

# *The Dairy Product Grading Regulations*

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Saskatchewan Regulations 51/79 (effective August 1, 1978)  
as amended by Saskatchewan Regulations 21/88; and by the  
*Statutes of Saskatchewan*, 2000, c.50.

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## SASKATCHEWAN REGULATION 51/79

### *The Animal Products Act*

#### Title

1 These regulations may be cited as “The Dairy Product Grading Regulations”.

2 In these regulations:

- (a) “**Act**” means *The Animal Products Act, 1978*;
- (b) “**administrator**” means the person who manages or directs dairy programs for the Animal Industry Branch of the department;
- (c) “**composite sample**” means a sample comprising two or more representative samples of milk or cream taken over a determined time period and which accurately represents the total volume with respect to the composition thereof;
- (d) “**cream**” means that portion of milk, rich in milk fat, which rises to the surface of milk upon standing, or which is separated from it by centrifugal force and shall contain not less than 18 percent milk fat;
- (e) “**creamery**” means a place where milk or cream is received and manufactured into butter;
- (f) “**cream receiving station**” means a place where cream is received and purchased for the purpose of being forwarded to a dairy manufacturing plant for processing or manufacturing;
- (g) “**dairy manufacturing plant**” means a place where any dairy product is pasteurized, standardized, dehydrated or otherwise processed and shall include a cheese factory, a creamery, a cream receiving station and an ice cream plant;
- (h) “**dairy manufacturing plant operator**” means a person in charge of a dairy manufacturing plant and includes the owner thereof;
- (i) “**dairy producer**” means a person who supplies milk to a dairy manufacturing plant;
- (j) “**department**” means the Department of Agriculture for the Province of Saskatchewan;
- (k) “**director**” means the Director of the Animal Industry Branch of the department;
- (l) “**grader**” means any person employed in a dairy manufacturing plant to grade cream;
- (m) “**inspector**” means any person appointed as or authorized to be an inspector under the Act;
- (n) “**licensee**” means a grader or tester licensed under these regulations;

- (o) “**milk**” means the natural lacteal secretion obtained from one or more lactating females of the bovine species and includes cream, skim milk or any other portion of milk;
- (p) “**milk fat**” or “**butter fat**” means the fat from milk;
- (q) “**milk transport operator**” means the driver-operator of a milk transportation unit;
- (r) “**representative sample**” means a homogeneous sample of at least 100 ml of milk transferred aseptically to a sterile sample container by a milk transport operator from a dairy producer’s milk supply after the milk has been agitated for a period not less than five minutes and maintained at a temperature between 1 and 4°C for submission to a laboratory approved by the director for testing in accordance with standard methods;
- (s) “**standard methods**” means the most recently published “Standard Methods for the Examination of Dairy Products”, as amended from time to time, and approved for publication by the American Public Health Association;
- (t) “**tester**” means any person employed to test milk or cream for milk fat;
- (u) “**weigher**” means any person approved by the administrator to weigh butter, cheese or milk powder and includes inspectors;
- (v) metric units used herein shall be construed with reference to the International System of Units (SI); and
- (w) words not herein defined shall be construed with reference to the interpretations of the Act, *The Dairy Manufacturing Plant Regulations*, *The Milk Transportation Regulations* and *The Dairy Producers Regulations*, such regulations made under the Act.

2 Mar 79 SR 51/79 s2; 13 May 88 SR 21/88 s2.

#### Licensing

- 3(1) No person shall grade cream or test milk or cream in Saskatchewan unless he is the holder of a valid and subsisting licence issued under these regulations.
- (2) Licences shall be in the form issued by the department and signed by the minister.
- (3) No license shall be transferrable.
- (4) Every license shall, unless previously cancelled or suspended, expire on the date indicated on the licence.

2 Mar 79 SR 51/79 s3; 2000, c.50, s.30.

#### Licences and bonds under *The Dairy Products Act*

- 4 Licences issued under regulations made under *The Dairy Products Act* and filed as Saskatchewan Regulation 219/70 shall continue and be subject to these regulations and be deemed to have been issued under and meet the requirements of these regulations and such licences shall continue to be in force until December 31, 1978, unless sooner suspended or cancelled pursuant to these regulations.

2 Mar 79 SR 51/79 s4.

**Conditions respecting licensing of graders and testers**

5(1) Every person required to be licenced under these regulations shall make application to the director for a licence in the form issued by the department.

(2) Upon application, successful passage of an examination prepared by the administrator respecting the grading of cream or testing of milk, or cream and fulfillment of other obligations under these regulations, the minister may issue a licence to any grader or tester.

(3) The minister may refuse any application for a new grader's or tester's licence or the renewal of an existing licence where the grader or tester has failed to comply with any of the provisions of the Act or these regulations regulating such a person.

(4) Every licensee shall, at all times, comply with these regulations.

2 Mar 79 SR 51/79 s5; 2000, c.50, s.30.

**Licensing fees**

6 No fees shall be charged for licences issued under these regulations.

2 Mar 79 SR 51/79 s6.

**Licences to be displayed**

7 Every licensee shall request his employer to ensure that his licence is displayed in his employer's dairy manufacturing plant.

2 Mar 79 SR 51/79 s7.

**Suspension or cancellation of licences**

8(1) Where a licensee has failed to comply with any of the provisions of the Act or these regulations, the minister may:

(a) suspend the licence and, in such case, such notice of suspension in writing shall be given to the licensee and the licensee shall surrender forthwith his licence to the director;

(b) reinstate a suspended licence if the licensee, within 30 days of the notice of his suspension, furnishes evidence to the satisfaction of the director that he can comply with the provisions of these regulations on account of which the licence was suspended and the director shall give to the licensee notice in writing that his licence has been removed from suspense, together with the reinstatement of the licence; or

(c) where the licence has not been removed from suspense within the 30 days referred to in clause (b), cancel the licence and the director shall give notice of the cancellation to the licensee by registered mail.

(2) Where a licence is suspended, reinstated or cancelled subject to subsection (1), the director shall submit a copy of the notice to the dairy manufacturing plant by whom the licensee is employed.

2 Mar 79 SR 51/79 s8; 2000, c.50, s.30.

**Receiving and handling procedures for cream**

**9** A dairy manufacturing plant operator shall ensure that:

- (a) every shipment of cream supplied by a person shall be weighed and graded and that a sample is taken for milk fat testing;
- (b) cream samples are at least 100 ml in volume;
- (c) containers for cream samples are clean and dry and provided with a tight fitting cover;
- (d) cream samples are held between 1 and 4°C until 16 00 on the day the samples are received;
- (e) all containers of cream samples are clearly identified as to the person(s) who supplied the cream and the shipment(s) from which they came.

2 Mar 79 SR 51/79 s9.

**Grade names, descriptions and standards for cream grading**

**10(1)** A grader shall grade cream in accordance with the following grade standards:

- (a) **“special grade”** shall include cream which is clean in flavour, nonfrozen and of uniform consistency, the acidity of which is not more than 0.30%, expressed as lactic acid;
- (b) **“first grade”** shall include cream which fails to meet the requirements of special grade cream but which is reasonably clean in flavour, of uniform consistency and suitable for making Canada first grade butter, the acidity of which is not more than 0.60%, expressed as lactic acid;
- (c) **“second grade”** shall include any cream which fails to meet the requirements specified for special or first grade cream or which is bitter, stale, musty, metallic, badly frozen or separated as a result of being frozen or otherwise unsuitable for making into Canada first grade butter.

2 Mar 79 SR 51/79 s10.

**Designated abbreviations for grade names**

**11** A grader, tester or dairy manufacturing plant operator shall use the following abbreviations and no others to designate cream grades upon the daily dairy manufacturing plant records, dairy producers' statements to persons shipping cream:

- (a) **“Sp”** for special grade;
- (b) **“1”** for first grade; and
- (c) **“2”** for second grade.

2 Mar 79 SR 51/79 s11.

**Procedure for dealing with rejected cream**

**12(1)** A grader shall reject cream if, in the opinion of the grader, it:

- (a) is unsanitary;
- (b) contains any foreign substance; or

- (c) appears unfit for human consumption.
- (2) A grader who rejects cream at a dairy manufacturing plant shall:
  - (a) attach to the container a tag showing the reason for rejection;
  - (b) add a harmless colouring matter; and
  - (c) notify the person who supplied the cream that the cream has been rejected and, unless immediately picked up, that the rejected cream will be dumped or otherwise disposed of.

2 Mar 79 SR 51/79 s12.

**Facilities and equipment for milk composition testing**

- 13(1) Every dairy manufacturing plant operator shall provide:
- (a) a test room or place for testing milk or cream which can be kept free from draughts or conditions which may interfere with the accuracy of testing;
  - (b) complete electronic fat and protein testing equipment or Babcock testing equipment, including water bath or other provision to ensure proper temperature, all of which shall be acceptable to an inspector or any person authorized by the administrator; and
  - (c) two sets of bottles with tight fitting lids or other containers acceptable to the inspector or any person authorized by the administrator, for holding composite milk samples.
- (2) A tester shall ensure that containers for milk samples are:
- (a) clearly identified;
  - (b) tightly stoppered or sealed with other acceptable closure;
  - (c) protected from extremes of temperature; and
  - (d) kept free of being tampered with.

2 Mar 79 SR 51/79 s13.

**Milk samples for milk fat analysis**

- 14(1) A tester shall ensure that samples for milk fat analysis are:
- (a) either representative or composite samples as defined in these regulations and of at least 100 ml in volume;
  - (b) when transferred to the composite, representative of the entire milk shipment;
  - (c) if composites, maintain with the aid of an approved preservative; and
  - (d) maintained at a temperature between 1 to 4°C.
- (2) A tester shall ensure that composite or representative milk samples are tested at such uniform and regular intervals as the administrator may approve but intervals between tests shall not exceed 18 days.

2 Mar 79 SR 51/79 s14.

**Weighing service procedures**

**15(1)** Where a dairy manufacturing plant operator requires weighing services at least 10 percent of the packages or lots being shipped or transferred shall be weighed.

(2) All weighers shall have the right to determine what packages will be selected for weighing up to 10 percent of the churnings, vats or lots for which certificates are required and on request of the dairy manufacturing plant operator all packages or lots may be weighed.

(3) The dairy manufacturing plant operator that owns the butter, cheese or milk powder shall be responsible for handling the product to be weighed and the weigher shall verify and record the weights only.

(4) The weigher shall record on the certificate of weight the net weight of butter, cheese or milk powder weighed.

(5) The weigher shall ensure that the original copy of each weight certificate is delivered to the owner of the product weighed and that two copies are submitted to the administrator.

2 Mar 79 SR 51/79 s15.

**Appointment of weighers**

**16(1)** Every inspector under *The Animal Products Act, 1978*, is a weigher and may issue certificates of weight.

(2) Where weighers are appointed by the administrator or any person authorized by the administrator on a casual basis, their remuneration shall not exceed the rate of \$0.15 per package weighed.

2 Mar 79 SR 51/79 s16.

**Weighing fees**

**17** The dairy manufacturing plant operator shall pay a fee of \$0.15 for each separate package of butter, cheese or milk powder weighed under the supervision of a weigher in accordance with these regulations and the fee shall be payable to the person appointed or authorized by subsection (2) of section 16.

2 Mar 79 SR 51/79 s17.

**Compliance with director's requirements**

**18** Where, in the opinion of an inspector, the administrator, the director or his designate, a person who is subject to these regulations is in default of any regulation, such person shall comply with such requirements, and within the time the director may specify, to remedy any such default.

2 Mar 79 SR 51/79 s18.