**Section 785.110 Definitions**

"Act" means the Illinois Food, Drug and Cosmetic Act. (Ill. Rev. Stat. 1991, ch. 56½, pars. 501 et seq.) [410 ILCS 620]

"Acceptable Milk" means milk that qualifies under Section 785.210 as to sight and odor and that is classified No. 1 or No. 2 for sediment content Section 785.220 and No. 1 or No. 2 for bacterial estimate Section 785.230.

"Atmosphere Relatively Free from Mold" means no more than 10 mold colonies per cubic foot of air as determined in Standard Methods.

"Bulk Milk Pick-up Tanker" means a vehicle, including the truck, tank and those appurtenances necessary for its use, used by a milk hauler to transport bulk raw milk from a dairy farm for manufacturing purposes.

"C-I-P or Cleaned-In-Place" means the procedure by which sanitary pipelines or pieces of dairy equipment are mechanically cleaned in place by circulation.

"Dairy Farm or Farm" means a place or premise where one or more milking cows or goats are kept, a part or all of the milk produced thereon being delivered, sold, or offered for sale to a plant for manufacturing purposes.

"Dairy Plant or Plant" means any place, premise, or establishment where milk or dairy products are received or handled for processing or manufacturing and/or prepared for distribution. When "plant" is used in connection with the production, transportation, grading, or use of milk, it means any plant that handles or purchases milk for manufacturing purposes; when used in connection with requirements for plants or licensing of plants, it means only those plants that manufacture dairy products.

"Dairy Products" means evaporated milk, condensed skim milk, condensed milk, concentrate milk, nonfat dry milk, dry milk, dry cream, dry whey, dry buttermilk, butter, buttermilk, cheese, cheese products, ice cream, ice milk, sherbet, frozen dessert, dairy confections, or novelties, related dairy products (products with butter fat or milk solids substitutions or milk and dairy product imitations) and other such dairy products for human consumption not regulated under 77 Ill. Adm. Code 775. All dairy products shall meet the applicable definitions and standards of identity as promulgated under the Federal Food Drug, and Cosmetic Act and published in Chapter 1, Title 21 of the Code of Federal Regulations.

"Department" means the Illinois Department of Public Health.

"Drug" means: articles recognized in the official United States Pharmocopeia, official Homeopathic Pharmacopeia of the United States, or official National Formulary, or any supplement to any of them; articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; articles (other than food) intended to affect the structure or any function of the body of man or other animals; and articles intended for use as a component of any article specified in this definition; however, drugs do not include devices or their components, parts or accessories.

"Excluded Milk" means all of a producer's milk excluded from the market by the provisions of Section 785.260.

"Farm Licensing" means licensing by the Department that a producer's herd, milking facility and housing, milking procedure, cooling, milkhouse or milkroom, utensils and equipment and water supply have been found to meet the requirements of Subpart C of this Part for the production of milk to be used for manufacturing purposes.

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

"Inspector" means a qualified, trained person employed by the Illinois Department of Public Health to perform dairy farm or plant inspections, raw milk grading, and sampling processed dairy products.

"Laboratory" means the official laboratory operated by the Department and State approved laboratories authorized to do official work by the Department, or a milk industry laboratory designated by the Department for the examination of dairy farm producers samples of raw milk for processing and commingled milk tank truck samples of raw milk for drug, pesticide, herbicide, and mycotoxin residues and bacterial tests.

"License" means a license issued under the Act by the Illinois Department of Public Health.

"Milk": Milk is the lacteal secretion, free from colostrum, obtained by the complete milking of one or more healthy cows. Goat milk is the lacteal secretion, free from colostrum, obtained by the complete milking of one or more healthy goats. Goat milk shall only be used to manufacture dairy products when legally provided for in the Code of Federal Regulations Title 21, traditional products using common or usual names. The word "milk" used herein includes only milk for manufacturing purposes.

"Milk for Manufacturing Purposes" means milk produced for processing and manufacturing into products for human consumption but not subject to Grade A requirements.

"Milk Hauler-Sampler" means a person licensed by the Department as described in Section 785.1170(b) who is qualified and trained for the grading and sampling of raw milk in accordance with the quality standards and procedures of Subparts B and K.

"Official Methods" means 15th edition of Official Methods of Analysis of the Association of Official Analytical Chemists, a publication of the Association of Official Analytical Chemists, Box 540, Benjamin Franklin Station, Washington, DC.

"Probational Milk" means milk classified No. 3 for sediment content Section 785.220 or milk classified "Undergrade" for bacterial estimate Section 785.230 that may be accepted by plants for specific time periods.

"Producer" means the person or persons who exercise control over the production of the milk delivered to a processing plant or receiving station and those who receive payment for this product. A "new producer" is one who has only recently started producing milk for the market. A "transfer producer" is one who has been shipping milk to one plant and transfers his shipments to another plant.

"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 as determined by the Department.

"Reciprocity" means milk, cream, and dairy products from outside the State of Illinois may be sold in the State of Illinois upon certification from the state of origin in which the product is produced, processed, packaged, and stored under regulations which are equivalent to the rules of this Part and provided further that the governmental unit concerned accepts Illinois dairy products on a reciprocity basis.

"Reject Milk" means milk that does not qualify under Section 785.210 as to sight and odor, or that is classified No. 4 for sediment content Section 785.220, which is rejected by the plant by the provisions of Section 785.240.

"Sanitary conditions" and "sanitary manner" means under circumstances or prepared in such a manner as to be clean and free from contamination.

"Sanitizing Treatment" means application of any effective method or sanitizing agent to a clean surface for the destruction of pathogens and other organisms. The sanitizing agents used shall comply with the Federal Food, Drug, and Cosmetic Act 40 C.F.R. Parts 150-189, Section 162.3(ff)(2)(i)(B).

"Standard Methods" means the 15th Edition of Standard Methods for the Examination of Dairy Products, a publication of the American Public Health Association, 1015 – 15th, N.W., Washington, D.C. 20036.

"Violative drug residue" means a drug residue at or above the tolerance level set forth in 21 CFR 556 (1991) and/or safe levels as established by the federal Food and Drug Administrative for drugs for which tolerance levels have not been set.

"3-A Sanitary Standards" means the standards for dairy equipment formulated by the 3-A Sanitary Standards Committees representing the International Association of Milk, Food and Environmental Sanitarians, the U.S. Public Health Service, and the Dairy Industry Committee. Published by the International Association of Milk, Food and Environmental Sanitarians, Box 701 Ames, Iowa 50010.

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