**Section 775.10 Definitions**

In addition to the definitions contained in Section 1 of the Grade A Pasteurized Milk Ordinance (PMO), the following definitions shall apply:

"Act" means the Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635].

"Applicant" means a person who formally applies to be a certified pasteurizer sealer or bulk milk hauler/sampler.

*"Certified pasteurizer sealer" means a person who has satisfactorily completed a course of instruction and has demonstrated the ability to satisfactorily conduct all pasteurization control tests, as required by* this Part. (Section 3(b)(17) of the Act and Section 2.39 of the Illinois Food, Drug and Cosmetic Act)

"Change of ownership" means a transaction in which a new or different owner takes possession of a specified entity.

"Change of tenant" means a transaction in which a new or different tenant rents or leases a specified entity such as a dairy farm.

"Clarification" means an operational procedure that removes sediment from milk.

"Consumer" means a person or group of people, such as a household or those under a distribution agreement, that purchase raw milk from the dairy farm for consumption.

"Cultured dairy products" means milk and milk products that have been soured after pasteurization using harmless lactic-acid-producing bacteria, food grade phosphoric acid, lactic acid, citric acid or hydrochloric acid, with or without rennet and/or other safe, suitable milk-clotting enzymes.

"Dairy farm" means any place or premises where one or more lactating animals (cows, goats, sheep, water buffalo, or other hoofed mammal) are kept for milking purposes, and from which a part or all of the milk or milk product is provided, sold or offered for sale to a consumer, milk plant, receiving station or transfer station.

*"Department" means the Illinois Department of Public Health*. (Section 3(b)(7) of the Act)

*"Director" means the Director of the Illinois Department of Public Health.* (Section 3(b)(8) of the Act)

"Distribution agreement" means a herd share or community supported agriculture (CSA) program in which consumers purchase a membership from the dairy farm that entitles them to share the dairy farm's raw milk production, or a buying club in which consumers order raw milk directly from the farm for pick-up by the consumer on the premises of the dairy farm.

"Distribution point" means a physical location on the premises of a dairy farm producing raw milk where the raw milk is collected from the various herd sites and distributed to the consumer.

"Downstream" means located after the automatic milk flow safety device in a high temperature short time (HTST) flow-diversion device.

*"Embargo or hold for investigation" means a detention or seizure designed to deny the use of milk or milk products which may be unwholesome or to prohibit the use of equipment which may result in contaminated or unwholesome milk or dairy products.* (Section 3(b)(9) of the Act)

*"Enforcing* *agency" means the Illinois Department of Public Health or a unit of local government electing to administer and enforce* the *Act as provided for in* the *Act.* (Section 3(b)(12) of the Act)

"Field representative" means a person qualified and trained in the sanitary methods of production and handling of milk as set forth in this Part, and generally employed by a processing or manufacturing plant for the purpose of doing quality control work.

*"Grade A" means that milk and milk products are produced and processed in accordance with the current Grade A Pasteurized Milk Ordinance as adopted by the National Conference on Interstate Milk Shipments and the United States Public Health Service – Food and Drug Administration. The term Grade A is applicable to "dairy farm", "milk hauler-sampler", "milk plant", "milk product", "receiving station"*, *"transfer station","bulk milk pickup tank", and "certified pasteurizer sealer"* *whenever used in* the Act. (Section 3(a) of the Act)

"Herd share" means a consumer-signed agreement with the owner of the dairy farm that offers partial ownership of one or more animals, stipulates the expected quantity of raw milk to be received, and requires ongoing payment by the consumer to the farmer for boarding the animal, animals or herd and the service of milking for the consumer.

"High temperature short time flow-diversion device" or "HTST flow-diversion device" means an automatic milk-flow safety device that controls the flow of milk in relation to the temperature of the milk or heating medium and/or pressure, vacuum, or other auxiliary equipment.

*"Imminent* *hazard* *to the public health" means any hazard to the public health when the evidence is sufficient to show that a product or practice, posing or contributing to a significant threat of danger to health, creates or may create a public health situation* *that should be corrected immediately to prevent injury and* *that should not be permitted to continue while a hearing or other formal proceeding is being held.* (Section 3(b)(10) of the Act)

*"Milk" means the milk of cows or goats* *and includes skim milk and cream.* (Section 3(b)(2) of the Act)

"Milkfat and Nonfat Solid Content Standards" means the standards set forth in 21 CFR 131.110. (See Section 775.20.)

*"Milk plant" means any place, premise, or establishment where milk or milk products are collected, handled, processed, stored, pasteurized*, ultra-pasteurized, *aseptically processed* and packaged, condensed, dried, *or prepared for distribution*. (Section 3(b)(3) of the Act)

"Pasteurization" or "pasteurized" or similar terms mean the process of heating every particle of milk or milk products, in properly designed and operated equipment, to one of the temperatures given in the charts in the Pasteurized Milk Ordinance (PMO) (see Section 775.20(a)(1)(A)) and held continuously at or above that temperature for at least the corresponding specified time.

*"Permit" means a document awarded to a person for compliance with the provisions of and under conditions set forth in* the *Act* and this Part. (Section 3(b)(13) of the Act)

*"Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the State of Illinois, or any political subdivision or Department thereof, or any other entity*. (Section 3(b)(11) of the Act)

"Quality assurance program" means the Milk and Dairy Beef Quality Assurance Program, Boeckman, Steve and Carlson, Keith R., Agri-Education Inc., Stratford, Iowa 50249 or equivalent program as determined by the Department.

"Raw milk" means milk that has not been pasteurized.

"Raw milk dispenser" means equipment approved by 3-A standards and used to store, cool and provide a mechanism for self-service of bottled raw milk to the consumer. "Raw milk dispenser" does not mean household refrigerator or commercial refrigerator.

"Raw milk permit" means a permit that allows a dairy farm to sell or distribute raw milk, for use or consumption to consumers, only on the premises of the dairy farm where the animal, animals or herd is located.

*"Receiving* *station" means any place, premise, or establishment where raw milk is received, collected, handled, stored or cooled and prepared for further transporting.*  (Section 3(b)(5) of the Act)

"Separation" means an operational procedure that removes butterfat from milk.

*"Transfer* *station" means any place, premise, or establishment where milk or milk products are transferred directly from one milk tank truck to another.* (Section 3(b)(6) of the Act)

"Violative drug residue" means a drug residue at or above the tolerance and/or safe levels as set forth in 21 CFR 556 and Appendix N of the PMO.

(Source: Amended at 40 Ill. Reg. 2964, effective January 29, 2016)