



From: [David Hakes](#)
To: [Smith, Stefanie](#)
Subject: [External] Written Comments on proposed amendments to Pennsylvania Code Title 7, Part III, Chapter 59a.
Date: Friday, July 12, 2024 4:46:54 PM
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Dear Stefanie Smith,

Dairy Farmers of America, Inc. (“DFA”) objects to a number of the proposed amendments to Pennsylvania Code Title 7, Part III, Chapter 59a. Broadly there are many aspects of these state regulations that conflict with the PMO. Because of the inconsistency with the PMO, DFA suggests a full review of these proposed changes, comments already provided, and resubmitting a new proposal for comments.

Specifically, DFA objects to the following:

- 59a.24 – This is inconsistent with the Pasteurized Milk Ordinance (“PMO”) adopted by the State of Pennsylvania.
- 59a.110 – As written, the statute incorrectly references “bacterial estimates” instead of “somatic cell count tests.” Additionally, DFA objects to the reduced limits for somatic cell count per millimeter. This is inconsistent with the PMO administered by NCIMS and adopted by the State of Pennsylvania.
- 59a.112 –The occurrence of rejected milk for appearance or odor is infrequent. Milk that is rejected for drug residue is already overseen by the State. DFA does not believe that requiring the addition of food coloring to rejected loads under these circumstances adds value to the process.
- 59a.372 – This is inconsistent with the PMO adopted by the State of Pennsylvania.
- Comment item 11 indicates that these regulation proposals are not more strict than federal regulations. This is incorrect.

Further, DFA objects to raw milk product sales and hence these applicable regulations.

Thank you for your consideration.

David

David Hakes

Sr. Director Scientific & Regulatory Affairs

Dairy Farmers of America

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