

CHAPTER 238

[S. B. 185.]

WASHINGTON STATE UNIFORM FLUID MILK ACT.

AN Act relating to fluid milk, fluid milk products and dairy products intended or used as such for human consumption; amending the "Washington State Fluid Milk Act;" amending sections 1, 3, 4, 6 and 7, chapter 168, Laws of 1949, and RCW sections 15.36.010 through 15.36.060, 15.36.080, 15.36.090, 15.36.110 and 15.36.120 through 15.36.460; repealing section 1, chapter 90, Laws of 1943, sections 1, 11, 13, 41 and 59, chapter 192, Laws of 1919, section 6, chapter 213, Laws of 1929, and section 20, chapter 168, Laws of 1949, section 59, chapter 192, Laws of 1919, and RCW 15.32.320; and enacting RCW sections 15.32.010 through 15.32.050, 15.32.290, 15.32.300, 15.32.690, and 15.32.390.

Be it enacted by the Legislature of the State of Washington:

Divided and amended.

SECTION 1. Section 1, chapter 168, Laws of 1949 (heretofore divided and codified in RCW 15.36.010, 15.36.020, 15.36.030, 15.36.040, 15.36.050 and 15.36.060) is divided and amended as set forth in sections 2, 3, 4, 5, 6 and 7 of this chapter.

SEC. 2. (RCW 15.36.010) For the purpose of this chapter, terms shall apply as herein defined unless the context clearly indicates otherwise.

"Milk" defined.

"Milk" is the whole unadulterated lacteal secretion obtained by the complete milking of one or more healthy cows, excluding that obtained within ten days before and seven days after calving, or such longer period as may be necessary to render the milk colostrum free; which milk contains not less than eight and one-quarter percent milk solids not fat, and not less than three and one-half percent milk fat: *Provided*, That nothing in this chapter shall prohibit the sale to creameries, cheese factories, milk plants, or milk distributors of the whole unadulterated milk from any healthy cow whose milk tests below the standards herein fixed.

Proviso.

"Milk fat" or "butter fat" is the fat of milk.

"Cream," "light cream," "coffee cream" or "table

"Milkfat" defined.
"Cream" defined.

cream" is a portion of milk which contains not less than twenty percent milk fat.

"Sour cream" is cream the acidity of which is more than two-tenths percent, expressed as lactic acid.

"Sour cream" defined.

"Whipping cream" is cream which contains not less than thirty percent milk fat.

"Whipping cream" defined.

"Half and half" is a product consisting of a mixture of milk and cream homogenized which contains not less than eleven and one-half percent milk fat.

"Half and half" defined.

"Reconstituted," or "recombined half and half" is a product resulting from the combination of reconstituted milk or reconstituted skim milk with cream or reconstituted cream homogenized, which contains not less than eleven and one-half percent milk fat.

"Reconstituted" defined.

"Concentrated milk" is a fluid product unsterilized and unsweetened, resulting from the removal of a considerable portion of water from milk. When recombined with water, in accordance with instructions printed on the container, the resulting product shall conform with the standards for milk fat and solids-not-fat for milk as defined herein.

"Concentrated milk" defined.

"Concentrated milk products" shall be taken to mean and to include homogenized concentrated milk, vitamin D concentrated milk, concentrated skim milk, concentrated flavored milk, concentrated flavored drink, and similar concentrated products made from concentrated milk or concentrated skim milk, as the case may be, and which, when recombined with water in accordance with instructions printed on the container, conform with the definitions of the corresponding milk products in this section.

"Concentrated milk products" defined.

"Dry milk" is milk from which at least ninety-five percent of the water has been removed, and which is used for fortification of milk products defined in this chapter.

"Dry milk" defined.

"Skim milk" is milk from which a sufficient portion of the milk fat has been removed to reduce its

"Skim milk" defined.

milk fat content to less than three and one-half percent.

"Defatted milk" defined.

"Defatted milk," "nonfat," or "fat-free," is skim milk which contains not more than twenty-five one-hundredths of one percent milk fat.

"Skim milk solids" defined.

"Skim milk solids" shall be deemed to include concentrated skim milk and nonfat dry milk solids.

"Nonfat dry milk solids" defined.

"Nonfat dry milk solids" shall mean nonfat milk from which at least ninety-five percent of the water has been removed and which is used for fortification of milk products defined in this chapter.

"Flavored milk" defined.

"Flavored milk" is a beverage or confection consisting of milk to which has been added a syrup or flavor made from wholesome ingredients.

"Flavored drink" defined.

"Flavored drink," or "flavored dairy drink" is a beverage or confection consisting of skim milk to which has been added a syrup or flavor made from wholesome ingredients.

"Flavored reconstituted milk" defined.

"Flavored reconstituted milk" is a flavored milk made from reconstituted milk.

"Flavored reconstituted drink" defined.

"Flavored reconstituted drink," or "flavored reconstituted dairy drink" is a flavored drink made from reconstituted skim milk.

"Buttermilk" defined.

"Buttermilk" is a fluid product resulting from the churning of milk or cream. It contains not less than eight and one-quarter percent milk solids-not-fat.

"Cultured buttermilk" defined.

"Cultured buttermilk" is a fluid product resulting from the souring or treatment, by a lactic acid or other culture, of pasteurized skim milk or pasteurized reconstituted skim milk. It contains not less than eight and one-quarter percent milk solids-not-fat.

"Cultured milk" defined.

"Cultured milk" is a fluid or semifluid product resulting from the souring or treatment, by a lactic acid or other culture, or pasteurized milk, pasteurized reconstituted milk or pasteurized concentrated milk. It contains not less than eight and one-quarter percent milk solids-not-fat and not less than three and one-half percent milk fat.

“Vitamin D milk” is milk the vitamin D content of which has been increased by a method approved by the director to at least four hundred United States pharmacopoeia units per quart.

“Vitamin D milk” defined.

“Fortified milk” is milk, other than vitamin D milk, the vitamin or mineral content of which has been increased by a method and in an amount approved by the director. “Fortified milk products” are those milk products defined in this chapter, other than vitamin D milk products, the vitamin or mineral content of which has been increased by a method and in an amount approved by the director, and to which skim milk solids may or may not have been added. The label shall contain the word “fortified” and shall show clearly the amount and source of each vitamin or mineral added.

“Fortified milk” defined.

“Fortified milk products” defined.

“Reconstituted,” or “recombined” milk is a product resulting from the recombining of milk constituents with water, and which complies with the standards for milk fat and solids-not-fat of milk as defined herein. “Reconstituted,” or “recombined cream” is a product resulting from the combination of dried cream, butter, or milk fat with cream, milk, skim milk, or water, and which complies with the milk fat standards of cream.

“Reconstituted milk” defined.

“Recombined cream” defined.

“Reconstituted,” or “recombined” skim milk is a product which results from the recombining of skim milk constituents with water, and which contains not less than eight and one-quarter percent milk solids-not-fat.

“Reconstituted skim milk” defined.

“Goat milk” is the lacteal secretion, free from colostrum, obtained by the complete milking of healthy goats, and shall comply with all the requirements of this chapter. The word “cow” shall be interpreted to include “goats.”

“Goat milk” defined.

“Homogenized milk” is milk which has been treated in such manner as to insure breakup of the fat globules to such an extent that after forty-eight

“Homogenized milk” defined.

hours storage no visible cream separation occurs on the milk and the fat percentage of the top one hundred milliliters of milk in a quart bottle, or of proportionate volumes in containers of other sizes, does not differ by more than ten percent of itself from the fat percentage of the remaining milk as determined after thorough mixing. The word "milk" shall be interpreted to include "homogenized milk."

"Milk" includes.

"Milk products" defined.

"Milk products" means and includes cream, sour cream, whipping cream, half and half, reconstituted half and half, concentrated milk products, skim milk, nonfat milk, flavored milk, flavored drink, flavored reconstituted milk, flavored reconstituted drink, goat milk, vitamin D milk, buttermilk, cultured buttermilk, cultured milk, fortified milk, reconstituted or recombined milk, and cream, or skim milk, and any other products made by the addition of any substance to milk or any of these products and used for similar purposes and designated as a milk product by the director.

"Pasteurization" defined.

SEC. 3. (RCW 15.36.020) "Pasteurization," "pasteurize" and similar terms, refer to the process of heating every particle of milk or milk products to at least one hundred forty-three degrees Fahrenheit, and holding at such temperature for at least thirty minutes, or to at least one hundred sixty-one degrees Fahrenheit, and holding at such temperature for at least fifteen seconds in approved and properly operated equipment under the provisions of this chapter: *Provided*, That nothing contained in this definition shall be construed as disbarring any other process which has been demonstrated to be equally efficient and which is approved by the director.

Proviso.

Enacted without amendment.

"Adulterated and misbranded milk and milk products" defined.

SEC. 4. (RCW 15.36.030) "Adulterated and misbranded milk and milk products." Any milk to which water has been added, or any milk or milk product which contains any unwholesome substance, or which if defined in this chapter does not conform with its

definition, shall be deemed adulterated. Any milk or milk products which carries a grade label unless such grade label has been awarded by the director and not revoked, or which fails to conform in any other respect with the statements on the label, shall be deemed to be misbranded.

SEC. 5. (RCW 15.36.040) A "milk producer" is any person or organization who owns or controls one or more cows a part or all of the milk or milk products from which is sold or offered for sale.

"Milk producer" defined.

A "milk distributor" is any person who offers for sale or sells to another any milk or milk products for human consumption as such and shall include a milk producer selling or offering for sale milk or milk products at the dairy farm.

"Milk distributor" defined.

A "dairy" or "dairy farm" is any place or premises where one or more cows are kept, a part or all of the milk or milk products from which is sold or offered for sale.

"Dairy" defined.

A "milk hauler" is any person, other than a milk producer or a milk plant employee, who transports milk or milk products to or from a milk plant or a collecting point.

"Milk hauler" defined.

A "milk plant" is any place, premises or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution, except an establishment where milk or milk products are sold at retail only.

"Milk plant" defined.

SEC. 6. (RCW 15.36.050) "Average bacterial plate count," and the "average direct microscopic count," mean the logarithmic average, and "average reduction time" and "average cooling temperature" mean the arithmetic average of the respective results of the last four consecutive samples, taken upon separate days.

Enacted without amendment.

"Average bacterial plate count" defined.

SEC. 7. (RCW 15.36.060) The word "person" means any individual, partnership, firm, corporation, company, trustee, or association.

"Person" defined.

"Director"
defined.

"Director" means the director of agriculture of the state of Washington or his duly authorized representative.

"Health officer"
defined.

"Health officer" means the county or city health officer as defined in Title 70, or his authorized representatives.

Use of
"and/or."

Where the term "and/or" is used "and" shall apply where possible, otherwise "or" shall apply.

Amendment.

SEC. 8. Section 3, chapter 168, Laws of 1949 and RCW 15.36.080 are each amended to read as follows:

Unlawful
without appropriate
permit.

It shall be unlawful for any person to transport, or to sell, or offer for sale, or to have in storage where milk or milk products are sold or served, any milk or milk product defined in this chapter, who does not possess an appropriate permit from the director or an authorized inspection service as defined in this chapter.

Permit to
operate.

Every milk producer, milk distributor, milk hauler, and operator of a milk plant shall secure a permit to conduct such operation as defined in this chapter. Only a person who complies with the requirements of this chapter shall be entitled to receive and retain such a permit. Permits shall not be transferable with respect to persons and/or locations.

Permits not
transferable.

Temporary
suspension
of permit.

Such a permit may be temporarily suspended by the director or health officer of a milk inspection unit upon violation by the holder of any of the terms of this chapter, or for interference with the director or health officer of a milk inspection unit in the performance of his duties, or revoked after an opportunity for a hearing by the director upon serious or repeated violations.

Revocation
of permit.

Amendment.

SEC. 9. Section 4, chapter 168, Laws of 1949 and RCW 15.36.090 are each amended to read as follows:

Containers
marked or
labeled.

All bottles, cans, packages, and other containers, enclosing milk or any milk product defined in this chapter shall be plainly labeled or marked with (1) the name of the contents as given in the definitions

Information
on label.

of this chapter; (2) the grade of the contents; (3) the word "pasteurized" only if the contents have been pasteurized; (4) the word "raw" only if the contents are raw; (5) the name of the producer if the contents are raw, and the identity of the plant at which the contents were pasteurized if the contents are pasteurized; (6) the phrase "for pasteurization" if the contents are to be pasteurized; (7) in the case of vitamin D milk the designation "vitamin D milk," the source of the vitamin D and the number of units per quart; (8) the word "reconstituted" or "recombined" if included in the name of the product as defined in this chapter; (9) in the case of concentrated milk or milk products the volume or proportion of water to be added for recombining; (10) the words "skim milk solids added," and the percentage added if such solids have been added, except that this requirement shall not apply to reconstituted or recombined milk or milk products: *Provided*, That only the identity of the producer shall be required on cans delivered to a milk plant which receives only raw milk for pasteurization and which immediately dumps, washes, and returns the cans to the producer.

Identity on cans of raw milk for pasteurization.

The label or mark shall be in letters of a size, kind, and color approved by the director and shall contain no marks or words which are misleading.

Label size, kind, and color.

SEC. 10. Section 6, chapter 168, Laws of 1949 and RCW 15.36.110 are each amended to read as follows:

Amendment.

During each six months period at least four samples of milk and cream from each dairy farm and each milk plant shall be taken on separate days and examined by the director: *Provided*, That in the case of raw milk for pasteurization the director may accept the results of nonofficial laboratories which have been officially checked periodically and found satisfactory. Samples of other milk products may be taken and examined by the director as often as he deems necessary. Samples of milk and milk

Milk samples from dairy farms and milk plants.

Milk samples from stores, cafes, etc.

Laboratory tests to conform to procedures of "Standard Methods for the Examination of Dairy Products."

products from stores, cafes, soda fountains, restaurants, and other places where milk or milk products are sold shall be examined as often as the director may require. Bacterial plate counts, direct microscopic counts, reduction tests, coliform determinations, phosphatase tests and other laboratory tests shall conform to the procedures in the current edition of "Standard Methods For The Examination Of Dairy Products," recommended by the American Public Health Association. Examinations may include such other chemical and physical determinations as the director may deem necessary for the detection of adulteration. Samples may be taken by the director at any time prior to the final delivery of the milk or milk products. All proprietors of cafes, stores, restaurants, soda fountains, and other similar places shall furnish the director, upon his request, with the name of all distributors from whom their milk and milk products are obtained. Bio-assays of the vitamin D content of vitamin D milk shall be made when required by the director in a laboratory approved by him for such examinations.

Written notice of fall beyond limit for grade.

Three-out-of-four method used in lieu of averaging method.

Whenever the average bacterial count, the average reduction time, or the average cooling temperature, falls beyond the limit for the grade then held, the director shall send written notice thereof to the person concerned and shall take an additional sample, but not before the lapse of three days, for determining a new average in accordance with RCW 15.36.050: *Provided*, That the three-out-of-four method, as specified in the following paragraph, may be used in lieu of the averaging method provided in RCW 15.36.050 for determining compliance of bacterial plate counts, direct microscopic counts, or cooling temperatures. Violation of the grade requirement by the new average or the three-out-of-four method shall call for immediate degrading or sus-

pension of the permit, unless the last individual result is within the grade limit.

Whenever more than one of the last four consecutive coliform tests made to determine bacterial count of samples taken on separate days falls beyond the limit for the grade then held, the director shall send written notice thereof to the person concerned and shall take an additional sample but not before the lapse of three days. Immediate degrading or suspension of permit shall be called for if the grade requirements are violated by such additional sample, unless the last individual result is within the grade limit.

In case of violation of the phosphatase test requirement, the cause of underpasteurization shall be determined and removed before milk or milk products from this plant can again be sold as pasteurized milk or milk products.

Violation of
phosphatase
test re-
quirement.

SEC. 11. Section 7, chapter 168, Laws of 1949 (heretofore divided and codified as RCW 15.36.120, RCW 15.36.130, RCW 15.36.140, RCW 15.36.150, RCW 15.36.155, RCW 15.36.160, RCW 15.36.165, RCW 15.36.170, RCW 15.36.175, RCW 15.36.180, RCW 15.36.185, RCW 15.36.190, RCW 15.36.195, RCW 15.36.200, RCW 15.36.205, RCW 15.36.210, RCW 15.36.215, RCW 15.36.220, RCW 15.36.225, RCW 15.36.230, RCW 15.36.235, RCW 15.36.240, RCW 15.36.245, RCW 15.36.250, RCW 15.36.255, RCW 15.36.260, RCW 15.36.265, RCW 15.36.270, RCW 15.36.280, RCW 15.36.290, RCW 15.36.300, RCW 15.36.310, RCW 15.36.320, RCW 15.36.325, RCW 15.36.330, RCW 15.36.335, RCW 15.36.340, RCW 15.36.345, RCW 15.36.350, RCW 15.36.355, RCW 15.36.360, RCW 15.36.365, RCW 15.36.370, RCW 15.36.375, RCW 15.36.380, RCW 15.36.385, RCW 15.36.390, RCW 15.36.395, RCW 15.36.400, RCW 15.36.405, RCW 15.36.410, RCW 15.36.415, RCW 15.36.420, RCW 15.36.425, RCW 15.36.430, RCW 15.36.440, RCW

Division and
amendment.

15.36.450, RCW 15.36.460) is divided and amended as set forth in sections 12 through 69, inclusive.

Enacted
without
amendment.

Grading of
milk products.

SEC. 12. (RCW 15.36.120) Grade of milk and milk products as defined in this chapter shall be based on the respectively applicable standards contained in RCW 15.36.120 to RCW 15.36.460, inclusive, the grading of milk products being identical with the grading of milk, except that the bacterial standards shall be doubled in the case of cream and omitted in the case of sour cream and buttermilk. Vitamin D milk shall be only of grade A, certified pasteurized, or certified raw quality. The grade of a milk product shall be that of the lowest grade milk or milk product used in its preparation.

Enacted
without
amendment.

Certified milk
raw defined.

SEC. 13. (RCW 15.36.130) Certified milk-raw is raw milk which conforms with requirements of the American association of medical milk commissions in force at the time of production and is produced under the supervision of a medical milk commission reporting monthly to the director and the state department of health.

Enacted
without
amendment.

Grade A raw
milk defined.

SEC. 14. (RCW 15.36.140) Grade A raw milk is raw milk produced upon dairy farms conforming with all of the items of sanitation contained in RCW 15.36.150 to RCW 15.36.280, inclusive, and the bacterial plate count or the direct microscopic clump count of which does not exceed twenty thousand per milliliter, or the methylene blue reduction time of which is not less than seven hours, as determined in accordance with RCW 15.36.110.

Grade A raw milk for pasteurization is raw milk produced upon dairy farms conforming with all of said items of sanitation except RCW 15.36.265 (bottling and capping), 15.36.270 (personnel health), and such portions of other items as are indicated therein, and the bacterial plate count or the direct microscopic clump count of which, as delivered from the farm,

does not exceed one hundred thousand per milliliter, or the resazurin reduction time of which to P seven-fourth is not less than three hours, as determined in accordance with RCW 15.36.110.

SEC. 15. (RCW 15.36.150) Except as provided hereinafter, tuberculin test of all herds and additions thereto shall be made before any milk therefrom is sold, and at least once every twelve months thereafter, by an accredited and licensed veterinarian approved by the state department of agriculture or veterinarian employed by the bureau of animal industry, United States department of agriculture. Said tests shall be made and the reactors disposed of in accordance with the requirements approved by the director for accredited herds. A certificate signed by the veterinarian or attested to by the director and filed with the director shall be evidence of the above test: *Provided*, That in modified accredited counties in which the modified accredited area plan is applied to the dairy herds, the modified accredited area system approved by the director shall be accepted in lieu of annual testing.

No fluid milk or cream designated or represented to be "grade A" fluid milk or cream shall be sold, offered or exposed for sale which has been produced from a herd of cows, one or more of which are infected with brucellosis at the time such milk is produced, or from animals in such herd which have not been blood tested for brucellosis at least once during the preceding calendar year, or milk ring tested for brucellosis at least semiannually during the preceding calendar year. The results of a test for brucellosis by the state or federal laboratory of a blood sample drawn by an official veterinarian, shall be prima facie evidence of the infection or noninfection of the animal or herds: *Provided*, That in lieu thereof, two official negative milk ring tests for brucellosis not less than six months apart may be ac-

Amendment.
Tuberculin
test.

Certificate.

Modified
accredited
area plan.

Brucellosis.

Blood test for
brucellosis.

Milk ring test.

cepted as such evidence. All herds of cows, the fluid milk or cream from which is designated or represented to be "grade A" fluid milk or cream shall be blood tested for brucellosis annually or milk ring tested for brucellosis semiannually. Such herds showing any reaction to the milk ring test shall be blood tested and all reactors to the blood test removed from the herd and disposed of within fifteen days from the date they are tagged and branded. The remaining animals in the infected herd shall be retested at not less than thirty-day nor more than sixty-day intervals from the date of the first test. A series of retests, with removal and disposition of reacting animals, shall be continued until the herd shall have passed two successive tests in which no reactors are found. If upon a final test, not less than six months nor more than seven months from the date of the last negative test, no reactors are found in the herd, it shall be deemed a disease free herd. Results of official blood or milk ring tests shall be conspicuously displayed in the milk house.

Reactors to test removed from herd.

Retests.

Results of tests conspicuously displayed.

Raw milk products, from herds free from brucellosis.

All milk and milk products consumed raw shall be from herds or additions thereto which have been found free from brucellosis, as shown by blood serum tests or other approved tests for agglutinins against brucella organisms made in a laboratory approved by the director. All such herds shall be retested at least every twelve months and all reactors removed from the herd. If a herd is found to have one or more animals positive to the brucellosis test, all milk from that herd is to be pasteurized until the three consecutive brucellosis tests obtained at thirty-day intervals between each test are found to be negative. A certificate identifying each animal by number and signed by the laboratory making the test shall be evidence of the above test.

Certificate.

Exclusion of cows from herd.

Cows which show an extensive or entire induration of one or more quarters of the udder upon

physical examination, whether secreting abnormal milk or not, shall be permanently excluded from the milking herd. Cows giving bloody, or stringy, or otherwise abnormal milk, but with only slight induration of the udder shall be excluded from the herd until reexamination shows that the milk has become normal.

For other diseases such tests and examinations as the director may require after consultation with state livestock sanitary officials shall be made at intervals and by methods prescribed by him.

SEC. 16. (RCW 15.36.155) A milking barn or stable shall be provided. It shall be provided with adequate light, properly distributed, for day or night milking.

Enacted without amendment.
Milking barn.

SEC. 17. (RCW 15.36.160) Such sections of all dairy barns where cows are kept or milked shall be well ventilated and shall be so arranged as to avoid overcrowding.

Enacted without amendment.
Ventilation.

SEC. 18. (RCW 15.36.165) The floors and gutters of that portion of the barn or stable in which cows are milked shall be constructed of concrete or other approved impervious and easily cleaned material: *Provided*, That if the milk is to be pasteurized tight, two-inch tongue and groove wood, impregnated with waterproofing material and laid with a mastic joint at the gutter may be used under the cows. Floors and gutters shall be graded to drain properly and shall be kept clean and in good repair. No horses, swine, or fowl shall be permitted in the milking stable. If dry cows, calves, or bulls are stabled therein, they shall be confined in stalls, stanchions or pens.

Enacted without amendment.
Floors and gutters.

SEC. 19. (RCW 15.36.170) The interior walls and the ceilings of the milking barn or stable shall be smooth, shall be whitewashed or painted as often as may be necessary, or finished in an approved

Enacted without amendment.
Interior walls and ceilings.

manner, and shall be kept clean and in good repair. In case there is a second story above the milking barn or stable the ceiling shall be tight. If hay, grain or other feed is stored in a feed room or feed storage space adjoining the milking space, it shall be separated therefrom by a dust tight partition and door. No feed shall be stored in the milking portion of the barn unless stored in dust tight containers.

Enacted without amendment.
Cow yard.

SEC. 20. (RCW 15.36.175) The cow yard shall be graded and drained as well as practicable and so kept that there are no standing pools of water nor accumulation of organic wastes. Swine shall be kept out.

Enacted without amendment.
Removal of manure.

SEC. 21. (RCW 15.36.180) All manure shall be removed and stored at least fifty feet from the milking barn or disposed of in such manner as best to prevent the breeding of flies therein and the access of cows to piles thereof: *Provided*, That in loafing or pen type stables manure droppings shall be removed or clean bedding added at sufficiently frequent intervals to prevent the accumulation of manure on cows' udders and flanks and the breeding of flies.

Enacted without amendment.
Milk house; requirements for.

SEC. 22. (RCW 15.36.185) There shall be provided a milk house or milk room in which the cooling, handling, and storing of milk and milk products and the washing, bactericidal treatment, and storing of milk containers and utensils shall be done. (1) The milk house or room shall be provided with a tight floor constructed of concrete or other impervious material, in good repair, and graded to provide proper drainage. (2) It shall have walls and ceilings of such construction as to permit easy cleaning, and shall be well painted or finished in an approved manner. (3) It shall be well lighted and ventilated. (4) It shall have all openings effectively screened, including outward-opening, self-closing doors, unless other effective means are provided to prevent the

entrance of flies. (5) It shall be used for no other purposes than those specified above, except as may be approved by the director. (6) It shall not open directly into a stable or into any room used for domestic purposes. (7) It shall have water piped into it. (8) It shall be provided with adequate facilities for the heating of water for the cleaning of utensils. (9) It shall be equipped with two-compartment stationary wash and rinse vats, except that in the case of retail raw milk, if chemicals are employed as the principal bactericidal treatment, the three-compartment type must be used; (10) and shall, unless the milk is to be pasteurized, be partitioned to separate the handling of milk and the storage of cleaned utensils from the cleaning and other operations, which shall be so located and conducted as to prevent any contamination of the milk or of cleaned equipment.

SEC. 23. (RCW 15.36.190) The floors, walls, ceilings, and equipment of the milk house or room shall be kept clean at all times. All means necessary for the elimination of flies shall be used.

Enacted
without
amendment.

Cleanliness.

SEC. 24. (RCW 15.36.195) Every dairy farm shall be provided with one or more sanitary toilets conveniently located and properly constructed, operated and maintained so that the waste is inaccessible to flies and does not pollute the surface soil or contaminate any water supply.

Enacted
without
amendment.

Toilets.

SEC. 25. (RCW 15.36.200) The water supply for the milk room and dairy barn shall be properly located, constructed, and operated, and shall be easily accessible, adequate, and of a safe sanitary quality according to standards approved by the state board of health.

Enacted
without
amendment.

Water supply.

SEC. 26. (RCW 15.36.205) All multi-use containers, equipment, or other utensils used in the handling, storage, or transportation of milk or milk products

Amendment.

Containers,
equipment and
utensils.

shall be made of smooth nonabsorbent material and of such construction as to be easily cleaned and shall be in good repair. Joints and seams shall be welded or soldered flush. Woven wire cloth or multi-use cloth shall not be used for straining milk. If milk is strained, filter pads shall be used and not reused. All milk pails shall be of the seamless hooded type. All single-service containers, closures, and filter pads used shall have been manufactured, packaged, transported, and handled in a sanitary manner.

The design, construction, material and operation of all farm holding tanks shall be such as approved by the director.

Enacted without amendment.

Multi-purpose equipment.

SEC. 27. (RCW 15.36.210) All multi-use containers, equipment, and other utensils used in the handling, storage, or transportation of milk or milk products must be thoroughly cleaned after each usage.

Enacted without amendment.

Subject to bactericidal process.

SEC. 28. (RCW 15.36.215) All multi-use containers, equipment, and other utensils used in the handling, storage, or transportation of milk or milk products shall, before each usage, be effectively subjected to an approved bactericidal process with steam, hot water, chemicals, or hot air.

Enacted without amendment.

Storage.

SEC. 29. (RCW 15.36.220) All containers and other utensils used in the handling, storage, or transportation of milk or milk products shall, unless stored in bactericidal solutions, be so stored as to drain and dry and so as not to become contaminated before being used.

Enacted without amendment.

Handling of utensils.

SEC. 30. (RCW 15.36.225) After bactericidal treatment containers and other milk and milk product utensils shall be handled in such a manner as to prevent contamination of any surface with which milk or milk products come in contact.

Enacted without amendment.

Milking procedure.

SEC. 31. (RCW 15.36.230) Milking shall be done in the milking barn or stable. The udders and teats of all milking cows shall be clean and wiped with an

approved bactericidal solution immediately preceding the time of milking. Abnormal milk shall be kept out of the milk supply and shall be so handled and disposed of as to preclude the infection of the cows and the contamination of milk utensils.

Abnormal
milk.

SEC. 32. (RCW 15.36.235) The flanks, bellies, and tails of all milking cows shall be free from visible dirt at the time of milking. All brushing shall be completed before milking commences.

Enacted
without
amendment.

Brushing.

SEC. 33. (RCW 15.36.240) Milkers' hands shall be clean, rinsed with bactericidal solution, and dried with a clean towel immediately before milking and following any interruption in the milking operation. Wet-hand milking is prohibited. Convenient facilities shall be provided for the washing of milkers' hands.

Enacted
without
amendment.

Milkers' hands.

SEC. 34. (RCW 15.36.245) Milkers and milk handlers shall wear clean outer garments while milking or handling milk, milk products, containers, utensils, or equipment.

Enacted
without
amendment.

Clean
garments.

SEC. 35. (RCW 15.36.250) Milk stools shall be kept clean.

Enacted
without
amendment.

SEC. 36. (RCW 15.36.255) Each pail or can of milk shall be removed immediately to the milk house or straining room. No milk shall be strained or poured in the barn unless it is protected from flies and other contamination.

Enacted
without
amendment.

Milk removal.

SEC. 37. (RCW 15.36.260) Milk and milk products for consumption in the raw state shall be cooled within thirty minutes after completion of milking to fifty degrees Fahrenheit or less and maintained at that temperature until delivery, as determined in accordance with RCW 15.36.110. Milk delivered daily for pasteurization shall be cooled within thirty minutes after completion of milking to sixty degrees Fahrenheit or less and maintained at that temperature until delivered and dumped.

Amendment.

Cooling.

Milk delivered every other day for pasteurization shall be cooled to forty degrees Fahrenheit or lower at the place of production and shall not exceed forty-five degrees Fahrenheit at any time prior to pasteurization.

Enacted without amendment.

Bottling and capping.

SEC. 38. (RCW 15.36.265) Milk and milk products for consumption in the raw state shall be bottled on the farm where produced. Bottling and capping shall be done in a sanitary manner by means of approved equipment and these operations shall be integral in one machine. Caps or cap stock shall be purchased in sanitary containers and kept therein in a clean dry place until used.

Enacted without amendment.

Morbidity history examination.

SEC. 39. (RCW 15.36.270) The health officer or a physician authorized by him shall examine and take a careful morbidity history of every person connected with a producer-distributor dairy, or about to be employed, whose work brings him in contact with the production, handling, storage, or transportation of milk, milk products, containers, or equipment. If such examination or history suggest that such person may be a carrier of or infected with the organisms of typhoid or paratyphoid fever or any other communicable diseases likely to be transmitted through milk, he shall secure appropriate specimens of body discharges and cause them to be examined in a laboratory approved by him or by the state health authorities for such examinations, and if the results justify such person shall be barred from such employment.

Enacted without amendment.

Vehicles used in transporting.

SEC. 40. (RCW 15.36.280) All vehicles used for the transportation of milk or milk products shall be so constructed and operated as to protect their contents from the sun, from freezing, and from contamination. All vehicles used for the distribution of milk and milk products shall have the distributor's name prominently displayed. Deck boards must be

used when more than one deck of cans are transported.

The immediate surroundings of the dairy shall be kept clean and free of health menaces.

Surroundings of dairy.

SEC. 41. (RCW 15.36.290) Grade B raw milk is raw milk which violates the bacterial standard requirement for grade A raw milk, but which conforms with all other requirements for grade A raw milk, and has an average bacterial plate count not exceeding one hundred thousand per milliliter, or an average direct microscopic count not exceeding one hundred thousand per cubic centimeter if clumps are counted or six hundred thousand per cubic centimeter if individual organisms are counted, or an average reduction time of not less than three and one-half hours, as determined under RCW 15.36.050 and RCW 15.36.110.

Enacted without amendment.

Grade B raw milk defined.

SEC. 42. (RCW 15.36.300) Grade C raw milk is raw milk of a producer-distributor which violates any of the requirements for grade B raw milk.

Enacted without amendment. Grade C raw milk defined.

SEC. 43. (RCW 15.36.310) Certified milk-pasteurized is certified milk-raw which has been pasteurized, cooled and bottled in a milk plant conforming with the requirements for grade A pasteurized milk.

Enacted without amendment.

Certified milk-pasteurized defined.

SEC. 44. (RCW 15.36.320) Grade A pasteurized milk is grade A raw milk for pasteurization which has been pasteurized, cooled and placed in the final container in a milk plant conforming with all of the items of sanitation contained in RCW 15.36.325 to RCW 15.36.440, inclusive, which in all cases shows efficient pasteurization as evidenced by satisfactory phosphatase tests, and which at no time after pasteurization and until delivery has a bacterial plate count exceeding twenty thousand per milliliter or a positive coliform test in more than two out of four samples taken on separate days as determined in

Amendment.

Grade A pasteurized milk defined.

Proviso.

accordance with RCW 15.36.110: *Provided*, That the raw milk at no time between dumping and pasteurization, shall have a bacterial plate count or direct microscopic clump count exceeding two hundred thousand per milliliter.

Grading of pasteurized milk includes.

The grading of a pasteurized-milk supply shall include the inspection of receiving and collection stations with respect to compliance with RCW 15.36.325 to RCW 15.36.395, inclusive, and RCW 15.36.405, RCW 15.36.415, RCW 15.36.430 and RCW 15.36.440, except that the partitioning requirement of RCW 15.36.345 shall not apply.

Enacted without amendment.

Floor construction.

SEC. 45. (RCW 15.36.325) The floors of all rooms in which milk or milk products are handled or stored or in which milk utensils are washed shall be constructed of concrete or other equally impervious and easily cleaned material and shall be smooth, properly drained, provided with trapped drains, and kept clean and in good repair.

Enacted without amendment.

Walls and ceiling surfaces.

SEC. 46. (RCW 15.36.330) Walls and ceilings of rooms in which milk or milk products are handled or stored or in which milk utensils are washed shall have a smooth, washable, light colored surface, and shall be kept clean and in good repair.

Enacted without amendment.

Openings screened.

SEC. 47. (RCW 15.36.335) Unless other effective means are provided to prevent the access of flies, all openings to the outer air shall be effectively screened and all doors shall be self-closing.

Enacted without amendment.

SEC. 48. (RCW 15.36.340) All rooms shall be well lighted and ventilated.

Enacted without amendment.

Location of milk plant operations to prevent contamination.

SEC. 49. (RCW 15.36.345) The various milk-plant operations shall be so located and conducted as to prevent any contamination of the milk or of the cleaned equipment. All means necessary for the elimination of flies, other insects and rodents shall be used. There shall be separate rooms for (1) the pasteurization, processing, cooling, and bottling op-

erations, and (2) the washing and bactericidal treatment of containers. Cans of raw milk shall not be unloaded directly into the pasteurizing room. Pasteurized milk or milk products shall not be permitted to come in contact with equipment with which unpasteurized milk or milk products have been in contact, unless such equipment has first been thoroughly cleaned and subjected to bactericidal treatment. Rooms in which milk, milk products, cleaned utensils, or containers are handled or stored shall not open directly into any stable or living quarters. The pasteurization plant shall be used for no other purposes than the processing of milk and milk products and the operations incident thereto, except as may be approved by the director.

SEC. 50. (RCW 15.36.350) Every milk plant shall be provided with toilet facilities approved by the director. Toilet rooms shall not open directly into any room in which milk, milk products, equipment, or containers are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. A placard containing RCW 15.36.520 and a sign directing employees to wash their hands before returning to work shall be posted in all toilet rooms used by employees.

Enacted
without
amendment.

Toilet
facilities.

Placard posted.

SEC. 51. (RCW 15.36.355) The water supply shall be easily accessible, adequate, and of a safe, sanitary quality according to standards approved by the state board of health.

Enacted
without
amendment.

Water supply.

SEC. 52. (RCW 15.36.360) Convenient hand-washing facilities shall be provided, including hot and cold running water, soap, and approved sanitary towels. Hand-washing facilities shall be kept clean. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his hands.

Enacted
without
amendment.

Hand washing
facilities.

Enacted without amendment. "Sanitary milk piping."

SEC. 53. (RCW 15.36.365) All piping used to conduct milk or milk products shall be "sanitary milk piping" of a type which can be easily cleaned with a brush. Pasteurized milk and milk products shall be conducted from one piece of equipment to another only through sanitary milk piping.

Enacted without amendment.

Multi-use equipment.

Single service containers.

SEC. 54. (RCW 15.36.370) All multi-use containers and equipment with which milk or milk products come in contact shall be so constructed and located as to be easily cleaned and shall be kept in good repair. All single-service containers, closures and gaskets used shall have been manufactured, packaged, transported and handled in a sanitary manner.

Enacted without amendment.

Waste disposal.

SEC. 55. (RCW 15.36.375) All wastes shall be properly disposed of. All plumbing and equipment shall be so designed and installed as to prevent contamination of the water supply and of milk equipment by backflow or siphonage.

Enacted without amendment.

Clean after each usage.

SEC. 56. (RCW 15.36.380) All milk and milk products containers, including tank trucks and tank cars and all equipment, except single-service containers, shall be thoroughly cleaned after each usage. All such containers shall be effectively subjected to an approved bactericidal process after each cleaning and all equipment immediately before each usage. When empty and before being returned to a producer or distributor by a milk plant each container, including tank trucks and tank cars, shall be thoroughly cleaned and effectively subjected to an approved bactericidal process.

Enacted without amendment.

Storage.

SEC. 57. (RCW 15.36.385) After bactericidal treatment all bottles, cans, and other multi-use milk or milk products containers and equipment shall be stored in such manner as to be protected from contamination.

SEC. 58. (RCW 15.36.390) Between bactericidal treatment and usage and during usage, containers and equipment shall be handled or operated in such manner as to prevent contamination of the milk. Pasteurized milk or milk products shall not be permitted to come in contact with equipment with which unpasteurized milk or milk products have been in contact, unless the equipment has first been thoroughly cleaned and effectively subjected to an approved bactericidal process. No milk or milk products shall be permitted to come in contact with equipment with which a lower grade of milk or milk products has been in contact, unless the equipment has first been thoroughly cleaned and effectively subjected to an approved bactericidal process.

Enacted
without
amendment.

Handling and
operating to
prevent con-
tamination.

SEC. 59. (RCW 15.36.395) Milk bottle caps or cap stock, parchment paper for milk cans and single service containers and gaskets shall be purchased and stored only in sanitary tubes, wrappings, and cartons, and shall be kept therein in a clean, dry place, and shall be handled in a sanitary manner.

Enacted
without
amendment.

SEC. 60. (RCW 15.36.400) Pasteurization shall be performed as described in RCW 15.36.020.

Enacted
without
amendment.

SEC. 61. (RCW 15.36.405) All milk and milk products received for pasteurization shall immediately be cooled in approved equipment to fifty degrees Fahrenheit or less and maintained at that temperature until pasteurized, unless they are to be pasteurized within two hours after receipt; and all pasteurized milk and milk products except those to be cultured shall be immediately cooled in approved equipment to a temperature of fifty degrees Fahrenheit or less and maintained thereat until delivery, as determined in accordance with RCW 15.36.110.

Enacted
without
amendment.

Milk received
for pasteuriza-
tion cooled.

SEC. 62. (RCW 15.36.410) Bottling of milk or milk products shall be done at the place of pasteurization in approved mechanical equipment.

Enacted
without
amendment.

Enacted
without
amendment.

Not to be sold.

SEC. 63. (RCW 15.36.415) Overflow milk or milk products shall not be sold for human consumption. Come-back milk shall not be sold or used for fluid milk or fluid cream.

Enacted
without
amendment.

Capping.

SEC. 64. (RCW 15.36.420) Capping of milk or milk products shall be done by approved mechanical equipment. Hand capping is prohibited. The cap or cover shall cover the pouring lip to at least its largest diameter.

Enacted
without
amendment.

Morbidity his-
tory of per-
sons in
pasteurization
plant.

SEC. 65. (RCW 15.36.425) The health officer or a physician authorized by him shall examine and take careful morbidity history of every person connected with a pasteurization plant, or about to be employed, whose work brings him in contact with the production, handling, storage, or transportation of milk, milk products, containers, or equipment. If such examination or history suggests that such person may be a carrier of or infected with the organisms of typhoid or paratyphoid fever or any other communicable diseases likely to be transmitted through milk, he shall secure appropriate specimens of body discharges and cause them to be examined in a laboratory approved by him or by the state department of health for such examinations, and if the results justify such persons shall be barred from such employment.

Such persons shall furnish such information, submit to such physical examinations, and submit such laboratory specimens as the health officer may require for the purpose of determining freedom from infection.

Enacted
without
amendment.

Garments
worn.

SEC. 66. (RCW 15.36.430) All persons coming in contact with milk, milk products, containers or equipment shall wear clean, washable, light colored outer garments and shall keep their hands clean at all times while thus engaged.

SEC. 67. (RCW 15.36.440) All vehicles used for the transportation of milk or milk products shall be so constructed and operated as to protect their contents from the sun, from freezing, and from contamination. All vehicles used for the distribution of milk or milk products shall have the name of the distributor prominently displayed.

Enacted
without
amendment.

Vehicles.

Name
displayed.

Milk tank cars and tank trucks shall comply with construction, cleaning, bactericidal treatment, storage, and handling requirements of RCW 15.36.365, RCW 15.36.370, RCW 15.36.380, RCW 15.36.385 and RCW 15.36.390. While containing milk or cream they shall be sealed and labeled in an approved manner.

SEC. 68. (RCW 15.36.450) Grade B pasteurized milk is pasteurized milk which violates the bacterial standard for grade A pasteurized milk and/or the provisions of lip-cover caps of RCW 15.36.420 and/or the requirement that grade A raw milk for pasteurization be used, but which conforms with all other requirements for grade A pasteurized milk, has been made from raw milk for pasteurization of not less than grade B quality, and has a bacterial plate count after pasteurization and before delivery not exceeding forty thousand per milliliter as determined in accordance with RCW 15.36.110.

Enacted
without
amendment.

Grade B pas-
teurized milk
defined.

SEC. 69. (RCW 15.36.460) Grade C pasteurized milk is pasteurized milk which violates any of the requirements for grade B pasteurized milk.

Enacted
without
amendment.
Grade C pas-
teurized milk
defined.

SEC. 70. Section 1, chapter 90, Laws of 1943, section 1, chapter 192, Laws of 1919; section 6, chapter 213, Laws of 1929; and section 41, chapter 192, Laws of 1919 are each repealed.

Repeal.

SEC. 71. RCW 15.32.010 (formerly section 1, chapter 90, Laws of 1943, part; section 1, chapter 192, Laws of 1919, part; section 6, chapter 213, Laws of 1929, part; and section 41, chapter 192, Laws of 1919, part) is enacted to read as follows:

Enactment.

For the purpose of chapter 15.32, RCW:

"Supervisor" defined. "Supervisor" means the supervisor of dairy and livestock;

"Dairy" defined. "Dairy" means a place where milk from one or more cows or goats is produced for sale;

"Creamery" defined. "Creamery" means a structure wherein milk or cream is manufactured into butter for sale;

"Milk plant" defined. "Milk plant" means a structure wherein milk is bottled, pasteurized, clarified, or otherwise processed;

"Cheese factory" defined. "Cheese factory" means a structure where milk is manufactured into cheese;

"Factory of milk products" defined. "Factory of milk products" means a structure, other than a creamery, milk plant, cheese factory, milk condensing plant or ice cream factory, where milk or any of its products is manufactured, changed, or compounded into another article, or where butter is cut or wrapped; except freezing of ice cream from a mix compounded in a licensed creamery, milk plant, cheese factory, milk condensing plant or ice cream factory;

"Milk condensing plant" defined. "Milk condensing plant" means a structure where milk is condensed or evaporated;

"Ice cream factory" defined. "Ice cream factory" means a structure which complies with the sanitary requirements of RCW 15.32.080, where ice cream mix is produced for sale or distribution, and may include freezing such mix into ice cream;

"Counter ice cream freezer" defined. "Counter ice cream freezer" means counter type freezing machines usually operated in retail establishments;

"Sterilized milk" defined. "Sterilized milk" means milk that has been heated under six pounds of steam pressure and maintained thereat for not less than twenty minutes;

"Modified milk" defined. "Modified milk" means milk that has been altered in composition to conform to special nutritional requirements;

“Milk product” means an article manufactured or compounded from milk, whether or not the milk conforms to the standards and definitions herein;

“Milk product” defined.

“Milk byproduct” means a product of milk derived or made therefrom after the removal of the milk fat or milk solids in the process of making butter or cheese, and includes skimmed milk, buttermilk, whey, casein, and milk powder;

“Milk byproduct” defined.

“Butter” means the product made by gathering the fat of milk or cream into a mass containing not less than eighty percent of milk fat, and which also contains a small portion of other milk constituents, with or without harmless coloring matter;

“Butter” defined.

“Renovated butter” means butter that has been reduced to a liquid state by melting and drawing off the liquid or butter oil, and has thereafter been churned or manipulated in connection with milk, cream, or other product of milk;

“Renovated butter” defined.

“Reworked butter” means the product obtained by mixing or rechurning butter made on different dates or at different places: *Provided*, That the mixing of remnants from one day’s churning or cutting with butter from the churning of the same creamery on the next day shall not make the product reworked butter;

“Reworked butter” defined.

Not reworked butter.

“Butter substitute” means a compound of vegetable oils with milk fats or milk solids and all compounds of milk fats or milk solids with butter when the compound contains less than eighty percent of milk fat;

“Butter substitute” defined.

“Oleomargarine” means all manufactured substances, extracts, mixtures, or compounds, including mixtures or compounds with butter, known as oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine, and neutral, and includes all lard and tallow extracts and mixtures and compounds of tallow, beef fat, suet, lard, lard oil, intestinal fat and

“Oleomargarine” defined.

offal fat made in imitation or semblance of butter or calculated or intended to be sold as butter;

"Imitation cheese" defined.

"Imitation cheese" means any article, substance, or compound, other than that produced from pure milk or from the cream from pure milk, which is made in the semblance of cheese and designed to be sold or used as a substitute for cheese. The use of salt, lactic acid, or pepsin, and harmless coloring matter in cheese shall not render the true product an imitation. Nothing herein shall prevent the use of pure skimmed milk in the manufacture of cheese;

"Milk vendor" defined.

"Milk vendor" or "milk dealer" means any person who sells, furnishes or delivers milk, skimmed milk, buttermilk, or cream in any manner.

Dairy products fit for human consumption.

All dairy products mentioned in this chapter mean those fit or used for human consumption.

Enacted with amendment.

SEC. 72. RCW 15.32.020 (formerly section 1, chapter 90, Laws of 1943, part; section 1, chapter 192, Laws of 1919, part; section 6, chapter 213, Laws of 1929, part; and section 41, chapter 192, Laws of 1919, part) is enacted to read as follows:

Standards of quality.

The following shall be the standards of quality after all tolerance has been allowed:

"Milk."

"Milk"—The whole unadulterated lacteal secretions from cows or goats containing not less than eight and one-quarter percent of milk solids, exclusive of fat, and not less than three and one-half percent of milk fat, and not obtained within ten days before parturition or seven days thereafter. Nothing in this chapter shall prohibit the sale to creameries, cheese factories, milk plants or factories of milk products of whole, unadulterated milk from cows or goats whose milk tests below the milk fat standard herein fixed;

"Skimmed milk."

"Skimmed milk"—Milk which contains less than three and one-half percent of milk fat, and not less than eight and eight-tenths percent of milk solids exclusive of fat;

“Homogenized milk” is milk which has been treated in such manner as to insure break-up of the fat globules to such an extent that after forty-eight hours storage no visible cream separation occurs on the milk and the fat percentage of the top one hundred milliliters of milk in a quart bottle, or of proportionate volumes in containers of other sizes, does not differ by more than ten percent of itself from the fat percentage of the remaining milk as determined after thorough mixing.

“Homogenized milk.”

“Condensed milk,” “evaporated milk,” — The products resulting from the evaporation of a considerable portion of the water from milk and which contains not less than twenty-five and nine-tenths percent of total solids and not less than seven and nine-tenths percent of milk fat;

“Condensed or evaporated milk.”

“Condensed skimmed milk,” “evaporated skimmed milk,”—The products resulting from evaporating a considerable portion of the water from the skimmed milk, and which contains not less than eighteen percent of milk solids;

“Condensed skimmed milk.”

“Sweetened condensed milk,” or “sweetened evaporated milk,” means condensed milk to which has been added sugar, and which contains not less than twenty-eight percent of milk solids;

“Sweetened condensed milk.”

“Dried milk”—The product resulting from the removal of water from milk, and which contains not more than five percent of moisture;

“Dried milk.”

“Dried skimmed milk” shall contain not more than five percent of moisture;

“Dried skimmed milk.”

“Milk fat” or “butterfat”—The fat of milk having a reichert-meissel number of not less than twenty-four, and a specific gravity not less than nine hundred and five one-thousandths at a temperature of forty degrees centigrade.

“Milk fat.”

SEC. 73. RCW 15.32.030 (formerly section 1, chapter 90, Laws of 1943, part; section 1, chapter 192, Laws of 1919, part; section 6, chapter 213, Laws of

Enacted with amendment.

1929, part; and section 41, chapter 192, Laws of 1919, part) is enacted to read as follows:

Standards of quality. The following shall be the standards of quality after all tolerance has been allowed:

"Cream." "Cream"—That portion of milk rich in milk fat which rises to the surfaces on standing and contains not less than twenty percent of milk fat;

"Whipping cream." "Whipping cream" or "pastry cream"—Cream which contains not less than thirty percent milk fat;

"Buttermilk." "Buttermilk"—A fluid milk product resulting from the churning of milk or cream containing not less than eight and one-quarter percent milk solids-not-fat.

"Cultured buttermilk." "Cultured buttermilk"—The fluid milk product resulting from the souring or treatment, by a lactic acid or other culture, a pasteurized skimmed milk or pasteurized reconstituted skimmed milk containing not less than eight and one-quarter percent milk solids-not-fat.

Enactment. SEC. 74. RCW 15.32.040 (formerly section 1, chapter 90, Laws of 1943, part; section 1, chapter 192, Laws of 1919, part; section 6, chapter 213, Laws of 1929, part; and section 41, chapter 192, Laws of 1919, part) is enacted to read as follows:

Standards of quality. The following shall be the standards of quality after all tolerance has been allowed:

"Ice cream." "Ice cream"—The frozen product made from the combination of milk fats, milk solids, and sugar, with or without harmless coloring or flavoring matter, and with or without the addition of pure gelatine or vegetable gums, and which contains not less than ten percent of milk fats and not less than twenty per cent of milk fats and milk solids combined;

"Fruit ice cream." "Fruit ice cream"—Ice cream to which is added sound, clean, and mature fruit;

"Nut ice cream." "Nut ice cream"—Ice cream to which is added sound, clean, and nonrancid nuts;

“Ice milk”—The frozen product made from the combination of milk and sugar, with or without harmless coloring or flavoring matter, and containing not less than three and twenty-five one-hundredths percent of milk fat, and not more than six-tenths of one percent of pure and harmless vegetable gum or gelatine;

“Ice milk.”

“Malted milk”—The product made by combining milk with the liquids separated from a mash of ground barley malt and wheat flour, with or without the addition of sodium chloride, sodium bicarbonate, or potassium bicarbonate and by removing water, and which contains not less than seven and one-half percent of milk fat and not more than three and one-half percent of moisture.

“Malted milk.”

SEC. 75. RCW 15.32.050 (formerly section 1, chapter 90, Laws of 1943, part; section 1, chapter 192, Laws of 1919, part; section 6, chapter 213, Laws of 1929, part; and section 41, chapter 192, Laws of 1919, part) is enacted to read as follows:

Enactment.

The following shall be the standards of quality after all tolerance has been allowed:

Standards of quality.

“Cheese”—The sound, solid, and ripened product made from milk or cream by coagulating the casein therein with rennet, lactic acid, or pepsin, with or without the addition of ripening ferments, and seasoning or salt or harmless coloring matter;

“Cheese” defined.

“Whole milk cheese” includes “Cheddar cheese,” “American cheese,” and “American cheddar cheese”—Cheese made by the cheddar process from heated, pressed curd obtained by the action of rennet upon whole milk, and containing no more than thirty-nine percent water and, in the water-free substance, not less than fifty percent milk fat;

“Whole milk cheese.”
“American cheese.”

“Limburger cheese”—Cheese made by the limburger process from unpressed curd obtained by the action of rennet on whole milk and ripened in a damp atmosphere by special fermentation. In the

“Limburger cheese.”

water-free substance it contains not less than fifty percent milk fat;

"Pineapple cheese."

"Pineapple cheese"—Cheese made by the pineapple cheddar process from pressed curd obtained by the action of rennet on whole milk and formed in the shape of a pineapple. During the ripening period it is thoroughly coated and rubbed with oil. In the water-free substance it contains not less than fifty percent milk fat;

"Brick cheese."

"Brick cheese"—Quick ripened cheese made by the brick cheese process from pressed curd obtained by the action of rennet on whole milk, containing in the water-free substance not less than fifty percent milk fat;

"Neufchatel cheese."

"Neufchatel cheese"—Cheese made by the neufchatel process from unheated curd obtained by the action of lactic fermentation and rennet on whole milk, and containing in the water-free substance not less than fifty percent milk fat;

"Gouda cheese."

"Gouda cheese"—Cheese made by the gouda process from heated pressed curd obtained by the action of rennet on whole milk, and containing in the water-free substance not less than forty-five percent milk fat;

"Swiss cheese."

"Swiss cheese"—Cheese made by the emmenthaler process from heated, pressed curd obtained by the action of rennet on whole or partly skimmed milk, ripened by special gas-producing bacteria causing "eyes" or holes, and containing in the water-free substance not less than forty-five percent milk fat;

"Camembert cheese."

"Camembert cheese"—Cheese made by the camembert process from unheated, unpressed curd obtained by action of rennet on whole or slightly skimmed milk, ripened by the growth of a special mold (*penicillium camemberti*) on the outer surface, and containing in the water-free substance not less than forty-five percent milk fat;

"Cream cheese."

"Cream cheese"—Unripened cheese made by the neufchatel process from whole milk enriched with

cream which contains, in the water-free substance, not less than sixty-five percent of milk fat;

“Half skim cheese”—Cheese which contains, in the water-free substance, less than fifty percent and not less than twenty-five percent milk fat; “Half skim cheese.”

“Quarter skim cheese”—Cheese which contains, in the water-free substance, less than twenty-five percent and not less than twelve percent of milk fat; “Quarter skim cheese.”

“Skim cheese”—Cheese which contains, in the water-free substance, less than twelve percent of milk fat; “Skim cheese.”

“Creamed cottage cheese”—Cheese manufactured from skim milk to which may be added not to exceed one percent by weight of edible gum and not to exceed one percent by weight of sugar and with or without the addition of food colors, and to which cream is added so that it contains not less than four percent of pure milk fat; “Creamed cottage cheese.”

“Roquefort cheese”—Cheese made by the roquefort process from unheated, unpressed curd obtained by the action of rennet on whole milk of sheep, cows or goats. The curd is inoculated with a special mold (*penicillium roqueforti*) and ripens with the growth of the mold; “Roquefort cheese.”

“Gorgonzola cheese”—The cheese made by the gorgonzola process obtained by the action of rennet on whole milk, and ripened in a cool, moist atmosphere; “Gorgonzola cheese.”

“Edam cheese”—The cheese made by the edam process from heated and pressed curd obtained by the action of rennet on whole milk or partly skimmed milk; “Edam, cheese.”

“Brie cheese”—Cheese made by the brie process from unheated, unpressed curd obtained by the action of rennet on whole or slightly skimmed milk, or milk with added cream, and ripened by a special mold on the outer surface; “Brie cheese.”

"Parmesan cheese."

"Parmesan cheese"—Cheese made by the parmesan process from heated and hard-pressed curd obtained by the action of rennet on partly skimmed milk. During the ripening process it is covered by a suitable oil;

"Stilton cheese."

"Stilton cheese"—Cheese made by the stilton process from unpressed curd obtained by the action of rennet on whole milk, with or without added cream. During the ripening process a special blue-green mold develops and gives the cheese a marbled or mottled appearance;

"Cottage cheese."

"Cottage cheese"—Unripened cheese made from separated curd obtained by the action of lactic fermentation or rennet, or a combination of the two, on skimmed milk, with or without the addition of buttermilk. The curd may be enriched with cream and salted or otherwise seasoned;

"Dry curd."

"Dry curd"—The curd manufactured from pure, clean, wholesome skimmed milk, with or without the addition of pure food coloring, and without the addition of milk fat;

"Pasteurized cheese."

"Pasteurized cheese," or "pasteurized blended cheese"—A pasteurized product made by comminuting and mixing, with the aid of heat and water, one or more lots of cheese into a homogeneous, plastic mass. If unqualified the name means a product which conforms to the standard for cheddar cheese. If qualified by a variety name it is made from that variety of cheese and conforms to its limits for fat and moisture;

"Process cheese."

"Process cheese"—Means "pasteurized cheese" or "pasteurized blended cheese," incorporated with not to exceed three percent of a suitable emulsifying agent. If unqualified by a variety name it means a process cheddar cheese; if qualified by a cheese variety name it is made from a cheese of that variety and conforms to its limits for fat and moisture;

"Whey cheese"—A product made by various named processes from the constituents of whey, such as "Ricotta," "Zieger," "Primost," and "Mysost."

"Whey cheese."

Any cheese marketed under a specific trade name shall conform with the standard prescribed therefor by the federal registry of the United States department of agriculture.

Standard prescribed by federal registry.

SEC. 76. RCW 15.32.290 (formerly section 1, chapter 90, Laws of 1943, part; section 1, chapter 192, Laws of 1919, part; section 6, chapter 213, Laws of 1929, part; and section 41, chapter 192, Laws of 1919, part) is enacted to read as follows:

Enactment.

Modified milk may be sold only upon prescription by a regularly licensed physician.

Modified milk.

SEC. 77. RCW 15.32.300 (formerly section 1, chapter 90, Laws of 1943, part; section 1, chapter 192, Laws of 1919, part; section 6, chapter 213, Laws of 1929, part; and section 41, chapter 192, Laws of 1919, part) is enacted to read as follows:

Enactment.

Any person serving ice milk shall display in a conspicuous place a sign containing the words "ice milk served here" in plain gothic type not less than two inches high.

Ice milk sign requirement.

SEC. 78. RCW 15.32.690 (formerly section 1, chapter 90, Laws of 1943, part; section 1, chapter 192, Laws of 1919, part; section 6, chapter 213, Laws of 1929, part; and section 41, chapter 192, Laws of 1919, part) is enacted to read as follows:

Enactment.

On or before January first of each year, or oftener, the director shall mail to every owner or operator of a creamery, milk plant, milk condensing factory, factory of milk products, or cheese factory, and to every milk vendor and milk dealer, blanks for reporting milk and milk products production statistics. Within thirty days thereafter said reports properly filled out and signed by such persons, showing the amount of milk and milk products received, pro-

Director mails blanks for milk reports.

duced or distributed during the period fixed by the director, shall be returned to him.

Repeal. SEC. 79. Section 59, chapter 192, Laws of 1919 and RCW 15.32.320 are each repealed.

Repeal. SEC. 80. Section 20, chapter 168, Laws of 1949; section 11, chapter 192, Laws of 1919; and section 13, chapter 192, Laws of 1919 are each repealed.

Enacted with amendment. SEC. 81. RCW 15.32.390 (formerly section 20, chapter 168, Laws of 1949; section 11, chapter 192, Laws of 1919; and section 13, chapter 192, Laws of 1919) is enacted to read as follows:

Pasteurization process defined. That process of pasteurization as applied to milk, skimmed milk, cream and milk products is defined and declared to be a process for the elimination therefrom of organisms harmful to human beings. Such process as applied to milk shall consist of uniformly heating such milk to a temperature of not less than one hundred and forty-three degrees Fahrenheit and of holding the same at such temperature for a period of not less than thirty minutes, and immediately thereafter of cooling such milk to a temperature of not above fifty degrees Fahrenheit in a separate tank or container other than that in which it is pasteurized, or uniformly heating of such milk to a temperature of not less than one hundred and sixty-one degrees Fahrenheit and of holding the same at such temperature for a period of not less than fifteen seconds in approved and properly operated equipment. Such process as applied to skimmed milk, cream or other milk product shall consist of uniformly heating such skimmed milk, cream or milk product to a temperature of not less than one hundred and forty-three degrees Fahrenheit and of holding the same at such temperature for a period of not less than thirty minutes, or of heating the same to a temperature of one hundred and seventy-six degrees Fahrenheit, without holding: *Provided*, That

As applied to milk.

As applied to other milk product.

whenever milk or cream shall be subjected to such process before being used in the manufacture of butter or cheese, and when the process of ripening is to be commenced immediately, it shall not be necessary that such milk or cream be cooled to a lower temperature than is necessary for such ripening or starting: *Provided, further,* That the heating of milk to above one hundred and ten degrees Fahrenheit shall be considered as intent to pasteurize and that thereafter the process of pasteurization as defined herein must be completed and such milk marked and sold as pasteurized milk. No milk shall be pasteurized a second time.

Cooling preceding ripening.

Intent to pasteurize: effect.

Passed the Senate February 15, 1955.

Passed the House March 2, 1955.

Approved by the Governor March 17, 1955.

CHAPTER 239.

[S. B. 222.]

LIENS ON REAL ESTATE—NURSERY STOCK IMPROVEMENTS.

AN ACT relating to liens on real estate for improving property with nursery stock, extending the time for filing notice of claim of lien; and amending section 3, chapter 18, Laws of 1943 and section 60.20.030, RCW.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 60.20.030, RCW, and section 3, chapter 18, Laws of 1943, are each amended to read as follows: Amendment.

The person or corporation claiming a lien shall, within ninety days after the completion of the labor or the furnishing of the materials, file for record with the auditor of the county in which the property is situated, a claim of lien, stating as nearly as may be the time of the commencement and cessation of performing the labor or furnishing the materials; Commencement of lien claim.
Filed.
Contents of claim of lien.