WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

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Secretary Of State

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Agriculture

RULE TYPE: Legislative TITLE-SERIES: 61-04

RULE NAME: Traditional Cheese Production

CITE AUTHORITY: §19-11D-3

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Amie J Minor -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 61
LEGISLATIVE RULE
DEPARTMENT OF AGRICULTURE

SERIES 4
TRADITIONAL CHEESE PRODUCTION

§61-4-1. General.

1.1. Scope. -- This legislative rule establishes operating rules and procedures for traditional cheese production.

1.2. Authority. -- W. Va. Code §19-11D-3.

1.3. Filing Date. -- ~~May 23, 2001.~~

1.4. Effective Date. -- ~~July 1, 2001.~~

1.5. Sunset Date. -- This rule shall terminate and have no further force or effect on August 1, 203~~6~~2.

§61-4-2. Definitions.

2.1. "Commissioner" means the Commissioner of Agriculture of the State of West Virginia or his or her duly authorized agent.

2.2. ""Acceptable Milk"" means milk, or cream from the milk, which meets the requirements as to sight and odor, sediments, bacterial content, inhibitory substances, and which has been produced in compliance with the provisions set forth in this Rule.

2.3. ""Barnyard"" means an enclosed or unenclosed area adjacent to the milking barn which may include housing areas and feedlots in which the animals may congregate.

2.4. ""Cheese Kitchen"" means a facility for the handling and cooling of milk, processing, aging, and packaging of cheese, and for washing, handling, and storing cheese making utensils and equipment.

2.5. ""Dairy farm"" or ""farm"" means a place or premises where one or more milking animals are kept, a part or all of the milk produced on the farm being used in the production of cheese by the incorporation of traditional methods

2.6. ""Inspection"" means the inspection of the dairy farm premises, buildings, animals, equipment, utensils, water supply, and facilities and procedures used in the production of milk and/or cream for cheese production purposes.

2.7. ""Inspector"" means a qualified, trained person employed by the West Virginia Department of Agriculture or any person designated by the Commissioner to inspect dairy farms and cheese production by traditional methods.

2.8. ""Inhibitory Substances"" include antibiotics and pesticides not registered for use on lactating dairy animals, and other substances as determined by the Commissioner.

2.9. "Milk"" means the normal lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy cows.

2.10. ""Milkhouse" or "Milkroom"" means a room at the facility for handling and cooling milk and for washing and storing milking equipment and utensils.

2.11. ""Person"" means any individual, firm, co-partnership, corporation, cooperative association, cooperative corporation or unincorporated association.

2.12. ""Producer"" means the person or persons who exercise control over the production of cow's milk on a West Virginia dairy farm, where the milk or the cream from the milk is used to manufacture cheese through the use of traditional methods.

2.13. ""Traditional Method"" means cheese production techniques which have been handed down to the producer's family and/or community through several generations of cheese makers. The production of this cheese is, in part, for the preservation of the heritage of the producer's family and/or community.

§61-4-3. Minimum Quality Standards.

3.1. Acceptable milk for the manufacture of cheese by traditional methods shall meet the following methods:

3.1.1. Sight and odor. The milk shall be free from visible foreign matter. It shall not be curdled, ropy, bloody, or mastitic as indicated by sight or odor. It shall be free from feed odors or other objectionable odors;

3.1.2. Temperature. Milk shall be cooled to 45 degrees Fahrenheit or lower within two hours after milking and shall be maintained at 45 degrees Fahrenheit or lower until used to manufacture cheese by traditional methods;

3.1.3. Bacterial limits. Milk from an individual producer shall not exceed 1,000,000 bacterial count per milliliter as determined by standard plate count;

3.1.4. Inhibitory substances. No inhibitory substances are permitted in milk; and

3.1.5. Sediment. Milk should not have more than 1.5 mg of sediment as determined by the Standard Methods for the Examination of Dairy Products.

§61-4-4. Minimum Testing Requirements.

4.1. At least once each month at irregular intervals the producer shall take samples of the milk. The samples shall be tested for compliance with the standards set forth in this Rule and are subject to the abnormal milk provisions of this Rule. Additional samples may also be collected by the inspector.

4.2. Samples shall be analyzed at an approved official or officially designated laboratory. All sampling procedures and required laboratory examinations shall be in substantial compliance with the current edition of "Standard Methods for the Examination of Dairy Products" published by the American Public Health Association, ~~1015 Eighteenth Street, N. W., Washington, D. C. 20036~~ 800 I Street NW, Washington, DC 20001 and/or the current edition of Official Methods of Analysis of the Association of Official Analytical

Chemists published by the ~~Association of Official Analytical Chemists~~AOAC International, ~~Suite 400, 2200 Wilson Boulevard, Arlington, Virginia 22201.~~P.O. Box 1067, Rockville, MD 20849.

4.3. The inspector should arrange to visit each producer who continually does not meet the requirements for acceptable milk, for the purpose of inspecting equipment, utensils, and facilities at the farm and to offer constructive assistance for improvement in the quality of the milk.

4.4. Concurrent with all test results made to a producer regarding bacteria counts, sediment, or inhibited substances, the laboratory shall send a copy of the results to the designated representative of the Commissioner.

§61-4-5. Inhibitory Substances.

5.1. The milk from a dairy farm containing an inhibitory substance, the producer shall not use any more milk produced by such farm for at least two days following the test to manufacture cheese. The producer shall not use any more milk until the production from the farm has been found to be free of inhibitory substances. The two-day exclusionary provisions cited shall be increased to three days for a repeat violation within six months, and shall be increased to four days for subsequent violations within that period.

§61-4-6. Abnormal Milk.

6.1. A producer shall not use milk for cheese manufacturing which is found to be abnormal by sight or odor, which is from animals that show evidence of the secretion of abnormal milk in one or more quarters, or which is from animals that have consumed chemical, medicinal, or radioactive agents that may be secreted in the milk. Equipment, containers, and utensils used to handle abnormal milk shall be cleaned and sanitized by the producer before they are used for milk for manufacturing purposes. The equipment shall meet the construction requirements set forth in this Rule. Milk from animals treated with or exposed to pesticides not approved for use on dairy animals by the U. S. Environmental Protection Agency shall not be used for manufacturing purposes until the milk has been tested and found acceptable by the Commissioner.

6.2. When a confirmatory test on a routine sample indicates a somatic cell count above 1,000,000 cells per milliliter, the Commissioner shall send written notification of the unsatisfactory cell count to the producer.

6.3. When two out of the last four routine samples have a somatic cell count above 1,000,000 cells per milliliter, the Commissioner shall send a written notice of the counts to the producer and a representative of the Commissioner shall contact the producer to endeavor to determine and eliminate the source of the violative cell count.

§61-4-7. Adulteration.

7.1. The producer shall not use milk for traditional methods if it is adulterated. Milk is considered to be adulterated if it contains any poisonous or deleterious substances, does not meet the quality standards set forth in this Rule, has been produced, processed, or held under unsanitary conditions, contains added water, is from a species other than cows, or contains bacteria in excess of those standards set forth in this Rule.

§61-4-8. Milkhouse – Construction and Facilities.

8.1. The producer may provide a milkhouse conveniently located and properly constructed, lighted, and ventilated for handling and cooling milk and for washing, handling, and storing the equipment and utensils.

Other products which would be likely to contaminate milk, or otherwise create a public health hazard, shall not be handled in the milkhouse.

8.2. If the farm has a milkhouse it shall meet the following construction requirements:

8.2.1. The milkhouse shall be equipped with wash and rinse vats and a utensil rack, and have an adequate supply of hot and cold water available for cleaning milking equipment. If the milkhouse is part of the barn or other building, it shall be partitioned, screened, and sealed to prevent the entrance of dust, flies, or other contamination. A milking parlor used strictly as a milking facility in combination with a milkhouse, when properly equipped, arranged and maintained, need not be partitioned.

8.2.2. Concentrates and feed, if stored in the building, shall be kept in a tightly covered box or bin.

8.2.3. The floor of the building shall be of concrete or other impervious material. The floor slopes shall drain so that there are no pools of standing water. The joints between the floor and the walls shall be water tight;

8.2.4. The liquid wastes shall be disposed of in a sanitary manner. All floor drains shall be accessible and shall be trapped if connected to a sanitary sewer;

8.2.5. Walls and ceilings shall be constructed of smooth dressed lumber or similar material, be well painted with a light colored washable paint, and be in good repair. Surfaces and joints shall be tight and smooth. Sheet metal, tiles, cement block, brick, concrete, cement plaster, or similar materials of light color may be used as long as the surfaces and joints are smooth and easily cleaned;

8.2.6. Windows and solid doors shall be closed during dusty weather, otherwise, windows and doors shall be properly screened. All outside doors shall open outward and be self closing, unless they are equipped with tight fitting screen doors that open outward or unless other effective means are provided to prevent the entrance of flies;

8.2.7. The milkhouse shall be adequately ventilated to minimize odors and condensation on floors, walls, ceilings, and clean utensils;

8.2.8. Vents and light fixtures shall be installed in a manner to preclude the contamination of milk and clean utensils;

8.2.9. There shall be no direct opening into any barn, stable, or room used for domestic purposes; except that an opening between the milkhouse and milking parlor, is permitted when a tight fitting self-closing solid door, hinged to be single or double acting, is provided; and

8.2.10. The milkhouse shall be equipped with a wash and rinse vat having at least two compartments. Each compartment shall be of sufficient size to accommodate the largest utensil or container used.

§61-4-9. Milkhouse – Cleanliness.

9.1. If the farm has a milkhouse, the producer shall meet the following requirements;

9.1.1. The milkhouse structure, equipment, and other milkhouse facilities used in its operation shall be kept clean at all times;

9.1.2. The milkhouse and its appurtenances shall be free of trash, animals, and fowl;

9.1.3. Pesticides or unapproved antibiotics shall not be stored in this room and when they are used they shall be used in accordance with label instructions so as to prevent contamination of the milk.

§61-4-10. Milking Barn or Parlor Construction and Maintenance.

10.1. Each farm shall have a milking barn or milking parlor of adequate size and arrangement to permit normal sanitary milking operations. It shall be well lighted and ventilated, and the floors and gutters in the milking area shall be constructed of concrete or other impervious material.

10.2. The facility shall be kept clean, with the manure removed daily and stored to prevent access of animals to the accumulation of the manure; and no swine or fowl shall be permitted in any part of the milking area.

10.3. If milk is exposed during straining or transferring in the milking areas it shall be protected from falling particles from areas above the milking facility.

§61-4-11. Milking Barn or Parlor Cleanliness.

11.1. The interior of the milking barn or parlor shall meet the following standards of cleanliness:

11.1.1. The interior of the facilities shall be kept clean;

11.1.2. Leftover feed in feed mangers shall be fresh and shall not be wet or soggy;

11.1.3. The bedding material, if used, shall not contain more manure than that which has accumulated since the previous milking;

11.1.4. The gutter shall be kept reasonably clean, with manure removed daily; and

11.1.5. All pens and stalls, if not separated from the milking barn or parlor shall be kept clean.

§61-4-12. Barnyard.

12.1. A barnyard shall meet the following requirements;

12.1.1. The barnyard shall be graded and drained. Depressions and soggy areas shall be filled and lanes shall be reasonably dry;

12.1.2. Approaches to the barn door and the surroundings of stock watering and feeding stations shall be solid to the footing of the animals;

12.1.3. Wastes from the barn or milkhouse shall not be allowed to pool in the barnyard. Barnyards which are muddy due to recent rains do not violate this Section;

12.1.4. Manure, soiled bedding, and waste feed shall not be stored or permitted to accumulate in the barnyard in such a manner as to permit the soiling of udders and flanks. Housing areas (stables without stanchions, such as loose-housing stables, pen stables, resting barns, holding barns, loafing sheds, wandering sheds, free-stall housing) are considered a part of the barnyard. Manure packs shall be solid to the footing of

the animal;

12.1.5. Barnyards shall be kept reasonably free of droppings. Droppings shall not be allowed to accumulate in piles that are accessible to the animals; and

12.1.6. The yard or loafing area shall be of ample size to prevent overcrowding.

§61-4-13. Water Supply.

13.1. The dairy farm water supply shall be properly located, protected, and operated. It shall be easily accessible, ample, and of safe sanitary quality for the cleaning of dairy utensils and equipment. The water supply shall come from an approved public source or from a spring, dug well, driven well, bored well, or drilled well, that complies with the standards of the West Virginia Department of Health and Humans Resources.

§61-4-14. Toilet Facilities.

14.1. Every dairy farm shall have one or more toilets, conveniently located and properly constructed, operated, and maintained in a sanitary manner. The waste shall be inaccessible to flies and shall not pollute the soil surface or contaminate any water supply;

§61-4-15. Milking Utensils and Equipment - Construction, Cleaning, Storage, and Handling.

15.1. Construction of utensils and equipment shall meet the following requirements:

15.1.1. All multiuse utensils, equipment, and containers which are exposed to milk or cheese products, shall be made of smooth impervious, nonabsorbent, safe materials of the following types:

15.1.1.a. Stainless steel of the AISI (American Iron and Steel Institute) 300 series;

15.1.1.b. Equally corrosion resistant nontoxic metal;

15.1.1.c. Heat resistant glass; or

15.1.1.d. Plastic or rubber and rubber like materials which are relatively inert, resistant to scratching, scoring, decomposition crazing, chipping, and distortion under normal use conditions. The materials shall be nontoxic, fat resistant, relatively nonabsorbent, relatively insoluble, and may not release component chemicals or impart flavor or odor to the product. The materials shall maintain their original properties under repeated use conditions;

15.1.2. Single-service articles shall be manufactured, packaged, transported, and handled in a sanitary manner;

15.1.3. Articles intended for single-service use shall not be reused;

15.1.4. All containers, equipment, and utensils shall be free of breaks and corrosion;

15.1.5. All joints in the containers, equipment, and utensils shall be smooth and free from pits, cracks, and inclusions;

15.1.6. Strainers shall be of perforated metal design, or constructed to utilize single-service strainer media; and

15.1.7. All milking machines, including heads, milk claws, milk tubing, and other milk contact surfaces shall be easily cleaned and inspected.

15.2. Utensils and equipment shall meet the following cleanliness requirements:

15.2.1. The contact surfaces of all multiuse containers, equipment, and utensils used in the handling, storage, or transportation of milk or cheese products shall be cleaned after each use; and

15.2.2. The contact surfaces of all multiuse containers, equipment, and utensils shall be sanitized immediately prior to use for the handling, storage, or transportation of milk or cheese products.

15.3. Utensils and equipment shall be stored in the following manner:

15.3.1. All milk containers, utensils, and equipment, including milking machine vacuum hoses, shall be stored in a sanitizing solution or on racks until used;

15.3.2. All milk containers, utensils and equipment shall be stored in a clean and properly ventilated area;

15.3.3. Equipment shall be stored to drain completely;

15.3.4. Strainer pads, gaskets, and similar single-service articles shall be stored in a suitable container or cabinet and protected against contamination.

15.4. Utensils and equipment handling shall meet the following requirements:

15.4.1. After sanitation, all containers, utensils and equipment shall be handled in such a manner as to prevent contamination of any product contact surface;

15.4.2. Sanitized product contact surfaces shall be protected against contact with unsanitized equipment and utensils, hands, clothing, splash, condensation, and other sources of contamination; and

15.4.3. Any sanitized product contact surface, which has been otherwise exposed to contamination, shall be cleaned and sanitized again prior to being used.

§61-4-16. Milking - Flanks, Udders, and Teats.

16.1. Milking practices shall meet the following requirements:

16.1.1. Milking shall be done in a milking barn or parlor;

16.1.2. The cows flanks, bellies, tails, and udders, shall be clipped as often as necessary to facilitate cleaning of those areas and shall be free from dirt. The hair on the udders shall be of such length that it is not incorporated with the teat in the inflation during milking;

16.1.3. Udders and teats of all milking animals shall be cleaned and treated with a sanitizing solution and shall be relatively dry just prior to milking; and

16.1.4. Wet hand milking shall be prohibited.

§61-4-17. Milking - Surcingles, Milk Stools, and Anti-kickers.

17.1. Surcingles, milk stools, and anti-kickers shall be kept clean and shall be stored above the floor in a clean place in the milking barn, stable, parlor, or milkhouse when not in use.

§61-4-18. Protection From Contamination.

18.1. Protection from contamination requires compliance with the following:

18.1.1. Equipment and operations shall be located within the milking barn and milkhouse to prevent overcrowding and contamination of cleaned and sanitized containers, equipment, and utensils by splash, condensation, or manual contact;

18.1.2. All milk which has overflowed, leaked, spilled, or been improperly handled shall be discarded;

18.1.3. All product contact surfaces of containers, equipment, and utensils shall be covered or otherwise protected to prevent the access of insects, dust, condensation, and other contamination;

18.1.4. When milk is poured or strained in the milking barn, the receiving receptacle shall be raised above the floor (as on a dolly or cart), or placed at a distance from the animals to protect it from manure or splash. The receptacle shall have a tight fitting cover which shall be closed except when milk is being poured;

18.1.5. Each pail or container of milk shall be transferred immediately from the milking barn to the refrigerated storage facility;

18.1.6. Pails, cans, and other equipment containing milk shall be properly covered during transfer and storage; and

18.1.7. Antibiotics and medicines shall be stored in such a manner that they cannot contaminate the milk or milk product contact surfaces of the equipment, containers, or utensils.

§61-4-19. Personnel - Hand Washing Facilities.

19.1. The following hand washing facilities for personnel are required:

19.1.1. Hand washing facilities shall be located convenient to the milking barn, parlor, or flush toilet;

19.1.2. Hand washing facilities shall include soap or detergent, water, and towels; and

19.1.3. The facilities shall be kept in good repair, clean, and shall not be used for storage.

§61-4-20. Personnel - Cleanliness.

20.1. All persons shall comply with the following:

20.1.1. Hands shall be washed clean and dried with a sanitary towel immediately before milking, before performing any milkhouse function, and immediately after the interruption of any of these activities; and

20.1.2. Milkers shall wear clean outer garments while milking or handling milk, milk containers, equipment or utensils.

§61-4-21. Personnel - Health.

21.1. No person affected with any disease in a communicable form, or while a carrier of the disease, shall work at any dairy farm or cheese making facility in any capacity which brings him or her into contact with the production, handling, storage, or transportation of milk, cheese, containers, equipment, or utensils. No dairy farm operator or cheese maker shall employ in any capacity any person having or suspected of having a disease in a communicable form, or being a carrier of the disease. Any producer who suspects that any employee or family member has contracted any disease in a communicable form, or has become a carrier of the disease, shall notify the Commissioner immediately.

21.2. When reasonable cause exists to suspect the possibility of transmission of infection from any person handling milk or cheese, the Commissioner may require any or all of the following measures:

21.2.1. The immediate exclusion of that person from milk or cheese handling;

21.2.2. The immediate exclusion of the milk or cheese supply concerned from distribution and use;

21.2.3. Adequate medical and bacteriological examination of the person, and of his or her associates.

§61-4-22. Animal Health.

22.1. All cows milk for processing cheese through traditional methods shall be from herds under a brucellosis eradication program which meets one of the following conditions:

22.1.1. The herd is located in a Certified Brucellosis-Free Area as defined by the United States Department of Agriculture and enrolled in the testing program for the areas;

22.1.2. The herd is located in a Modified Certified Brucellosis Area as defined by the United States Department of Agriculture and enrolled in the testing program for the areas;

22.1.3. The herd meets United States Department of Agriculture requirements for an individually certified herd;

22.1.4. The herd is participating in a milk ring testing program which is conducted on a continuing basis at intervals of not less than every three (3) months or more than every six (6) months with individual blood tests on all animals in herds showing suspicious reactions to the milk ring test; or

22.1.5. The herd has an individual blood agglutination test annually with an allowable maximum grace period not exceeding two (2) months.

22.2. All cows milk for manufacturing or processing cheese shall be from herds which are located in a Modified Accredited Tuberculosis Area as determined by the United States Department of Agriculture. A Modified Accredited Tuberculosis Area shall be interpreted as requiring all dairy herds to be tested every six

(6) years with an allowable maximum grace period of two (2) months. Herds located in an area that fails to maintain accredited status shall be accredited by the United State Department of Agriculture as tuberculosis free, or shall pass an annual tuberculosis test.

22.3. For diseases other than brucellosis and tuberculosis the Commissioner may require any physical, bacteriological, or chemical tests he or she determines necessary. The diagnosis of other diseases in dairy animals shall be based upon the findings of a licensed veterinarian or a veterinarian in the employee of the Commissioner. Any producer owning a diseased animal disclosed by the test, shall dispose of the animal as the Commissioner directs.

§61-4-23. Insect and Rodent Control.

23.1. Effective measures shall be taken to prevent the contamination of milk, cheese, containers, equipment, and utensils by insects or rodents, and by chemicals used to control the vermin.

23.1.1. Manure packs in loafing areas, stables without stanchions, pen stables, resting barns, wandering sheds and free stall housing shall be properly bedded and managed to prevent fly breeding.

23.1.2. Milkhouses and cheese kitchens shall be kept free of insects and rodents.

23.1.3. Milkhouses and cheese kitchens shall be effectively screened or otherwise protected against the entrance of vermin.

23.1.4. Insecticides not approved for use in a milkhouse or cheese kitchens shall not be stored in those facilities.

23.1.5. Only insecticides and rodenticide approved for use by the Commissioner and registered with the United States Environmental Protection Agency shall be used for insect and rodent control.

23.1.6. Insecticides and rodenticide shall be used only in accordance with the manufacturer's label directions so as to prevent the contamination of milk, cheese, containers, equipment, utensils, feed and water.

§61-4-24. Farm Inspection.

24.1. Each farm and cheese manufacturing facility shall be inspected for compliance with this rule at least two (2) times during each twelve (12) month interval with approximately six (6) months between the routine inspections. Inspections shall be conducted more frequently if necessary to achieve compliance with the provisions of this Rule.

§61-4-25. Cheese Kitchen – Construction and Facilities.

25.1. The cheese kitchen shall meet the following construction and facility requirements:

25.1.1. A cheese kitchen shall be conveniently located and properly constructed, lighted, and ventilated.

25.1.2. Products which would be likely to contaminate milk or cheese or otherwise create a health hazard shall not be handled in the cheese kitchen;

25.1.3. The cheese kitchen shall be equipped to provide for the washing and

sanitizing of equipment and utensils with an adequate supply of hot and cold water;

25.1.4. The liquid wastes shall be disposed of in a sanitary manner. All drains shall be trapped if connected to a sanitary sewer;

25.1.5. The cheese kitchen shall be constructed in a manner which will provide for adequate cleaning of ceilings, walls, and floors;

25.1.6. The cheese kitchen shall have doors and windows which will provide adequate protection from dust, insects, and rodents; and

25.1.7. Cheese cupboards shall be screened to prevent the entrance of flies.

25.1.8. Cheese aging areas shall be clean and sanitary. They shall be free of insects and rodents. Access to these areas by fowl or other animals shall not be permitted. Doors from these areas to the outside shall be kept closed at all times.

§61-4-26. Cheese Kitchen - Utensils and Equipment.

26.1. All multiuse containers, equipment, and utensils which are exposed to milk or cheese shall be made of smooth nonabsorbent, safe materials.

26.2. Single service articles shall be stored and handled in a safe and sanitary manner. Articles intended for single service use shall not be reused.

26.3. All containers, equipment, and utensils shall be free of breaks and corrosion. They shall have joints that are smooth and free from pits, cracks, or inclusions.

26.4. The product contact surfaces of all multi use containers, equipment, and utensils used in the handling, storage, or transportation of cheese shall be cleaned after each use. Cheese presses and cheese cupboards shall be kept clean and sanitary.

26.5. All containers, equipment, and utensils shall be stored in a manner which will protect it from contamination.

§61-4-27. Farm Exclusion.

27.1. No firm shall process cheese using raw milk from a dairy farm that is not in compliance with the provisions of this Rule.

27.2. In the event of noncompliance with this Rule or in the event of a refusal by a producer to allow an inspection of the dairy farm by an inspector of the West Virginia Department of Agriculture, the milk from the dairy farm shall not be used to process cheese until such time as the farm is found to be in compliance and/or access to inspect the dairy farm is permitted.

§61-4-28. Permit To Operate.

28.1. It is unlawful for any person who does not possess a permit from the Department of Agriculture to operate a dairy farm which produces and offers for sale cheese which is processed using traditional methods as covered under the provisions of this Rule.

28.2. The producer shall apply for a permit on forms prescribed and furnished by the Commissioner. No application fee is required for this permit. All permits expire June 30 (thirtieth) of each year.