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LAW CREATING  
OFFICE OF  
**State Dairy Commissioner**  
AND  
RULES AND  
REGULATIONS



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W. A. BARR, State Dairy Commissioner

CHAPTER 8 (S. B. 2)

2000 1918

AN ACT

TO CREATE THE OFFICE OF STATE DAIRY COMMISSIONER AND TO FIX THE SALARY, AND DEFINE THE DUTIES AND POWERS OF SUCH OFFICER; TO PROVIDE FOR THE INSPECTION OF CREAMERIES, CHEESE FACTORIES, DAIRY BARNs AND UTENSILS USED IN HANDLING AND MANUFACTURE OF DAIRY AND CREAMERY PRODUCTS; TO ESTABLISH REGULATIONS FOR THE DAIRY AND CREAMERY INDUSTRIES; TO REGULATE THE PRODUCTION, SALE AND SHIPMENT OF MILK, CREAM, BUTTER AND CHEESE; TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS ACT; TO MAKE AN APPROPRIATION FOR THE CARRYING OUT OF ITS PROVISIONS AND DECLARING AN EMERGENCY.

**Be it Enacted by the Legislature of the State of Arizona:**

SECTION 1. The office of State Dairy Commissioner is hereby created. As soon as this Act becomes effective the Governor shall appoint a State Dairy Commissioner, who shall hold office until February 1st, 1919, or until his successor shall have been duly appointed and qualified. Following the first term, as hereinbefore provided, the term of office of said Commissioner shall be two years. The salary of the said Commissioner shall be Three Thousand Dollars (\$3,000.00) per annum, to be paid as the salaries of other State officers are paid. No one shall be eligible for appointment to said office unless he shall have a practical and technical knowledge of and experience in the production, manufacture, care and handling of dairy products. Before entering upon the duties of his office said Commissioner shall execute his official bond in the sum of Five Thousand Dollars (\$5,000.00) and file his oath of office as required by law of other state officers.

SECTION 2. It shall be the duty of the Commissioner to inspect all places where cows are kept for dairy purposes, cream separator stations, creameries, butter, cheese or other dairy product factories, stores, warehouses, and other places where dairy products are made, stored, prepared for delivery or shipment, or exposed for sale, with a view to ascertaining such conditions as may affect the purity, wholesomeness and fitness of the products of any such place

for human consumption, and make and file in the office of the Commissioner written reports of the results of such inspections. Whenever the Commissioner shall deem necessary he may call upon the health officers of the several counties to make, or to assist in, such inspection, and said health officers are hereby required to perform such duties.

SECTION 3. Said Commissioner shall make and promulgate rules and regulations to be observed by the owners of cows, the milk wherefrom is to be offered for sale for human consumption, either in its natural state or as a manufactured product, relating to the feeding, care and treatment of such cows, the maintenance of the places where they are kept and milked, and the appliances used in connection therewith for the storage or transport of such milk or any product thereof; and as well relating to cream separators, creameries, cheese and butter factories, store houses and all other places where milk or any of the products therefrom are produced, manufactured, stored, kept, exposed for sale or transported, to secure the proper standard of such product, its purity, fitness and wholesomeness for human consumption. Any person, firm or corporation violating any of the rules or regulations of the Commissioner shall, upon conviction thereof, be adjudged guilty of a misdemeanor.

SECTION 4. Every person, firm or corporation, selling or offering for sale any milk or product thereof produced or manufactured in violation of any of the rules and regulations prescribed by the Commissioner under the provisions of the preceding section, shall, upon conviction thereof, be deemed guilty of a misdemeanor; and each day on which such milk or product thereof is sold, or offered for sale shall constitute a separate and distinct offense.

SECTION 5. To carry out the provisions of this Act the Commissioner or any county health officer named by him for such purpose, shall have free and unobstructed access to all places where cows are kept and milked, and to all parts of the premises and to the implements and appliances used in connection therewith, and in connection with the care and preservation and transport of the milk, and to all places where milk products are manufactured, stored, preserved or prepared for sale, delivery or transportation. Any one who shall obstruct or hinder the Commissioner or any county health officer deputized by him, in the performance of their

duties as set forth in this Act shall, upon conviction, be deemed guilty of a misdemeanor.

SECTION 6. The Commissioner shall have power to investigate the manner, practices, processes and methods adopted or employed by any person, firm or corporation, in the production of milk or milk products for sale. For the purpose of any such investigation, the Commissioner may require the attendance and testimony before him of witnesses and the production of books and papers insofar as they relate to the matter under investigation. Failure to regard the subpoena of the Commissioner shall subject the offender to the penalties prescribed by law for disobedience in the taking of depositions in civil cases. The Commissioner shall have the power to administer oaths to witnesses and to affiants whose affidavits may be taken under the provisions of this Act.

SECTION 7. If, upon investigation as provided for in the last preceding section, the Commissioner shall find that any person, firm or corporation, has adopted or is employing any practice, process or method in the production of milk or milk products, which render or tend to render such milk or milk products impure, unsanitary, unwholesome or unfit for human consumption, he shall serve upon such person, firm or corporation, a written order directing the abandonment of such practice, process or method, and to adopt and use such practice, process or method as shall insure the purity and wholesomeness, and the fitness of such product for human consumption. Any failure to comply with the provisions of this Section and with any order of the Commissioner issued thereunder, shall be deemed a misdemeanor, and each day that shall elapse without obedience to or compliance with any such order shall constitute a separate and distinct offense.

SECTION 8. The Commissioner shall, from time to time, collect, compile, and publish in convenient form, statistics relating to the dairy business in the State and such other information relating thereto as may be of value to those engaged therein, and keep for ready reference in his office the original data so collected by him.

SECTION 9. It shall be the duty of the Commissioner, by himself or any county health officer duly appointed by him for that purpose, from time to time as it may in his opinion be necessary or proper to protect the public health, to take samples of and make

tests for quality, character, purity and wholesomeness of the milk or milk products produced or manufactured for human consumption, and for that purpose may demand of any person, firm or corporation engaged in the dairy business such samples as he may designate; and it shall be the duty of such person, firm or corporation to deliver at once to, or permit said Commissioner or county health officer to take such samples. Any person, firm or corporation refusing, upon such demand, to deliver to or permit said Commissioner or county health officer to take such samples shall be, upon conviction thereof, guilty of a misdemeanor.

SECTION 10. The Commissioner shall keep in his office a record of all analyses and tests of milk or milk products, which shall have been made under his direction, in a book to be kept there for that purpose, in which shall be noted the source whence the sample was taken and from whom, of what the sample consisted, the date when taken, and the date of the analysis or test, and the details of the result thereof in terms usual to the industry. A copy of such record relating to such sample certified to by the Commissioner shall be taken in any court as prima facie evidence of the facts therein stated.

SECTION 11. Special dairy inspectors may be appointed by the Dairy Commissioner for any factory or plant which buys or receives milk or cream, or for a group of such factories or plants, or for any organization which produces or handles dairy products, provided that the State shall not be liable for any compensation for any such special dairy inspector. Such special dairy inspector shall have all powers conferred by law upon dairy inspectors, and shall be under the supervision of the Commissioner and make such reports as the said Commissioner may require. He may supervise and inspect the weighing and testing of milk, cream, butter, cheese or condensed milk and for such purpose may use any or all necessary apparatus in such factory or plant.

SECTION 12. The standards for purity for dairy products shall be those prescribed by the Arizona Pure Food Law.

(1) Whole milk is the lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within fifteen days before and five days after calving, and contains not less than three and one-fourth per cent of butter fat;

(2) Milk for butter making or cheese making, or for condensed milk, may contain less than three per cent of butter fat, but must be delivered pure, sweet and clean. Whole milk for consumption as a beverage shall contain not less than three and one-fourth per cent butter fat. Cream is that portion of milk rich in butter fat which rises to the surface of the milk on standing or is separated from it by centrifugal force, and contains not less than eighteen per cent butter fat; cream to be used in the manufacture of butter that is not delivered to point of shipment within twenty-four hours after milking must contain not less than thirty per cent of butter fat and shall be delivered in wholesome condition. No part of any shipment of milk or cream to be used in the manufacture of food products shall be more than two days old when delivered at the point of shipment during the months of May to October, inclusive, and three days old during November to April, inclusive. Such milk or cream must not be delivered at the point of shipment more than one hour before the schedule time of train or other vehicle on which it is to be shipped, unless kept in a protected, cool and sanitary place, free from foul odors. Butter is the product made by gathering, in any manner, the fat of fresh or ripened milk or cream into a mass which also contains not less than eighty per cent of butter fat and less than sixteen per cent of water, or such tests as shall be established by the Department of Agriculture of the United States, and shall contain sixteen ounces in every pound package; provided, that the amount of butter fat or water in the product of any manufacturer, or in any given quantity of butter, shall be determined as hereinafter provided with reference to renovated or process butter; butter may also contain a harmless vegetable coloring matter. Renovated or process butter is the product made by melting butter and reworking, without the addition or use of chemicals or any substance except cream, milk or salt, and contains not less than eighty per cent of butter fat and less than sixteen per cent of water, or such test as shall be established by the Department of Agriculture of the United States; before being offered for sale shall be stamped "renovated butter". Provided, that the amount of butter fat or water in the product of any manufacturer, or in any given quantity of butter, renovated or process butter, shall be ascertained in the following manner, to-

wit: Five samples shall be taken from five different packages of any one manufacturer, or from any one tub or churning of butter, and a careful analysis made by the official method adopted by the Association of Agricultural Chemists. If this analysis shall show less than eighty per cent of butter fat or sixteen per cent or more of water, butter or process butter thus analyzed shall be deemed adulterated butter, and shall be condemned for food purposes by the Commissioner. Renovated or process butter may also contain a harmless vegetable coloring matter. Cheese is the solid and ripened product made by coagulating the casein of milk by means of rennet or acids, with or without the addition of ripening ferments or seasoning; cheese may also contain harmless vegetable coloring matter. Whole milk or full cream cheese is cheese made from milk from which no portion of the fat has been removed, and contains not less than fifty per cent of butter fat in proportion to total solids. Skim-milk cheese is cheese made from milk from which any portion of the fat has been removed, and must be stamped on cloth and containing box. Ice cream is a frozen product made from cream and sugar, with or without natural flavoring, and contains not less than fourteen per cent of milk fat; fruit ice cream is a frozen product made from cream, sugar, and sound clean mature fruits, and contains not less than twelve per cent milk fat; nut ice cream is a frozen product made from cream, sugar and sound non-rancid nuts, and contains not less than twelve per cent of milk fat.

SECTION 13. It shall be unlawful for any person, firm or corporation to engage in this State, in the manufacture or preparation for sale for human consumption of cheese, butter, or condensed or evaporated milk or other milk product, at any factory in this State, without having a license therefor, as hereinafter provided. The Commissioner shall grant a license to any applicant therefor to manufacture or otherwise prepare milk products at a creamery, evaporated or condensed milk factory, cheese factory or butter factory, or any continuation thereof within this State upon the conditions:

(a) That the factory at which the business is to be carried on in all its appointments, equipment and surroundings are in compliance with the rules and regulations of the Commissioner to insure cleanliness, sanitation, purity and wholesomeness.

(b) That the method, processes and practices adopted and

used therein are in accordance with the rules and regulations prescribed therefor by the Commissioner;

(c) That the applicant has not so repeatedly violated the rules and regulations prescribed by the Commissioner as to make it appear that he is unfit to be allowed to carry on said business. The application for license shall be in writing in form to be prescribed by the Commissioner. It shall state the name, residence and post-office address of the applicant; if the applicant be a firm it shall state the names, residence and post-office address of each of the incorporators. If the applicant is a corporation it shall state the full corporate name, the amount of its authorized capital stock; the name of the State under the laws of which it was organized. If it is a foreign corporation the fact that it has complied with the laws of this State relating to foreign corporations; the exact location of the factory, with a general description of it, and the character of business proposed to be carried on therein. The license shall contain a statement of all the facts recited in the application and shall be for a term expiring on the first day of January next following after the date of the license, and shall otherwise be in form prescribed by the Commissioner. Before receiving such license, the applicant shall pay to the Commissioner a license fee of Twenty-five Dollars (\$25.00). Provided, no fee shall be required of any person who manufactures or sells only products from his own dairy. The Commissioner may revoke any license issued under this section, if the licensee shall repeatedly and persistently violate any of the provisions of this Act or the rules and regulations applicable to such license or his business made and promulgated by the Commissioner under the provisions of this Act.

SECTION 14. The testing, weighing, and sampling of milk, or cream or other dairy products purchased on the basis of the amount of butter fat contained therein shall be done by licensed and bonded testers, who shall be responsible for the operation of the Babcock test in the testing of such dairy products. The license shall be issued by the Dairy Commissioner upon application accompanied by a certificate of proficiency and the payment of a license fee of \$1.50. The certificate of proficiency shall be granted by the dairy division of the University of Arizona upon satisfactory evidence of ability to accurately operate the Babcock test. Examinations will be given at stated times and places to applicants for such license.

Each license shall expire on January first of the year following the date of issue, but may be renewed without examination by the Commissioner. Application for such license shall be made upon a blank furnished by the Dairy Commissioner. No license or renewal shall be transferrable. Each license shall be subjected to revocation by the Dairy Commissioner upon reasonable notice that the licensee has violated any of the rules and regulations prescribed by the Commissioner or has violated any of the laws of the State relating to milk or cream or other dairy products. The bond to be given by tester required in this section shall be in the sum of One Thousand Dollars (\$1,000.00) in form and to be approved by the Commissioner.

SECTION 15. Any person, firm or corporation engaged in the business of buying milk, cream or butter fat for the purpose of manufacture, either by himself or another who shall, with the intention of destroying or injuring the business of a competitor or restraining in any manner an open competition in said business, discriminate between the different sections, localities, communities or cities of this State by purchasing or offering to purchase such commodity at a higher price in any one locality than is paid or offered for the same commodity by such person, firm or corporation in any other locality, after making due allowance for the difference, if any, in the grade or quality of the commodity or conditions locally affecting its production and in the actual cost of transportation from the place of purchase to the place of manufacture, sale or storage, shall be deemed guilty of a misdemeanor and punished as herein provided.

SECTION 16. It shall be unlawful for any hauler of milk or cream or any other dairy product, or any person, firm or corporation receiving or purchasing milk or cream or other dairy product by weight or test or both, or by measure or test, or by both, or any agent of such purchaser, to fraudulently manipulate the weight, measure or test of such product, or to take unfair samples thereof, or to fraudulently manipulate such samples. The hauler or other agent of the purchaser shall thoroughly mix the milk or cream of each patron by pouring or stirring until such milk or cream is uniform and homogenous in quality and contents before a sample for test is taken. The same rule shall apply when sampling is done at a creamery, cheese factory, condensory or shipping station. It

shall be unlawful for any person or persons to use any test tube, bottle, pipette or instrument in connection with testing which is not perfectly clean; and for the purpose of this Act any unclean test bottle or other instrument is declared inaccurate. All tests made by the purchaser shall be maintained at a temperature of at least one hundred and twenty (120) degrees F. for ten minutes before the reading of the per cent of butter fat is made.

SECTION 17. The term "Standard Babcock Testing Glassware" shall apply to glassware and weights complying to the following specifications:

(a) Standard Milk Test Bottles:

Graduation for Milk Test Bottles: The total per cent graduation shall be eight (8). The graduated portion of the neck shall have a length of no less than 63.5 millimeters, the graduation shall represent whole per cent, five-tenths per cent, and tenths per cent; The whole per cent graduation shall extend at least one-half way around the neck to the right and projecting two millimeters to the left of the tenths per cent graduations. Each per cent graduation shall be numbered, the number being placed on the left of the scale. The error at any point of the scale shall not exceed one-tenth per cent.

NECK—The neck shall be cylindrical and the cylindrical shape shall extend for at least nine (9) millimeters below the lowest, and nine (9) millimeters above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than ten (10) millimeters.

BULB—The capacity of the bulb up to the junction of the neck shall not be less than forty-five (45) c. c. (cubic centimeters). The charge of the bottle shall be eighteen (18) grams. The total height of the bottle shall be between one hundred and fifty (150) and one hundred and sixty-five (165) millimeters.

(b) Standard Cream Test Bottles:

Three types of bottles shall be accepted as standard cream test bottles; a fifty (50) per cent nine (9) gram short-neck bottle, a fifty (50) per cent nine (9) gram long-neck bottle, and a fifty (50) per cent eighteen (18) gram long-neck bottle.

Fifty per cent nine-gram Short-neck Bottle Graduation.—The total per cent of graduation shall be fifty (50). The graduated portion of the neck shall have a length of not less than 63.5 milli-

meters. The graduation shall represent five per cent, one per cent, and five-tenths per cent. The five per cent graduations shall extend at least half way around the neck to the right. The five-tenths per cent graduations shall be at least three (3) millimeters in length, and the one per cent graduations shall have a length intermediate between the five per cent and the five-tenths per cent graduations. Each five per cent graduation shall be numbered, the number being placed on the scale. The error at any point of the scale shall not exceed five-tenths per cent.

**NECK**—The neck shall be cylindrical, and the cylindrical shape shall extend at least nine (9) millimeters below the lowest, and nine (9) millimeters above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than ten (10) millimeters.

**BULB**—The capacity of the bulb up to the junction of the neck shall not be less than forty-five (45) c. c. The charge of the bottles shall be nine (9) grams. All bottles shall bear on the top of the neck above the graduations in plainly legible characters, a mark defining the weight of the charge to be used nine (9) grams. The total height of the bottle shall be between one hundred and fifty (150) and one hundred and sixty-five (165) millimeters, same as standard milk test bottles.

Fifty per cent nine gram long-neck Bottles.—The same specifications in every detail as specified for the fifty (50) per cent nine gram, short-neck bottle shall apply for the long-neck bottle, with the exception, however, that the total height of this bottle shall be between two hundred and ten (210) and two hundred and thirty-four (234) millimeters, and that the total length of the graduation shall be not less than one hundred and twenty (120) millimeters.

Fifty per cent eighteen gram long-neck Bottles.—The same specifications in every detail as specified for the fifty (50) per cent nine (9) gram long-neck bottle shall apply, with the exception that the charge of the bottle shall be eighteen (18) grams, and the mark defining the weight of the charge placed at the top of the neck shall be eighteen (18). The total length of the Standard Babcock pipette shall be not more than three hundred and thirty (330) millimeters. Outside diameter of suction tube, six (6) to eight (8) millimeters. Length of suction tube, one hundred and thirty (130) millimeters. Outside diameter of delivery tube, 4.5 to 5.5 milli-

meters. The length of delivery tube one hundred (100) to one hundred and twenty (120) millimeters. Distance of graduation mark above bulb, thirty (30) to sixty (60) millimeters. Nozzle straight. Delivery, 17.6 c. c. of water at twenty (20) degrees Centigrade in five (5) to eight (8) seconds. The sensibility of all scales used for weighing cream samples into the test bottles shall be not more than thirty (30) milligrams, and the standard weights shall be nine (9) grams and eighteen (18) grams.

SECTION 18. Persons engaged in the business of purchasing milk or cream from producers for manufacture or resale shall pay the producers thereof on the tenth (10th) and twenty-fifth (25th) days of each month for all milk or cream delivered prior to the first (1st) and the fifteenth (15th) days of each month. If such purchaser shall fail to pay the amount due to a producer for milk or cream so delivered at the time specified, then in any action brought therefor there shall be included in any judgment recovered for the full amount due, twenty-five (25%) per centum additional for the amount found due, together with a reasonable attorney's fee to be fixed by the court.

SECTION 19. For the purpose of carrying into effect the provisions of this Act, there is hereby appropriated, out of any moneys in the State Treasury not otherwise appropriated, for the fiscal year ending June 30th, 1919, the sum of Ten Thousand Dollars (\$10,000.00) or so much thereof as may be necessary. Upon the presentation of duly verified claims for the salary of the Commissioner and for traveling and other necessary expenses, in connection with the carrying out of the provisions of this Act, the State Auditor is hereby authorized to draw his warrant and the State Treasurer is hereby directed to pay the same.

SECTION 20. Any person, firm or corporation, or any agent of any firm or corporation, violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Twenty-five (\$25.00) nor more than Two Hundred Dollars (\$200.00) for each offense, or imprisonment in the County Jail for a period of not less than ten (10) days nor more than sixty (60) days.

SECTION 21. All Acts and parts of Acts in conflict with this Act are hereby repealed.

SECTION 22. Whereas, the regulation of the manufacture and

production of dairy products is a matter of vital importance to the people of the State of Arizona, and whereas, the early operation of this bill is necessary to preserve the public peace and health of the people of the State, an emergency is hereby declared to exist, and this Act shall take effect and be in force from and after its passage and approval by the Governor.

Approved June 20th, 1918.

RULES FOR PRODUCERS OF DAIRY PRODUCTS PRESCRIBED BY THE  
STATE DAIRY COMMISSIONER AS PROVIDED FOR IN SECTION  
III OF THE DAIRY LAW.

RULE 1. Milk that is produced by unhealthy cows or in unsanitary surroundings or that is drawn from cows within fifteen days before or five days after calving or that is handled, stored or shipped in dirty, rusty or unsanitary cans shall be deemed impure and unhealthy milk.

RULE 2. Every person delivering milk, cream or other dairy products to creameries, cheese factories, firms, companies or corporations, in cans, bottles or other vessels shall have such containers free from filth or rust and in a wholesome condition for containing such products.

RULE 3. The milk house or milk room must not be nearer than 100 feet to hog pens, wallows or other contaminating sources.

RULE 4. Milk or cream utensils used for shipping or storing milk or cream, after they have been emptied and thoroughly washed and sterilized, must have the cover removed and the can inverted in pure air protected from flies and other contamination.

RULE 5. If milk cans are not washed at the factory they must be thoroughly washed and scalded as soon as returned to the farm. All buckets, strainers, separators and other utensils must be thoroughly washed and scalded or washed and steamed after each operation involving their use and must be protected from flies and other contamination when not in use.

RULE 6. Milk to be separated should be separated as soon as possible after milking and the cream of each separation cooled by placing in cold water before mixing with cream of different separations. Milk produced for the manufacture of cheese, condensed milk or other dairy product must be cooled and aerated immediately after milking and kept cool while under the control of the producer.

RULE 7. Milking shall not be done or milk or cream handled by any person suffering from a contagious disease.

RULE 8. Milk cans or buckets for holding extra milk shall not be placed in the alleys of the barn at milking time.

RULE 9. Any unclean or unwholesome dairy products condemned for human food by the Dairy Commissioner, may be used for feeding animals, or must be treated or disposed of as the Commissioner or his deputy directs.

RULE 10. Milk cans used for transporting milk or cream from the farm to a factory must have a brand or trademark of identification and if owned by the producer he shall place or cause to be placed on each can such identification.

RULE 11. It shall be unlawful for any person other than the owner thereof to use any can or other receptacle which is marked with the identification mark of another person.

RULE 12. The use of any and all preservatives in milk or cream, except small samples for testing is hereby prohibited.

RULE 13. Cows' udders soiled with manure or other filth must be washed and dried before being milked.

RULE 14. Dairy barns or yards where cows are milked must be kept clean and sanitary. Barn windows must be kept clean and barn walls must be cleaned and whitewashed at least once each year.

RULE 15. Stable manure must be removed at least 50 feet from the milking barn or yard frequently enough to maintain sanitary conditions about the dairy premises.

RULE 16. Complaints made to the State Dairy Commissioner regarding the production, manufacture, storing and handling of dairy products must be made in writing and signed with the address of the person making such complaint.

In addition to the preceding rules the following shall apply to all producers of milk and cream for consumption as milk or cream in the absence of city ordinances or supplementing the same.

RULE 17. When the dairy herd numbers four or more cows, the producer must secure from the State Dairy Commissioner, a license to be granted after satisfactory proof has been submitted to such designated officer that the applicant has met all requirements of the State Dairy Law and supplementary rules and existing city health rules, if any. Application must be made in writing for a license on a form provided for such purpose obtainable from the State Dairy Commissioner.

RULE 18. When the dairy herd numbers four or more cows, a bottle filler and a capper must be used for filling and capping bottles by each and every person, company or firm producing or handling milk or cream for delivery in bottles. No milk shall be sold or delivered to consumers except in individual containers in which the milk shall be placed at bottling plant.

RULE 19. Milk or cream produced for distribution and consumption in cities not having milk ordinances governing the same shall be produced and handled according to the following requirements: (a) The individual cows constituting a herd must be examined by a regularly qualified veterinarian once each year and all animals showing signs of disease or a condition of health that would render the milk unfit for human consumption, excluded from the herd permanently or until such time as the veterinarian may specify for the return of such animals to

the herd. (b) From the first day of October to the first day of May in each year such milk shall not contain more than 150,000 bacteria per cubic centimeter and such cream not more than 300,000 bacteria per cubic centimeter and from the first day of May to the first day of October of each year such milk shall not contain more than 300,000 bacteria per cubic centimeter and such cream not more than 1,000,000 bacteria per cubic centimeter when delivered to the consumer or at any time prior to such delivery. (c) Dairy products must not be disposed of from any farm where any person resides who has a communicable disease.

RULE 20. Pure water, free from contamination, shall be provided in sufficient quantity for watering cows, cleaning dairy utensils and for all other dairy purposes. Stagnant ponds or pools, as adobe holes, will not be tolerated near the dairy premises.

RULE 21. Where a reasonable score is not obtained due to deficiency of equipment or improper methods in operation, such changes as the person suggests who is authorized to make inspections must be made within a reasonable time named by inspector or the license of such producer may be revoked.

**RULES FOR MANUFACTURERS, DEALERS AND OTHER HANDLERS  
OF DAIRY PRODUCTS—PRESCRIBED BY THE STATE DAIRY  
COMMISSIONER AS PROVIDED FOR IN SECTION III OF THE  
DAIRY LAW.**

RULE 1. In testing milk or cream or their products the securing of accurate samples is the first important step. It is hereby required that all milk shall be poured at least once from one vessel to another before sampling; and that cream shall be poured from one vessel to another at least three times before sampling, unless the said milk or cream is thoroughly stirred and sampled by the McKay Sampler, or other recognized sampler.

RULE 2. The use of the pipette for measuring the amount of cream in testing shall not be allowed. Cream must be weighed on scales approved by the Dairy Commissioner. The weight of cream shall conform to the type of bottle used and shall be exactly nine grams or eighteen grams.

RULE 3. A license to test milk or cream shall not be granted to any person maintaining unsanitary quarters until such place meets the approval of the Dairy Commissioner or satisfactory proof is furnished that such quarters have been made sanitary.

RULE 4. It shall be unlawful to use glassware which has not been officially inspected and stamped by the Dairy Commissioner, or to operate a factory or to test milk, cream or other dairy products without a license after October 1st, 1918.

RULE 5. All samples of milk or cream taken for a test shall be kept in a cool, clean and sanitary place in tightly covered containers.

RULE 6. The use of Glymol for the removal of the meniscus shall be allowed. When used the sample must be immersed in a water bath at a temperature of 135 to 140 degrees for 10 minutes previous to reading the test.

RULE 7. No unclean or unsanitary milk or cream shall be used in the

manufacture of any dairy products. Dairy products manufactured where proper rules of sanitation are not observed, shall be subject to condemnation.

Manufacturers of dairy products who gather milk or cream must protect the same from the sun while in transit and must at all times handle milk cans with care.

RULE 8. All dairy products sold or offered for sale or disposed of in any manner as food shall meet the standards for dairy products prescribed by the Arizona Pure Food Law and Section 12 of the State Dairy Law. Any hotel, restaurant, boarding house, confectionery or other place, serving condensed milk, milk made from powdered milk or dried milk or in any other than its natural state, shall post conspicuously on a wall of the dining room a placard with letters not less than one and one-half inches high and one-half inch wide, or in a conspicuous place on the bill of fare the following, or similar words for the information of its patrons. "Condensed milk served for cream." or "Powdered milk served here" or such phrase that will designate the form of product served. Milk or cream to be disposed of for consumption shall not be kept in a refrigerator or other place of storage with fruits, vegetables, or other foods, either raw or cooked except in tightly-stoppered bottles.

RULE 9. All buildings used for the manufacture of dairy products shall be well lighted and ventilated. Floors, walls, ceilings, tables, vats, and other fixtures shall be maintained in such condition that they may readily be made clean and sanitary. If not in such condition, they must be promptly repaired, or replaced by suitable equipment. All walls, and ceilings shall be kept well painted or whitewashed, and all parts of walls, ceilings, or other overhead coverings, doors, windows, or window ledges, shall be maintained in a cleanly manner.

RULE 10. Only a good grade of dairy salt shall be used in the manufacture of dairy products, and must at all times, be protected from dust or other contamination.

RULE 11. The water supply for each factory shall be from an unpolluted source.

RULE 12. It shall be unlawful for any person other than the owner thereof to use any can, bottle or other receptacle which is marked with a brand or trade mark of the owner, and all companies or individuals purchasing product, must return or cause to be returned such cans or other receptacles to their rightful owners.

RULE 13. Milk, cream, or other dairy products shall not in any manner be handled by any person suffering from a contagious disease, or by a person attending another with a contagious disease.

RULE 14. Factory floors, vats, churns, and all utensils used must be cleaned at the close of each operation.

RULE 15. Cheese shelves shall be cleaned as soon as the cheese is removed and oftener if necessary.

RULE 16. There shall be no condition in, underneath, or connected with any factory building or premises which will render cleaning difficult. No cesspool, blind well, or nuisance of any kind shall be near or under-

neath a factory. Every factory must have an efficient system in disposing of liquid waste, and other refuse in such manner that none shall be deposited underneath or near the factory buildings, or cause offensive odors in the building or on the grounds of such buildings.

RULE 17. All factory utensils and apparatus used in the handling, storing or manufacturing of dairy products, shall be of such construction that it may be easily kept clean and sanitary. Where common iron piping and rubber hose is now in use, the same must be kept painted, if not coming in contact with dairy product, and if coming in contact with dairy product must be replaced by suitable equipment within the period specified by the Commissioner or County Health officer making the inspection.

RULE 18. All wooden followers used in pressing cheese shall be sound and free from cracks and crevices. Followers purchased after October 1st, 1918, shall be of metal.

RULE 19. All factory utensils and fixtures used in handling, storing, or manufacturing dairy products must be screened and otherwise kept to eliminate flies, rodents and vermin.

RULE 20. A plentiful supply of soap and towels shall at all times be conveniently located for the use of operators or employees in factories and all employes handling dairy products shall be required to be cleanly in their work and to wear clean outer clothing.

RULE 21. When the Dairy Commissioner or his agent shall so request, the operator or workman in a factory or other place where dairy products are in any manner handled shall expose for inspection any dairy product or any part of the building or premises, fixtures, or utensils used in the manufacture of dairy products within the factory. The factory operators or employees shall in no way interfere with the Dairy Commissioner or his agent in the inspection or examination of any part of the equipment or product handled therein.

RULE 22. The operator's license or renewal of license and at least one copy of these rules shall be conspicuously displayed in the factory building.

RULE 23. Failure within the time specified to furnish information called for either by letter, application blank, or personal request or any false statement therein contained, on the part of any producer, manufacturer, dealer or other handler of dairy products will render such person liable to prosecution, and in the case of licensee, may be cause for denial of or revocation of license.

RULE 24. Complaints made to the State Dairy Commissioner must be signed by the person making the complaint, giving their address with description as to the nature of the complaint, and address of person about whom complaint is made.

