

**ORDINANCE NO. C.S. 1195**

**AN ORDINANCE AMENDING SECTION 9.16 "MILK REGULATIONS" TO MODIFY AND UPDATE REQUIREMENTS IN DAIRY ACTIVITIES IN STANISLAUS COUNTY**

The Board of Supervisors of the County of Stanislaus, State of California, do ordain as follows:

**Section 1.** Chapter 9.16 of the Stanislaus County code is amended to read as follows:

"9.16 MILK REGULATIONS

"9.16.010 Definitions.

"Words when used in this title, and in resolutions adopted thereto, shall have the following meanings:

"A. 'Milk Products Plant' means any place in which a person engages in the business of handling, receiving, manufacturing, freezing, processing, or packaging milk, or any product of milk, or engages in the business of manufacturing, freezing, or processing imitation ice cream or imitation ice milk.

"B. 'Single Service Container' means any container having milk or milk product-contact surface and used in the packaging, handling or storage of Grade "A" milk and/or milk products which is intended for one (1) use only.

"C. 'Dairy Farm' means any place or premises upon which milk is produced for sale or other distribution and where more than two (2) cows or water buffalo, or six (6) goats, sheep or other hooved mammal, are in lactation.

"9.16.020 Milk inspection department created.

"A milk inspection department of the county is created which shall conduct an approved milk inspection service in the county within an area, the boundaries of which are fixed by, and which is designated and assigned for that purpose by the Director of Agriculture of the state. The health officer of county, or his authorized agents or deputies, shall be in charge of the milk inspection department created in this section. Whenever the term "health officer" is used in this chapter, it refers to and means the health officer of the county.

"9.16.030 Grading standards.

"It is unlawful for any person, firm or corporation to sell, offer for sale, distribute or have in possession for sale or distribution, any milk, cream or fluid derivatives of milk for human consumption, unless such products conform to the standards of grading, and

requirements for the production of milk, cream and fluid derivatives of milk, established by (A) Divisions 15 of the California Food and Agricultural Code, (B) Title 3, Divisions 2, Chapter 1 of the California Code of Regulations, (C) the most current edition of the United States Public Health Service Grade A Pasteurized Milk Ordinance, and (D) the standards of grading and requirements established herein and set forth as follows:

"A. Grade A milk for pasteurization and Grade A Market Milk shall conform to those state and federal Bacteriological Standards which are most protective of public health.

"B. Cream. Grade A pasteurized cream shall contain not more than twenty thousand bacteria per milliliter at the time of delivery to the consumer. Unless pasteurization is commenced immediately after separation, Grade A cream for pasteurization shall be cooled to forty-five degrees Fahrenheit, or below, immediately after separation, and so maintained until the process of pasteurization begins.

"C. Skim Milk. Skim milk intended for human consumption in fluid form shall be derived from Grade A pasteurized milk, and may be pasteurized before or after separation.

"D. Chocolate Milk. Chocolate milk shall be made from Grade A milk. Chocolate dairy drink and similar chocolate drinks shall be made from Grade A milk, or skim milk derived from Grade A milk. Said products shall contain not more than fifteen thousand bacteria per milliliter or more than 10 coliform bacteria per milliliter at the time of delivery to the consumer, and shall be pasteurized after all ingredients have been added.

#### "9.16.040 Permit—Required.

"It is unlawful for any person, firm or corporation to engage in the production, processing or distribution of milk, cream or fluid derivatives of milk, to produce for sale, offer for sale, distribute or have in charge or possession for sale, any milk, cream or fluid derivatives of milk without first having obtained a permit from the health officer. Permits issued by the health officer pursuant to this section shall be valid for one year, and shall expire on June 30 of every year.

"A. All production, processing or distribution regulated under this section shall be subject to compliance with all applicable county zoning regulations prior to issuance of a permit from the health officer.

#### "9.16.050 Permit—Revocation.

"Permits issued under this chapter may be revoked by the health officer upon violation of any provision of this chapter. Permits issued under this chapter also may be revoked in any emergency when, in the judgment of the health officer, the milk or cream supply in question has become a menace to the public health. Before revocation of any permit issued the holder of such permit first shall be given a hearing before the health

officer, after at least twenty-four hours' notice in writing to appear at the time and place specified in said notice to show cause why such permit should not be revoked.

"9.16.060 Sanitation requirements.

"It is unlawful for any person, firm or corporation engaged in the production of milk, cream or fluid derivatives of milk to fail to observe and comply with the following regulations:

"A. Suitable equipment shall be provided for properly washing and sterilizing all dairy equipment. All milk handling equipment must be of a type and construction approved by the health officer.

"B. Hooded milk buckets with small openings shall be used at all times.

"C. Milking stools shall be made of metal, or other impervious materials, and shall be kept in a clean and sanitary condition.

"D. Feed racks, water troughs, lanes and corrals shall be so constructed and made of such materials as to keep cows out of mud and manure during winter months.

"E. Cows' udders, flanks and hind legs shall be washed until clean before each milking.

"F. If milk products (pasteurized or unpasteurized) are sold or otherwise distributed directly to consumers by a dairy farm, then any and all such operations (including those using single service containers) may only operate as a milk products plant that is inspected by the California Department of Food and Agriculture, permitted under section 33171 of the California Food and Agricultural Code, installed and operated under the applicable provisions, and located in a place and manner acceptable to the California Department of Food and Agriculture. All such operations shall also comply with all applicable county zoning regulations.

"9.16.070 Storage temperature.

"For dairy farms, market milk shall be cooled as indicated by a recording thermometer to fifty degrees Fahrenheit or less within four hours of the commencement of the first milking and to forty-five degrees Fahrenheit or less within two hours of the completion of milking. The blend temperature after the first milking and subsequent milkings, or milk in transit on bulk milk tankers, shall not exceed fifty degrees Fahrenheit.

"9.16.080 Inspection fees.

"Inspection fees shall be charged in accordance with the Department of Environmental Resources Fee Schedule, as approved and adopted by the Stanislaus

County Board of Supervisors. The inspection fees are due and payable following each quarter on January twentieth, April twentieth, July twentieth, and October twentieth of each year."

**Section 2.** This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor Withrow, seconded by Supervisor Olsen, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 27th day of June, 2017, by the following called vote:

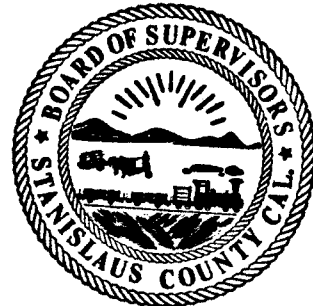
AYES: Supervisors: Olsen, Withrow, Monteith, DeMartini  
and Chairman Chiesa  
NOES: Supervisors: None  
ABSENT: Supervisors: None



Vito Chiesa, Chairman of the Board of Supervisors of the County of Stanislaus, State of California

ATTEST:  
Elizabeth A. King  
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By Elizabeth A. King  
Deputy



APPROVED AS TO FORM:  
John Doering  
COUNTY COUNSEL

BY [Signature]  
Amanda DeHart  
Deputy County Counsel

STANISLAUS COUNTY ORDINANCE C.S. 1195

Upon motion of Supervisor Withrow, seconded by Supervisor Olsen, Ordinance C.S. 1195 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 27th day of June 2017, by the following called vote:

AYES: SUPERVISORS:	Olsen, Withrow, Monteith, DeMartini and Chairman Chiesa
NOES:	None
ABSENT:	None
ABSTAINING:	None

Ordinance C.S. 1195 amended Chapter 9.16 of the Stanislaus County Code relating to milk regulations and updated requirements in dairy activities in Stanislaus County.

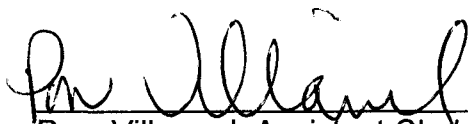
NOTICE IS FURTHER GIVEN that a full copy of the ordinance is available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact Stanislaus County Department of Environmental Services at (209) 525-6770 or at 3800 Cornucopia Way, Suite C, Modesto, CA 95358.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: June 27, 2017

ATTEST: ELIZABETH A. KING, Clerk  
of the Board of Supervisors  
of the County of Stanislaus,  
State of California

BY:



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Pam Villarreal, Assistant Clerk of the Board

**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of THE MODESTO BEE, printed in the City of MODESTO, County of STANISLAUS, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, Under the date of February 25, 1951, Action No. 46453; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Jul 05, 2017

STANISLAUS COUNTY  
ORDINANCE C.S. 1195  
Upon motion of Supervisor Withrow, seconded by Supervisor Olsen, Ordinance C.S. 1195 was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 27th day of June 2017, by the following called vote: AYES: SUPERVISORS: Olsen, Withrow, Monteith, DeMartini and Chairman Chiesa. NOES: None. ABSENT: None. ABSTAINING: None.  
Ordinance C.S. 1195 amended Chapter 9.16 of the Stanislaus County Code relating to milk regulations and updated requirements in dairy activities in Stanislaus County.  
NOTICE IS FURTHER GIVEN that a full copy of the ordinance is available for review in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA. For further information, contact Stanislaus County Department of Environmental Services at (209) 525-6770 or at 3800 Cornucopia Way, Suite C, Modesto, CA 95358. BY ORDER OF THE BOARD OF SUPERVISORS. DATED: June 27, 2017. ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pam Villarreal, Assistant Clerk of the Board.  
Pub Dates Jul 5, 2017

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I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

July 5th, 2017

(By Electronic Facsimile Signature)

Cynthia A. Villarreal