DFPEI 2014-04
DAIRY FARMERS OF PRINCE EDWARD ISLAND

ORDER: DFPEI 2014-04

EFFECTIVE: 1 June 2014

Under the Dairy Farmers of Prince Edward Island Regulations and under the ***Natural Products Marketing Act,*** R.S.P.E.I. 1988, Cap. N–3, Dairy Farmers of Prince Edward Island makes the following Order:

Bulk Milk Tank Standards Order

Application

1. This order establishes standards for bulk milk tanks installed on dairy farms in Prince Edward Island.

Definitions

2. The words herein shall have the meanings as found in the *Prince Edward Island Natural Products Marketing Act* and the *Dairy Farmers of Prince Edward Island Regulations* under the Act, unless differentiated herein and as hereinafter defined:

(a) "DFPEI" means Dairy Farmers of PEI;

(b) "producer" means a person who holds quota and who markets or sells milk that has been produced by a herd of dairy animals they own or control;

(c) "bulk milk tank" means a vessel for cooling and holding milk until it can be transferred to a transport vehicle;

(d) "dipstick" means a graduated rod used for measuring the depth of milk in a bulk tank;

(e) "measuring tube" means a transparent tube that permits visual measurement of the depth of the milk in a bulk milk tank;

(f) "measurement chart" is a table that calculates the volume of milk in a bulk milk tank from the depth of the milk measured using a measurement tube or dip stick;

(g) "outlet" is an opening in the bulk milk tank, including any attached pipe or tubing, designed to permit milk to be removed from the bulk milk tank; and

(h) "valve" is a device that regulates the flow of milk being removed from the bulk milk tank.

Other Regulations

3. Bulk milk tanks must meet all standards and regulations established by other government regulations and other orders of DFPEI.

Measuring System Required

4. Every bulk milk tank requires a measuring system to determine the volume of milk in the tank at the time of milk pick up.

Measuring System Components

5. The components of a measuring system are normally a measurement chart and either one of a dipstick or a measurement tube.

a. Measurement charts used to measure the volume of milk picked up by a bulk milk transporter shall be:
    i. a chart provided by the bulk milk tank manufacturer, which shall normally only be used following installation until the bulk milk tank is calibrated by a calibration service authorized by DFPEI; or
    ii. a chart created through calibration of the bulk milk tank after installation by a calibration service authorized by DFPEI.

b. A dipstick must be:
    i. manufactured by the original manufacturer of the bulk milk tank;
    ii. matched to the measurement chart by serial number or other means;
    iii. clearly marked so it can be easily read to determine the depth of milk in the tank; and
    iv. may not be modified or re-engraved.

c. A measurement tube must be:
    i. made of a transparent, food grade material that permits the bulk milk grader to clearly see the level of the milk in the tube; and
    ii. matched to a graduated scale in such a manner that the depth of milk in the tank can easily be measured.

d. Measuring system components, including bulk milk charts, must be approved for use by a DFPEI inspector. The use of unapproved components may result in a prohibition of milk sales from the farm.

e. Where a component of a measurement system fails to meet any standard outlined in this order, the producer may make application to DFPEI for an exception to that standard. An exception may be approved if a dairy inspector determines that it will not impede a bulk milk grader's ability to accurately measure and calculate the volume of milk in the bulk milk tank.

Inaccurate Measuring Systems

6. If a bulk milk tank measurement system is found to be inaccurate, the producer shall be responsible for establishing an accurate method of measurement of the volume of milk in the tank within 30 days. Failure to provide a means for accurate measurement of the volume of milk in the tank that is acceptable to a DFPEI inspector may result in the prohibition of milk sales from the dairy farm until an accurate measurement can be determined.

Minimum Size Outlet and Valve

7. (a) Any bulk milk tank newly installed on a dairy farm, including a previously used bulk milk tank, that has a capacity of three thousand eight hundred litres (one thousand U.S. gallons) or less, as determined by the tank's measurement system, must be equipped with an outlet and valve that have a minimum internal diameter of two (2) inches.

(b) Any bulk milk tank newly installed on a dairy farm, including a previously used bulk milk tank, that exceeds three thousand eight hundred litres capacity (one thousand U.S. gallons), as determined by the tank's measurement system, must be equipped with an outlet and valve that have a minimum internal diameter of three (3) inches.

(c) A tank that is newly installed on a dairy farm and that does not meet the requirements specified in 7(a) or 7(b) shall not be approved for marketing milk and the dairy farm shall be prohibited from selling milk until the tank meets the specified requirements.

Exemptions

8. (a) Tanks that are already installed on a dairy farm are exempt from the minimum size outlet and valve standard.

(b) If an existing milking system that is in use on a dairy farm is modified and the bulk milk tank in use on the farm up to the time of the modification is used in the newly modified system, the bulk milk tank shall not be considered a new installation for the purpose of minimum outlet and valve size and shall not require modification to meet this standard.

Volume Limit

9. The volume of milk shipped from a farm on any pick up shall be limited to the volume determined by the maximum (highest) measurement on the bulk milk tank's dip stick or measurement tube. In the event the measurement of the depth of milk in the tank exceeds the highest graduation on the dip stick or measurement tube, the bulk milk grader shall enter the maximum volume on the bulk milk tank's measuring chart and payment to the dairy farm shall be determined by this amount.

Commencement

10. This Order comes into force on the 1st day of June 2014.

DATED at Charlottetown, Prince Edward Island, this 27th day of May, 2014.

<Original signed by>

Harold MacNevin, Chair

<Original signed by>

Ronald Maynard, Secretary