

TITLE 21 AGRICULTURE AND RANCHING
CHAPTER 34 DAIRY AND EGG PRODUCERS
PART 3 PASTEURIZED MILK ORDINANCE

21.34.3.1 ISSUING AGENCY: New Mexico State University, New Mexico Department of Agriculture
[7/1/97; 21.34.3.1 NMAC - Rn & A, 21 NMAC 34.3.1, 05/29/09]
[MSC 3189, Box 30005, Las Cruces, New Mexico 88003-8005, Telephone No. (575) 646-3007]

21.34.3.2 SCOPE: Part 3 shall apply to any person producing or shipping milk.
[7/1/97; 21.34.3.2 NMAC - Rn, 21 NMAC 34.3.2, 05/29/09]

21.34.3.3 STATUTORY AUTHORITY: Granted to the board of regents of New Mexico state university
under the New Mexico Dairy Product Act, Chapter 25, Article 7A, Sections 1 through 19, New Mexico Statutes
Annotated 1978 Compilation.
[7/1/97; 21.34.3.3 NMAC - Rn, 21 NMAC 34.3.3, 05/29/09]

21.34.3.4 DURATION: Permanent.
[7/1/97; 21.34.3.4 NMAC - Rn, 21 NMAC 34.3.4, 05/29/09]

21.34.3.5 EFFECTIVE DATE: July 1, 1997
[7/1/97; 21.34.3.5 NMAC - Rn, 21 NMAC 34.3.5, 05/29/09]

21.34.3.6 OBJECTIVE: The objective of Part 3 of Chapter 34 is to establish the procedure for inspecting
dairies to insure the production of safe, wholesome milk and to govern the intrastate and the interstate shipment of
pasteurized milk.
[7/1/97; 21.34.3.6 NMAC - Rn, 21 NMAC 34.3.6, 05/29/09]

21.34.3.7 DEFINITIONS: [RESERVED]

21.34.3.8 PASTEURIZED MILK: The procedures for compliance testing, sampling, and checking dairy
establishments shall be those contained in the latest editions of the United States department of health and human
services, public health service, food and drug administration *grade A pasteurized milk ordinance*, the *Methods of
Making Sanitation Ratings of Milk Shippers*, the *Procedures Governing the Cooperative State-Public Health
Service Food and Drug Administration Program of the National Conference on Interstate Milk Shippers*, and the
Evaluation of Milk Laboratories provided that out-of-state producers of milk and milk products may be sampled at
dairy retail stores, food service establishments, grocery stores and other places where milk and milk products are
sold for purposes of quality examination to determine compliance with Sections 2, 4, 7 and 10 of the *grade A
pasteurized milk ordinance*.
[7/1/97; 21.34.3.8 NMAC - Rn, 21 NMAC 34.3.8, 05/29/09; A, 1/1/2018]

HISTORY OF 21.34.3 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center
and Archives under:

DPH 67-22, Amending Section 7 of the Regulations Governing the Grading and Grade Labeling of Milk and Milk
Products, 10/4/67.

EIB/FQM/1, Grade A Pasteurized Milk Regulations, 7/1/80.

NMDA Rule 93-2, Pasteurized Milk Ordinance, filed 5/28/93.

History Of Repealed Material:

EIB/FQM/1, Grade A Pasteurized Milk Regulations, repealed 8/20/93.