \$12.00 + shutoff |

If a farm incurs two inhibitor penalties in the same month, they are assessed the higher penalty only. The shutoff remains in place until the producer has successfully undergone a new proAction validation. If the shutoff persists for more than 60 days, the Board may cancel the producer’s license following a hearing.

As currently happens, any farm with a positive inhibitor must:

- Not be paid for their milk on the disposed compartment/truckload; and
- Pay DFNS for the value of the milk from other producers on that compartment/truckload at the monthly 4(d) milk price (~\$80/hl); and
- Pay DFNS admin fee to cover contaminated milk disposal and paperwork; and
- Not ship milk again until their milk tests negative for inhibitors.

Board Reviews & Hearings

Any producer can ask the Board to review a milk quality shutoff, in which case DFNS will convene a panel of at least three Directors to review their situation. DFNS can also hold a hearing with a producer over poor milk quality. Hearings can be conducted by face-to-face meetings or by conference call. The Dairy Inspector and a processor representative also participate in hearings.

proAction Non-Compliance

Being proAction registered is a requirement of being a licensed milk producer. Any producer with corrective actions due from a validation or self-declaration, going beyond 30 days without having them verified as complete and correct, is penalized \$3/hl for all milk sold during the month of the deadline. This moves to \$4/hl if 60 days passes, \$5/hl if 90 days passes, and leads to shutoff of milk pickup if 105 days passes. Reinstatement is granted once the farm again complies with the proAction program requirements. If a shutoff lasts more than 60 days, the producer’s license may be permanently cancelled following a hearing with the Board.

For further information please review the regulations at:

<http://www.novascotia.ca/just/regulations/regs/dimilkli.htm> or contact DFNS.