ATCP 82 Subcommittee Meeting

January 9th, 2024 9:00 A.M. – 11:00 A.M.

Attendees:

Max Huebner, Laura Traas, Helen Schmude, Mick Homb, Alex O'Brien, JR Neu, Lynn Thornton, Brandon Johnson, Leigh Hamilton, Anthony Canavan, Andrew Johnson, Alexander Beard

Transcript:

Traas, Laura M Traas, Laura M – DATCP: So, the first thing I'll do is point out that this is an open meeting open to anyone. The open meeting notice was posted on the States website and our agenda is as the agenda has been for the last several meetings where we continue to work on proposed draft language and answer any questions, comments from committee members. So we'll go ahead and I'll just double check who I have here. Adam let me know that he was not going to make it today. I see we've got Mick on the call. We've got Helen on the call and we've got Alex O'Brien on the call. I do not see Andy Johnson, John Umhoefer, or Tony Lampman. OK, they may join us later and that's fine. OK, there's Tony – Anthony. Where we left things last time was we ended on the sampling procedure for Dairy farm bulk tanks. And talking about that, use of the dipper, and we added the language that says that if the manufacturer has tank agitation recommendations that have been accepted by the department, the tank shall be agitated in the bulk milk weigher and samplers presence for the length specified by the manufacturer. If the manufacturer has not specified agitation time, then we go back to our old existing language. 1,500 gallons shall be agitated for at least five minutes. A larger than 1,500 gallon shall be agitated for at least 10. Did anybody have any thoughts on that?

Helen Schmude: So I did have a chance to talk with our field rep here about, you know, some of these things that we were discussing last meeting in amongst this agitation time. And so one of the things that you know, we kind of bounced off each other was, there is a milk equipment installer form where if an installer is going to install a new bulk tank right, could that be added to the form there and put the onus on the installer who purchased the tank for the patron to see if there is any required agitation time and provide that documentation. Otherwise, you know those manuals just get tossed aside.

Traas, Laura M – DATCP: OK, I've got a note that if that language gets approved, then that's something we'll need to change as part of this process.

Helen Schmude: The other thing with it is just a question I guess and maybe your thoughts for those who are joining us today. So we have one farm that does have a silo and whether they have a recommended agitation time or not, we did a verification and it does not blend the milk properly. So, we choose to treat it as a like a direct load when we pick it up and we'll agitate it at the plant and then we'll pull the patron sample. So I'm not sure if there should be any type of language that the agitation time be verified.

Traas, Laura M – DATCP: OK. So yeah, we have to add an entire section here. OK. So before we move on

to that, anything else that we want to update with the system where I'm most familiar with dairy farm bulk tanks where the sample pick can be collected. Otherwise, we're going to need to move on to two new technologies which are sampling procedures for silos and then sampling procedures for inline samplers. And once we get to the inline samplers, we'll need to discuss, and I think I think we might want to split them out, inline samplers as used on the farm as you're filling a tank and inline samplers on the truck because they'll probably be two different sets of rules with regard to who can handle that equipment.

Brandon Johnson: Sounds good, Laura. I'm fine with moving forward as you proposed.

Traas, Laura M – DATCP: And I see Andy joining those. Good morning, Andy.

Andrew Johnson: Good morning.

Traas, Laura M – DATCP: So. A bulk milk weigher and sampler shall collect the sample from a dairy farm silo. We need to change the word silo to after the contents have been thoroughly mixed to assure that the sample is representative. If the manufacturer has recommendations that have been accepted by the department, the silo shall be agitated in the bulk milk weigher and sampler presence for the time specified by the manufacturer. If the silo manufacturer has not specified an agitation time, then we get into the, oK, now what do we do? So I'm going to take a bunch of that and bring it down here. OK. And then go up with what Helen said. OK, so sampling procedure, bulk milk weigher and sampler shall collect a sample from the silo. Ah. Another one of those. After the silo contents have been thoroughly mixed to ensure the sample is representative, if the silo manufacturer has agitation recommendations that have been accepted by the department. The silo shall be agitated in the bulk milk weigher and samplers presence for the length of time specified by the manufacturer. If the bulk tank manufacturer has not specified agitation time or the agitation time recommended by the manufacturer has not been found to be acceptable, how does that deal with your concerns?

Helen Schmude: Yep, the sentence there, Laura, that says if the bulk tank manufacturer should that be if the silo manufacturer.

Traas, Laura M – DATCP: Yep. OK. We'll catch them all. That's a lot of them in there.

Helen (Guest): It's a work in progress.

Traas, Laura M – DATCP: Yep.

Leigh Hamilton: And so Laura, up, way, way back up and definitions when we defined what a bulk tank

was, we said it included a silo. So we probably want to either - we can make this little paragraph a sub paragraph of the of the previous one, or bulk tanks, or else we probably have to track back through the whole document and separate out silos. So it may be easier to do the first one of those two things to make this a kind of subparagraph. So say where the bulk tank is a silo, et cetera, et cetera. That's already been done, I thought, cause the previous one is for bulk tanks. Now we're moving on to sampling silos. That perfect I just. I just didn't want to - because we've way back up in definitions, we've said a bulk tank can be a silo. We probably just want to be clear about that down here as well.

Traas, Laura M – DATCP: OK so. Going back to this, if the silo manufacturer has not specified an agitation time or the agitation time recommended by the manufacturer has not been found to be acceptable, what options can we – do we want to give a facility, a farm?

Traas, Laura M – DATCP: And Helen, I heard yours, which is the milk shall be loaded onto the tank and legally sampled at the plant.

Helen Schmude: So I'm, you know, I'm not that familiar with lots of silos, right. And I don't know through their process of making silos and installing in the farm, you know what their protocol is for the verification? You know, we just found that the agitator was not powerful enough to properly mix the milk. So it's agitated. Uh, we put it on the truck, we bring it to the plant. We agitate for 10 minutes and then we pulled the sample and that's what's going to be used for producer payment. Whether it's load one, two, three, right, everything is done the same for that milk coming out of that silo. Would you use the same logic right as a direct ship? Do, you know, do you need to agitate it when it gets into the intake? For proper homogenization of that milk and the tanker.

Mick Homb: This is Mick. My other concern about anything about sampling milk is on a perfect day you walk in, the milk is sitting there, cool at 38 degrees and you agitate for 10 minutes or 20 or whatever time we say. And that is correct. If you come into the facility, whether you're a silo, a bulk tank or anything, and that agitators running and you say you have to agitate for 20 minutes, none of us, I think are that - not going to believe that people aren't just well, it's been agitating, so I'm going to take the sample or I'll give it another 5 minutes. How do you put something in writing with a time when there's so many variables, except if you're going to put 20 minutes, you have to stop the agitation. Wait for the milk to settle. Take the reading and then agitate for 20 minutes and do what you're supposed to do. I'm it's just how do you put that all in one rule? That's what I'm asking.

Alexander Beard: Laura, this is Alex. Umm, I could be wrong and if anybody has thoughts if there's older models or if it's not, if the notion's not even anywhere near correct. But I thought that most of the silos have been put up in the last several years are under constant agitation because we've had some producers, and they might be choosing to run them at constant agitation, but I know of farms in Michigan, multiple farms, some very astute producers who did a lot of homework that said, the sample is so much more properly agitated and correct that they're actually they actually got a 2/10 improvement on their components on average. And then in the year following the installation of the silos and sorry my laptop's the audios kind.

Mick Homb: What happens, Alex, If somebody only has 1,000 or 1,500 pounds in their tank. I think if you agitated it for 24 hours, you'd end up with butter. I mean, just asking.

Alexander Beard: Sure, sure.

Leigh Hamilton: Laura, is there a way of and what I'm thinking of is, so what were you looking for really, here is the outcome. So we may not really mind how they how they achieve a representative sample, whether it is by constant agitation, whether it is by intermittent agitation, whether it is by making sure taking that sample as Helen suggesting at the plant you work for, I guess should be that there is an ability to achieve a representative sample. So that's the outcome that we're looking to regulate for, if you like. So you know there are there are technologies that that can achieve that sample without agitation. So I think one way or another, the facility has to have the capability of producing a representative sample. It may not be, though, by constant agitation or are we saying that OK? So that's a I'm saying but so I guess we have a system that sits on a silo farm and can achieve a representative sample without anything other than gross agitation of that. So that is that's possible and that's verifiable with evidence. But in this section, are we covering that or are we saying no, that's an inline sampler. We're not talking about that. This section is just referring to where you don't have an inline sampler. You do have a silo, and therefore the farm needs to ensure that there is some way of homogenizing that milk at the time of collection for sampling, or if not, then the fail safe is that that needs to be treated like a direct load and sampled at the plant, agitated and sampled at the plant. Because I completely agree with Helen on her concerns there.

Andrew Johnson: Yeah, I guess I'm just trying to run this through the mind. I mean, we're working on the silo representation and I'm trying to think of real life. I read more looking for a representation of the milk that's pulled out of the silo cause you know, I think obviously a silo holds more than one load. I mean, I have a farmer to silo. It's, you know, they're it becomes more like a single farm pickup. I mean, if we agitate the milk, I don't see my farmer. I mean, how do you sample that? Milk coming out of there. I mean, there's not a lid on top where he goes up with a dipper. You know, I know you want to have and we want to have certain amount of agitation to have a proper appendix N run and all that because by the time if you didn't agitate it, by the time you get to the end, there could potentially be way higher butter fat that doesn't fall in the parameters and all that kind of stuff. I think it gets sampled either, you know, as it comes out or it gets sampled at the plant probably 100% of the time and you want to representative sample of the milk that ends up on that load because that's the one that you're going to run the appendix N on and do the payment on with the weight from that load and then what's left in the silo's going to get you know represented on another load.

Helen Schmude: Andy, does your firm have a sample port on that silo?

Andrew Johnson: It does not. It has a two bay intake they load and they actually have mechanical agitation

at the farm. So after it's loaded, they agitate the milk and then bring it to the plant and then and that's where we are. They sample it at the farm, out of the truck, the top, and then they agitate it and then they bring it to us. And then we pull a sample for appendix N and then use their sample for payment. But have an actual intake that's licensed and inspected every three months or whatever the requirements are.

Traas, Laura M – DATCP: OK, so listening to this and recognizing that there are multiple variables. What I added here was if the silo manufacturer has not specified an agitation time or the agitation time recommended by the manufacturer has not been found to be acceptable, there shall be an alternative sampling means that accurately represents the milk on the load and just leave it to go to one of the other means that we've discussed.

Andrew Johnson: Perfect.

Leigh Hamilton: And Laura, can I ask on the word - sorry. Sorry. Brandon - on the wording that you were suggesting there, when it says the agitation time recommended has not been found to be acceptable. Who is - who does the accepting or finding there?

Traas, Laura M – DATCP: OK, maybe I need to add that, but I was going off of the fact that up here we said accepted by the department.

Leigh Hamilton: OK, perfect. Perfect.

Traas, Laura M – DATCP: So maybe I need to state that again, but I thought in the same paragraph.

Leigh Hamilton: No, I think that's fine. I'm wondering then, would the process in reality be, say, Helen has that scenario that she's been talking about, where she's observing that OK, whatever agitation has been recommended here is not actually giving us the sample we need. And what does she do then to trigger this clause? Does she go to you or how does that work?

Traas, Laura M – DATCP: The way I'm seeing it work and granted I've not been out in the field for almost a decade now on farms and things like that is that if there is no submission of data, then the assumption is there is nothing approved. It's only if you want approval then you submit data and we you know identify this as an approved system. Those of you that are out in the field. Helen, Mick, Andy, Lynn, JR, is that still how it's working is if you want something approved, you have to contact the department, but if it doesn't, if you don't need it approved, you just don't do anything.

Andrew Johnson: I think if we can, you know, if it's ever asked in an audit if there's a question on whether it's meeting the requirement at the initial point. I think if you could reason to any of the you

know rating officers or the state people that you can show that somehow that milk is agitated and represented properly before the appendix N, which is the food safety part of it. You know whether the payment one is right or not. I guess that's it. The producers OK with it and trust each other, you know, because I mean, with the guy that I have a silo, I could easily say well, he, you know, maybe we're going to pull a sample appendix N and we want to do the sample at the plant for payment. Now I'm kind of calling him a liar, but he's created some efficiencies for us because he's agitating, you know, before he gets to the plant. So we don't have to agitate him. 10 minutes. He's coming directly after he agitates. I don't know. I mean, we don't, in the industry the big scare word is always recall. If somehow something slips by, that would be catastrophic. So we analyze it enough where there's no way that sample is not going to be represented for an antibiotic or anything else, you know, so.

Mick Homb: I agree with Andy. That's the main concern is the back end of what could happen if the sample is compromised at all. And our coop, we do not have any direct ship because we don't have the ability to agitate either at colostrum or a couple of facilities we go to cannot take them so everything we have goes into bulk tanks and gets agitated. So I that there's a trust that's been there for years.

Helen Schmude: I think the way you have it written there, Laura's perfectly acceptable. As far as you know, sampling from the silo and we didn't contact the department, we went so what's approved methods right? Direct, direct ship. Right. We know that what we have is already approved. This is what fits best in this situation. They gave at the most representative sample right from this farm, from this silo. And you know, as Andy and Tony have mentioned, right, you have that trust from the patron, right? With the plant's going to pay you properly, right? And they see all their test results, right? They can, you know, I mean, that's why we have field reps, right? They work with the patrons to make sure that, you know, we've got a partnership going and we're doing things the right way for both the patron and the dairy plant. You know also the hauler too, right? I mean, it has to be difficult for them going on the farms and then here's the silo. You know, what do I do? There has to be good direction and I think that the dairy plant is doing that along with the patron.

Thornton, Lynn: This is Lynn. And I have zero experience with silos, but as I listen to you guys talk it, it almost seems to me that if someone putting in a silo, it needs to be part of the requirement that there's a plan for how it is going to be sampled and where it's going to be sampled. And I realize that's not part of our discussion today. That probably wouldn't go into ATCP 82, but as I listen to you guys, I'm like maybe that has to be written into some other chapter.

Helen Schmude: Well, I think that's where it goes. Back to the tank installation, right?

Andrew Johnson: Well, another example. I mean, I have a firm that recently has a bulk tank, but then put in a bay to load all his milk and become a single farm pickup. Well, if you start looking at the definitions of what that bulk tank now becomes, it's probably the same as a silo. So what he's doing is using it as a cooling vessel or the storage vessel before he, I think it'd be the cooling vessel because that's what cools it before you load it as a direct load. Well, then, his bay and everything now becomes has to meet the requirements of a direct load. See where I'm going with that? I think the way you've got

it, Laura creates that opportunity to fall under another definition of I think that's the direction we're going with this.

Alexander Beard: And I'm sure there are, I know this the construction of this wording and so forth has to take into account a multitude of situations that might exist and present ones that are already out there. Umm I just know from you know with the silos that we have people installing now or that have been installed recently. Their farms that are filling, they're usually putting two side by side and they usually start with some 20,000 gallon silos and their farms that are into start filling them and then constantly filling them. Usually nobody's going to invest the, you know, couple $100,000 to put those in umm uh for, you know, if they're if they think they're going to grow into them, usually they got them, they got the milk and they're being used as the manufacturer intended in completely filled every day, sometimes multiple times, but they're just walking up to him with a with a little syringe and an aseptic port, and it's under constant agitation. They fill their sample bottle and we like it because they never even have to open the bottle so.

Traas, Laura M – DATCP: And as I've said in, I believe pretty much every meeting we're going to come back and look at all of this language again. So it sounds like we're comfortable with it now, but you know it might be two nights for now at 2:00 o'clock in the morning, you wake up and go no, that doesn't work. So that moves us into sampling procedures for inline samplers. Again, the reason I separate those out like that is the first discussions going to be somewhat interesting up to this point, everybody we've identified who takes the sample, we've identified as they must be a bulk milk weigher and sampler. There has been a lot of discussion on the side as we have started to see some of the sampling devices go in on farms. If you read the FDA documentation, it says that everyone who touches that inline sampler on the farm has to be a licensed bulk milk weigher and sampler. And the question is come up if you've got someone who all they do is they take a bag with a syringe attached. They put the bag in the refrigerator, put the syringe in a hole, why does that person need to be a licensed bulk milk weigher and sampler? They're not weighing any milk there. So let's open this discussion. Should those people be licensed? Who should be a licensed bulk milk weigher and sampler in the on farm inline sampling process?

Thornton, Lynn: This is Lynn. Start this off, so I do not think that the person that marks the bag puts it in the fridge and puts the needle through the septum needs to be a bulk milk weigher and sampler. I do think the person that agitates the bag and puts the sample into the vials does need to be a licensed weigher and sampler and I'm very torn on the person transporting the sample to the intake. Well, it's a lot easier and I don't want to say that person should be. I'm very torn on that part. Part of me would really like to say because I'll be honest, we're putting in one of the Piper systems is going on one of our dairies. I would like to say that our driver non licensed weigher sampler on a direct load could just take that entire bag to the intake and let our licensed weigher and samplers at the intake divided out into the sample bottles. Interested in hearing what everybody else thinks, though.

Alexander Beard: It's reminiscent for me of some situations we've had encountered in the past where we had to, at the very short notice, bring in third party contractors to haul milk. They weren't licensed

weigher or samplers, and so we implemented chain of custody protection where we sealed coolers so that whoever the licensed person that the does the agitating and the splitting of the of the sampling and the standard procedures prior to the samples being transported with the load, they also seal the driver's cooler. And so that was one way that we were able to satisfy the requirements and know that we weren't going to have any sample handling integrity issues.

Helen Schmude: Can I pose a question?

Traas, Laura M – DATCP: Absolutely.

Helen Schmude: So if you were licensed by the Department of Agriculture right, you can also be reprimanded, right, by the Department of Agriculture. I hold the license. You can find me. You can take it away, right? If I'm a farm employee and I'm in charge of putting the needle into the septum and making sure the bags attached and I decide to tamper with it, who are you going to hold accountable for incorrect sampling procedures? Incorrect test results? Whatever you want to call it. We're given the person transporting it correct? Umm, you know, farmer told me, oops, we had some high somatic cows, I'm going to stop at this firm and I'm going to replace the milk before I get to the dairy plant. At least if you're licensed right, the department has some recourse for accountability.

Andrew Johnson: So, like grassland, we have haulers that pick up bulk tank farms, multiple stop loads. That are two, two and a half hours away. That's what I mean. There's trucking companies that have license weigher and samplers obviously that they're picking up the milk, when the milk is totally picked up in the back is sealed, the samples are all in there the back is sealed. On several occasions he'll have a different hauler bring the milk up to the plant just because it shortens the day for the weigher ands sampler that's actually picking up the milk. He has not taken any samples. He's never going to take any samples. He might just be a weekend guy that does something else during the week. I don't want to jeopardize that procedure by requiring that driver that brings up that load to now be required to have a weigher and sampler license. I mean we have direct load drivers that don't have weigher and samplers at all because the milk is weighed and sampled at the plant, I guess that's my only fear in this scenario.

Traas, Laura M – DATCP: OK, so one of the things we discussed, to answer Helen’s question, one of the things we discussed internally within the department is those of you in Wisconsin are from here, you're familiar with our drug residue screening site approval process where there are approved industry supervisors who are responsible for the operation of their drug residue screening site. If a non-approved a person who is approved within the facility to do screening but does not have that supervisory capacity messes up, it is the supervisor who is responsible for what happened at their facility. We talked about how we write something similar for sampling on farms where the farms would need to have one, two, three licensed bulk milk weigher and samplers who would be responsible for the supervision of the sampling operations that happen at their facility and that they maintain a list of people that are approved within their facility to do this, putting the needle into the septum, and if a sample is found to be tampered with, that it is the bulk milk weigher and sampler in charge at that farm who is responsible for that. It might require some changes in - we might need two different types of bulk milk weigher and samplers.

Umm and I don't know how well that would fly, because that would mean a another license type, but I'd like to hear industries thoughts on that discussion concept.

Andrew Johnson: How, and I know you know I'm going to ask this, how does this align with the PMO?

Traas, Laura M – DATCP: OK, this is this is where we get into the other situation is, yes, if you read the PMO documents, they say everyone who touches the system must be a licensed bulk milk weigher and sampler. And we would, as a state, take an enforcement hit if we did not certify license every person on the farm who touched the system.

Andrew Johnson: So at Grassland, because a lot of these firms, obviously, if they're going to have a silo, I'm going to put them on a single farm BTU. I mean, we can write what we want for statute in Wisconsin, but as an industry now participating in the IMS program, I'm going to go out there and tell him everybody that touches that sample needs a weigher sampler so.

Traas, Laura M – DATCP: Yep, Yep. I and I understand that. So we did two things. First was we looked at our situation here in Wisconsin and said if we did not uh, license a bulk milk weigher and sampler every person at a farm, what type of enforcement hit would that cause? And we just took a what we figured might be a realistic number of 6 unlicensed, it's listed as unlicensed haulers, but six unlicensed people handling this equipment and what we're seeing is we're seeing a 1-3 point enforcement hit. So it is a significant enforcement hit, but it's not a, it's something that is not overcome table. The other thing is New York State is already doing this, where New York State does not require every worker on a farm who handles the sampling equipment to be licensed to be a licensed bulk milk weigher and sampler. Uh. And they have not seen a significant increase in enforcement failures. They have seen a slight increase in enforcement failures, with all this being said, the person in charge of New York State program is a gentleman by the name of Casey McHugh, who happens to be the chair of the Executive Board of the NCIMS Conference. And I can very much bet that Casey and New York State will be putting forth some type of proposal for the 2025 conference that will change all of these rules. So this is where we need to get out the crystal ball I think, and the other thing I think is I think we don't depend upon New York writing their own proposal. But I think we also in Wisconsin write a proposal that says we think that the person inserting the needle into the septum just needs to be trained at the farm, does not need to be a licensed bulk milk weigher and sampler, but they need to be under the supervision of a licensed bulk milk weigher and sampler. So recognizing that this rule won't go into effect until probably sometime in 2025. What do we want to do? Here and now with this role and our crystal ball.

Andrew Johnson: I like your idea of putting that into our statutes, cause I mean this doesn't come around every two weeks that we're changing our statute to get out ahead of it. I mean, industry always has the opportunity to go above and beyond what the statute allows, correct.

Traas, Laura M – DATCP: Correct.

Andrew Johnson: So I mean, if we put this in, I mean just because we participate in the IMS at Grassland doesn't mean anybody else is participating and they can, they can then follow that state rule and be in compliance. If I'm participating until that's changed, I have every right to go out and, you know, make it a requirement of that farm to have all their people have a bulk milk weigher and sampler. But that's on me. That's not. That's not on anybody else. And then once if I guess the big question, if that proposal at the conference is accepted, then at that time I can still, I could change my requirements of the farm, but then the farmers still in compliance with the state because we got out ahead of it. With that all said, I think I like the idea of having one person. I think you know it goes above and beyond just taking that sampling, there's also the way you're samplers talk about sanitation of the sampling device, whether it's a dipper or a inline sampler, or what have you, and the aseptic sampling and blah blah blah. I think you have to have at least one on a farm just so they understand the importance of all of that other stuff as well. So I mean I'll lean on putting that verbiage aim for the state, but knowingly you know on my end of it and I have just another requirement of anybody that ships with us so.

Thornton, Lynn: Yeah, I think this technology has the potential to make a huge intake efficiency gains and our intakes for us, we are 95% direct load. So now you take 15 minutes off of agitation of every load and think about what that does to our intakes, but also realizing that we're going to get all the Hispanic labor force on our dairies to be licensed weigher and samplers. That's a deal breaker. It's just not going to happen if it's one person on the dairy, that's probably doable, but to get all Hispanic labor, it'll never happen.

Leigh Hamilton: And Laura, just so I think moving in a really, really good direction here, but just I guess some people would be more familiar with this type of technology, some people less familiar. But I think for the people who are less familiar with it and this technology has the ability to offer traceability about who is off, writing the system at a given time, when a given sample is being taken and to record all of the data really minute by minute as to who's interacting with that system, what the condition of the product is, what that sample is and to barcode identify that. So even though it looks as though we're loosening the reins a little on knowing who's doing what on farm, the reality is that we have a much more granular picture using this technology of who in fact is handling that milk at a given time and of how to tie that sample to that load and how to understand what the conditions on are on farm, you know, for the wash before that load for the temperature at every minute on that load, you know we're not and becoming more lax in our understanding of how, how compliant or how hygienic the conditions were when this load was being composed. So I didn't want to jump in first here and give the advertorial before you guys had a chance to say how it might impact. But I did want to just put in at the end for anyone who's worried about this technology. You know, I'm happy to talk to, to Helen or to Mike offline if they would like to and just explain to them and illustrate for them that the type of data that you can get to make everybody comfortable with and the fact that if we move to this newer model, you will still have those assurances of understanding that all of the conditions are being met for having safe and clean milk entering the food chain.

Brandon Johnson: I would just agree with Andy and Lynn and just say to Leigh's point or really to yes, I agree with you, Leigh, but Laura, just giving you credit again for steering us this direction to just make it open available. This is what we're doing. This is the direction it's going, so let's build it in a way that it allows for the future technology. So I think that this is all correct. Thank you.

Helen Schmude: Yes, I know we're working on 82 here, but if you have a farm which is licensed so that when you renew your dairy plant license right, you can check your different cheese types and changes. Can you do that on a dairy farm license and say, OK, this dairy is going to have a silo is going to have, you know, one license bulk milk weigher and sampler and then trained individuals. And then of course, you know, inspectional staff and dairy plant field reps need to follow up, but you would have an identification of who is reading responsible, in this case, the dairy farm and then he could then follow protocol, as you said following the drug residue type scenario where you have your trained, your license person and then you're trained personnel underneath.

Traas, Laura M – DATCP: Looking at 65 where we've got the dairy farm standards. I don't. If they both take recording devices, milking procedures, I think we would need to write in umm that information into 82. I think somewhere we would need to put umm that language into here cause I don't see a real good place for it in 65. So it would probably need to come into here. That no person may do either of the following without a bulk milk weigher and sampler license, and that includes collect the samples for 65.38. So we would probably need to modify this section. So I'll ask the next question. We've got some guidelines that we talked about that it sounds, and I'm going to double check this, the person who sets up the bag should not need to be a bulk milk weigher and sampler. A person who agitates the bag and aliquots off a sample needs to be a bulk milk weigher and sampler. If the driver just takes the bag in total to the intake and the plants bulk weigher and sampler takes the sample, does the driver need to be licensed? I believe we said no. I'm going to have to take things out of order. Each farm would need to have at least one license bulk milk weigher and sampler to oversee the use of the inline sampling devices, and then go back up here if non licensed personnel tampers with the sample. What recourse is there? The license bulk milk weigher and sampler overseeing the operation. Uh well, need to say that they shall follow all manufacturers instructions for the use of the sampler. So if we get new sampling devices out there that use who knows some other technology to I don't know, as in Star Trek, transport the milk a sample into a vial that we just say if there's a proof technology out there, you need to follow the manufacturers instructions. Right now in Wisconsin, we have a system where the dairy technical specialist go out and verify that each inline system is set up properly to take the proper amount of sample over the entire time of loading the device. I'm personally from, from my view right now I'm thinking, yeah, we still want that. The question is, will we need that? Do we think that it's a good safeguard moving forward? And I guess I'll ask folks like Andy. Umm, who already has some of these out there. And I know we've just been in the infancy of that process. Has that process worked? Do you see value in that process?

Andrew Johnson: I mean, if we're looking for verification or whatever. I think in the technology age it also it I mean the appendix N getting pulled at the plant that's at our facility. As far as the payment purpose, I mean, I don't, I don't have any in lines. I did have one years ago in Minnesota. I mean, there was one person, the farmer's son, that hauled the milk. It was a one load a day. He had the weigher

samplers license in Minnesota. Umm, but I mean how does the? I mean, are you asking how does the department verify that it's working correctly?

Traas, Laura M – DATCP: I'm asking - what I'm asking is moving forward, we've been going to each farm and approving each inline sampling system to make sure that it is set up properly, that the pump is running at the right speed, that that they have the right protocol set up for the particular type of unit they're using. As this grows more and more do we see value in that type of approval process.

Helen Schmude: Laura is the department doing that with the field rep?

Traas, Laura M – DATCP: Uh yes, I believe they are.

Helen (Guest): Then I would think that's a good process.

Andrew Johnson: Right. And I think my analogy would be you look at AMI's right now, I mean initially you wanted, you know, I'm struggling with the term. I mean every one of them, you had to go out there and physically see that the block bleed blocks were all working then. But as we moved on, we've kind of went away from that. Do you have the requirements that you have to have all the written you know, the teat prep protocol and all? You have to have all that on file and you know, so if you if you go along that lines, I mean if you initially approve a system, I mean eventually, you know, as we get more and more of them, I don't know if we have to go out and physically see each one working or whatever. But as long as you know that it was approved initially or you know you know whatever that process was the same as the AMI, as if it was a year or two years or eventually In my mind, you know, the sanitarians out there and yep it’s that system that was approved so it's all good to go if it's something new. Yeah, I'm sure the department wants to do that initial verification and follow up on initially on all them systems to make sure that they didn't miss something in the initial approval. But I guess like I say, if you look at food safety, you know the big one is antibiotics and if we're doing an appendix N at the plant the inline samplers, you know doing what it needs for pay. And obviously if it's not working, you're going to see some samples that don't align with other samples that's coming off that farm and all that kind of stuff and it can be addressed, but.

Thornton, Lynn: Well, this is Lynn. I guess I'm struggling a little bit to know how the inspectors would even know how the pump should be set. To me, that kind of comes from the manufacturer that they should know the settings, so I guess I'm struggling a little bit to see how it's valuable to have you guys go out and do an approval process when it's put in. I sort of think that should fall to the manufacturer and the installer to make sure it's put in. Right now I could see that when they go on their next regular inspection that it might pay to have to look at it and even have a conversation with her producer about how do you feel about the samples that are coming out of it? Are you getting accurate samples? But to make a special trip, I don't know that it's valuable.

Traas, Laura M – DATCP: So what I've put in here is the department has an approval process that doesn't say we have to do the approval, but an approval process to assure the system is set up to pull the sample properly. This could include an approval process similar to what we have with the AMI's now, where once this concept reaches maturity, when I first started to come in, technical specialist went out and checked the block bleed blocks, but once the concept reached maturity, the process changed to where now the installer checks the black bleed block and signs off on it. I think we could do a similar thing here that you know there needs to be a process, but it doesn't have to involve, umm, the department employees. Once this whole concept reaches maturity and people have an understanding of what the department wants to see in the way of safety protocols. There is a form right now that has to be filled out for one of these too, right?

Traas, Laura M – DATCP: That is correct.

Thornton, Lynn: A state form that has to be submitted OK.

Traas, Laura M – DATCP: Yes.

Traas, Laura M – DATCP: And that state form comes from the FDA M-As with regard to the approval of these particular units.

Andrew Johnson: I guess to continue the conversation of looking forward, I think we would really if we could ever get to the point where we could trust that sample for an appendix N which is allowable, I think our requirement or what we'd like to see a requirement is that you know we want to know that that thing was working the instant that milk was loaded on to that truck through the duration of the loading. And with technology, I'm sure at timestamp somewhere in the cloud or whatever, if we're going to use it for an appendix N how you know, that would help our comfort zone knowing that that's a representative sample of that load. So I, you know, I don't know where I'm going with this, I guess, but I that would create huge efficiencies at our plant as far as being able to wrap our mind around that. But I think that's a, you know, I think that's a burden that should be put on whether it's transporting or like you said, Star Trek stuff or the technology that we're working on now. You know, how do we gain that comfort zone and all that is a representative sample? Other than putting on some sort of timestamp beginning to end and all that I, I mean we'd really like to get to that. We really would and we have a couple farms that would really like to get to that because when you're pulling multiple loads into a plant, you can save 10-15 minutes per load. Obviously it's going to create some really nice efficiencies, but unless you have that, you know, you know, I don't know. I mean, I'm I know some people are accepting that and they can and they can get to that trust level. We can't yet, but we'd like to, but I don't like I said that more of a comment than anything, but that as far as pay purposes, well, we can look at those. You know the results and come out and come up with the conclusion, whether it was, you know, done right or done wrong or if it's acceptable for the whole load. What if we're going to pay him for that? But as far as the appendix N part, that's where I guess we struggle with using that sample as it comes into the plant and not pulled out of the top of the tanker when it gets there, so.

Traas, Laura M – DATCP: And that's, you know, I think about 30 years ago. When the appendix N program started and just how the process has evolved overtime and the some of the things we did back then because we didn't trust the system that now we understand the system. Can we trust the system better? I think this is another one of those that each company we'll need to do their own data collection to make their own determination. Do we trust this sample for Appendix N? And I expect that probably after, uh, definitely after I retire, but probably not before I'm out of working for the dairy industry completely, umm, we will see where a majority of facilities are accepting inline samples for appendix N purposes, but this is a case of the proof is in the using.

Leigh Hamilton: Agree, Laura. And you know, the great thing about technology moving forward is that you know more and more you can move to an evidence based decision on this. So it's not as if new technologies will come along and you'll be asked to, well, just take our word for it. This works. This can produce a representative sample you know with each load that happens, you're building more and more evidence that offers people that assurance in reality that comes from milk pickups in the US. That's evidenced by the data that's, you know, printed ticket on the farm that's has the ability to be stored in the cloud and all of these things are things that you can look at and you can make an evidence based decision on as time goes on and we move forward. But I do think it will be important for us in the wording that we put in here to ensure that manufacturers are required to record that evidence to produce that data, and that we don't take it for granted that, well, just because there's new technology, new technology should be able to do this thing. So you know, we like new technologies. We do want to make sure that we're putting that floor in there that puts the obligation on the manufacturers of the technology to, you know, to offer that evidence or to offer that comfort and the ability to offer that.

Traas, Laura M – DATCP: Any other key items that we want to capture in the concept of approving inline samplers, and I don't think it does ever - Is everyone able to see my screen?

Helen Schmude: Yes.

Traas, Laura M – DATCP: I guess I'll ask is there anyone who needs me to read the verbiage that's up there? Hearing none. What I will do is I will, uh, take these concepts, I will go back through this document and ATCP 65 and try to turn this into some legalese for the next meeting. OK. And I would like to move on to the next one because I think the next one will be a lot easier. Which is truck mounted samplers. I think what we want to say here is must be a licensed bulk milk weigher and sampler and they must follow the manufacturers instructions for the unit they're using.

Leigh Hamilton: And do you want to put in an additional requirement there, Laura? I don't know if you do to say that, umm thought the equipment must, but some kind of requirement that means that the equipment has to produce a representative sample because you're taking out the requirement for agitation effectively or you're not, you're silent on it. So there needs to be - I would suggest some kind of other way of ensuring that the sample is representative or that you guys have approved this as a way of achieving a representative sample.

Traas, Laura M – DATCP: OK. Yep. Anything else we need to say on the truck mounted sampling devices?

Andrew Johnson: I guess the only comment I would have is I think a truck mounted in line sampler for us is helping us. I could foresee the where this is put on trucks, not just even for asylum or direct load, but even for a multiple stop pick up and then you could use that sample as you know, as long as it's either has a seal on it or whatever to prevent the bag or however the milk is sampled from having any sort of loss of custody that if that truck came in to our plant our weigher sampler at the plant would then break that seal, take that sample and you could now use that for an appendix N. I think that pushes us, me, at least for the better trust factor on using that sample for an appendix and I could foresee where that would help create that efficiency that we're probably looking at. So I like this whole idea of it. It's just, you know, I don't know if you need to have verbiage in for that, but I you know, I could see where that's definitely going to be a possibility to do that. Like just to comment.

Leigh Hamilton: There is Laura in I know in the PMO, in the language that added for this, there is there's other language that that talks about maintaining the sample at the correct temperature for the duration and also ensuring the integrity of the sample which I think refers to ensuring that and this is a key point for multi farm pickup ensuring that there's no carryover from the sample on farm A to the sample and the subsequent forms. And so I would suggest that that might be a good place to start looking for legalese on this piece.

Traas, Laura M – DATCP: Yeah. Now as far as the handling of the sample, once it's taken that is covered in a later part of this section where we talk about the sample identification that the the bulk milk weigher and sampler shall clearly identify the sample and shall care for the samples properly. So that is already covered. Uh, but yeah, we need to make sure that.

Thornton, Lynn: Leigh, how does your truck mounted sampler? What does it put the sample in? It doesn't use the bags like the farm ones do, does it?

Leigh Hamilton: Yeah. No, it doesn't. It well, actually it can, but no usually so it takes two types of sample then so one is a composite sample that represents a proportion of each farm on the load. So say if your farm gives 10% of the load, then you will put 10% of the sample that goes into what we call the load sample, and in Ireland that load sample which represents each farm on the load is what we would use to clear for Appendix N equivalent. So that's one sampler that the truck has. There's another sampler, and that sample takes a representative sample from each farm, and that's so the load sample. Sorry, just to go back one second. The load sample we put it into either a large bottle or vial or into one of the bags like you might see sometimes on a direct load. So then the other sampler is the farm sampler and it takes a representative sample for each load and we would use a vial like you guys use here. And originally we had a vial that was a sealed vial that the needle and tube were attached to the lid of the vial, and now we've moved to using for cost purposes and to kind of cost, reduce that and because it was impossible to get supply of those original vials, we've now moved to approving with the states where they're doing this using the same needle and tube into a septum that you would have on a direct

load farm. But sampling into a regular sampling vial that's held within a an environmental unit in the back of the container. So it's not sampling into open in the back of the truck, it's sampling into kind of a closed cabinet in the back of the truck into an irregular vial within that closed cabinet. I'm sure I've made that sound absolutely as clear as mud. It's very simple when you see it, Lynn.

Thornton, Lynn: So over here like commingle, haulers, they have to have a pilot sample. So do you guys have to bring in a pilot sample also besides your load sample?

Leigh Hamilton: Is that a temperature control sample?

Thornton, Lynn: Yeah, it's a temperature control.

Leigh Hamilton: Yeah. So we would take that in in the normal way at the first farm or the other option we have is we actually have the ability to take duplicate samples. So some of the systems that we have out there will have a dual sampler. So they will have one sampler for the load and they will. They will have another sampler which can take multiple identical samples of form, so we can also use that. But generally, the hauler will just take a temperature control sample, either by just sticking a needle into the sampling line, or by taking the TC sample the regular way.

Thornton, Lynn: OK. Thank you.

Leigh Hamilton: You're welcome.

Traas, Laura M – DATCP: So what I've got for the truck mounted samplers is must be licensed bulk milk weigher and sampler, must follow the manufacturers instructions, equipment must be shown to produce a representative sample or approved by the department, and the units are shown to prevent carryover from one farm to another on multi farm modes.

Thornton, Lynn: Laura, we talked about weights in another section of this document, right? So that's already covered.

Traas, Laura M – DATCP: We do not talk about weights. Umm in any great detail, because that falls under, that falls under two other parts of the department that falls under weights and measures for the approval of the measuring device, and it falls under trade and consumer protection for the verifying that each farm is getting paid properly for the load. So where we do talk about it is that we talk about that the bulk milk weigher and sampler uh is approved to weigh or measure the milk for payment purposes.

Thornton, Lynn: So did we count for these systems when they're taking a weight? Because your truck sampler and your own farm system actually takes a weight right, Leigh.

Leigh Hamilton: Yeah, they're approved as legal for payment systems, legal for payment devices.

Traas, Laura M – DATCP: OK, so here's where we've got the section on measuring the milk when measuring milk before it is transferred shall accurately measure the amount of milk, and then I believe we added language down here when measuring at the farm or receiving facility using a department approved inline measuring device shall follow the manufacturers instructions. Ah, when using a state certified scale. So that is a good point because, so, when measuring the milk at the farm, I think we agreed would apply to both the inline at the farm and the in line on the truck. So wait, we did capture those new devices.

Leigh Hamilton: What we've said though, let or Laura and Lynn and Lynn, I think, makes a good point there. And so she's saying the bulk milk weigher and sampler shall follow all the manufacturers requirements for the use to that device. So are we there for restricting like when actually that individual in the case of the inline on farm systems, they have no impact on that measurement whatsoever, but effectively the wording we're doing here restricts the use of that device to a bulk milk weigher sampler. So do we want to say that the person operating the system rather than, you know, we've said later on, well actually that may not be a bulk milk weigher or sampler who's operating this system all the time. So do we want to restrict this here and this section about weights to only being a bulk milk weigher or sampler?

Thornton, Lynn: But on the truck mounted samplers it would be right, that's what we said.

Leigh Hamilton: It would be certainly, yeah, yeah. It may not. If it's a truck mounted, it would be a weigher and sampler, but on the truck load farm.

Thornton, Lynn: But they can't really affect that either, right? It's built into your system. It's just going to print the receipt off and say this is how much milk is in there, but right? We don't want to somehow limit that to have to be a bulk weigher and sampler that tears that receipt off or.

Leigh Hamilton: Yeah. Well, I'm going to ask that question. I won't say we don't want that, but I'm saying do we want that? Do we want it to be just a bulk milk weigher and sampler? Who can operate that system to measure the milk? I think probably Lynn. Yeah, maybe we don't.

Thornton, Lynn: Yeah, I don't - I mean, on these farms you have tankers getting changed at all hours of the day and night. So again, then we're going to go back to, so if we have one licensed overseer at every at a farm, they're not going to be there in the middle of the night and that milk may actually be leaving in the middle of the night too. So whoever tears that receipt off that has to go in with that sample is not necessarily going to be the weigher and sampler.

Traas, Laura M – DATCP: OK. So yeah, we'll need to expand this language to say that somehow to say that, umm, it shall be at the bulk milk weigher and sampler or in the case of a of farm system, the bulk milk weigher and sampler overseeing the operation shall assure that the device is being used properly and weights are being recorded. Anything else on the truck mounted samplers? OK, so the last section is the sampling procedure at the intake. The individual shall collect the sample at the dairy plant where the shipment is first received. The individual collects the milk sample, shall verify the contents have been thoroughly mixed immediately prior to sampling to ensure the entire contents are homogeneous. It's content shall be mixed in a manner that is known to ensure homogeneity. Uh, I've got some concerns about that language because we know that when you take a big tanker and put an agitator in the center of that tank, you are not ensuring homogeneity of that entire tanker.

Thornton, Lynn: Laura, do you have any idea why that word was used instead of representative? Like is used in a lot of other places.

Traas, Laura M – DATCP: Yes, the reason that language was used here is because if you are sampling a direct ship load or a single farm load and you are pulling the sample for the purposes of payment under the PMO, the PMO says that the universal sample is the term that they used that the universal sample that is pulled far, that farm to pay that farm shall be taken from a tank that has reached homogeneity. And so we wrote this language in the match, the PMO language. But at that time it was, we were being very idealistic, I think, and I think time has shown us that this is not the reality for those direct shiploads. But I don't know how to how to handle that because the PMO is still holds us to the standard that the universal sample taken for an individual patron shall be taken from a tank that has reached homogeneity.

Thornton, Lynn: Well, I think there's a variation on Foss machines. So when we run these like if we took a sample out of a bulk tank that was agitated and then split it out and ran it across the same Foss machine AS2 samples, we would have variation, right.

Traas, Laura M – DATCP: Yes. And if you look at the, if you have the PowerPoint and if you look at the PowerPoint that I developed for how to determine when you're agitation reaches an acceptable level and that's the exact standard deviation that I've referenced, is that your variation and the percent fat from 1 sample to the next shall reach a level where they are within plus or minus .10 to .15% of one another and that is totally based on the variation that's allowed in the Foss machines. So do we want to say that here?

Thornton, Lynn: Do you think that's going to get us in trouble with the PMO?

Traas, Laura M – DATCP: I'll answer that two ways. Could it get us into trouble with the PMO? Yes. Will it get us into trouble with the PMO? I don't believe any milk specialist would dig down into our rule to this level to say your sampling procedure doesn't say you're reaching homogeneity. Your sampling

procedure says they have to reach a representative sample. Only a lab geek would recognize that difference.

Thornton, Lynn: But let's say we change it to representative.

Leigh Hamilton: How do we put this? What I would say is have, have you ever had a ding for this Laura for the wording as it exists?

Traas, Laura M – DATCP: No, no. It's the only things that we have had with regard to sampling from our milk specialist have been that when we did our first round of agitation studies, we did not start from an uneducated tank at and pull a sample at zero time. That's what he dinged us on is that we did not show that at zero time. This tank was very striated, and our agitation actually did something to the tank. That's the only thing we've ever taken on this.

Leigh Hamilton: And are you not opening yourself to a ding if you change the wording to representative where you're not open to that thing today?

Traas, Laura M – DATCP: Yes.

Leigh Hamilton: So you know, the reality is that at the moment, and this is a very high requirement for homogeneity before you pull a sample at the plant and it may be very challenging in reality to agitate until you reach homogeneity and it may not even be possible while still maintaining the quality of milk that you need to do what you need to do with it. So given that, you know, there are other ways to achieve this universal sample and I think there are lots of technologies that will allow you to achieve a representative sample that don't require agitation to homogeneity. So I just wonder what you'd be achieving by changing this language to say representative other than opening yourself to a ding that you're not currently open to. And I wonder if you might be, you know, if you know if we're putting our future goggles on and we're saying, OK, well, then in five years time, where is all this going to be? I think with the efficiency pressures that are on your milk processing industry in Wisconsin, I foresee that less and less agitation will take place in the bays and fewer and fewer people will want to do their sampling at receiving. And I just wonder, are you are we being too technical I guess in trying to trying to change this language to meet a reality which by the time this legislation comes into force, maybe a diminishing reality with sampling moving out of those bays?

Traas, Laura M – DATCP: I think I'm going to go back to something Andy said earlier today, which is one of the things we do need to remember is that this rule applies to not just grade A IMS listed milk, but this rule also applies to our grade B dairy plants, our cheese plants. And let's be honest, in Wisconsin we make a lot more cheese than we do grade A fluid milks and grade A solicited products, so I I'm not saying this is the right way to go, but I will ask the question is it the right way to go to loosen the

standard for the recognition of what our dairy industry is in Wisconsin and allow the facilities that are grade A IMS listed to meet the higher standard of the PMO?

Andrew Johnson: I agree with that Laura and I think to expand on it just a little bit and bring it all full circle. You know, we do our best right to get it, whether it's representative or homogeneous and if this ever came up on a on a survey it it's probably less of something that we can change to meet that requirement. So if I'm looking at enforcement scores and things like that, as far as our facility goes, it's really easy to grab two points and get all the people at the farm to get a weigher or sampler than to try to tackle this homogeneous, you know? Yeah, you know what I mean?

Traas, Laura M – DATCP: Mm-hmm.

Andrew Johnson: So I think we would risk the couple points on this topic as far as you know, so we get a 98 instead of 100 because we're not, you know, one of they catch this or whatever. I'm OK with that cause we're still above a 90, but if enforcement scores are at 90-92, you know. Because of this, obviously we're going to try to gain all our points on anything that's more easily attainable and to spend a day and get a bunch of weigher samplers is going to be way easier than to tackle, you know, in in my mind it's a hierarchy. If I know I can gain two points by spending a day at the farm versus, you know, trying to prove that every load that we take in is homogeneous versus representative, I'm going to go to the farm and get them points 1st and then just risk losing them couple points if it's caught, but in our mind we feel very comfortable that we're taking a sample that's, you know, providing that food safety or that risk of having antibiotics in it and stuff like that so. I you know whether it says homogeneous or representative, I mean, I think we need to show that we're trying to meet the PMO requirements, whether we do it or not. I don't know the right verbiage to allow that, but.

Thornton, Lynn: I want to bring up something else here that Andy talked about before and in regards to the inline samplers and appendix N I'm not sure this is the right place, but Andy said they weren't comfortable with inline samplers and taking that sample for the appendix N and I feel the same way, I'm much more comfortable if we actually pull the appendix N. But I also want to get away from the agitation. So I think Laura's going to disagree with me here, but I'm not sure that representative for payment purposes and representative for Appendix N are the same thing for us. We run a charm. Charm says that their test is valid and accurate up to a 6.5% fat test, over and above that it won't flow. So again, not sure this is the right place, but Laura, you and I had this discussion and you, I believe, told me that if we wanted to were using, let's just say a sample that came in off the farm from a drip sampler, but we wanted to pull our appendix N at the plant, that we would have to show that that was a representative sample. Do we really need that same level of sample homogeneity or however you say that for an Appendix N as we do for payment purposes?

Traas, Laura M – DATCP: No, you do not. For payment purposes, the PMO language says that the tanks shall reach homogeneity before you pull the sample for Appendix N it says that the sample you pull must represent the milk that is on that tanker. If that tanker were mixed to homogeneity and so it doesn't say

that the whole tanker needs to be mixed. But it does say that where you pull that sample, that sample needs to have a similar fat protein ratio as it would if you if you mix the entire load.

Thornton, Lynn: But then isn't that the same as saying it's representative? If you're going to say the fat and the protein and everything is similar, isn't that the same as saying it's equal? It's well mixed.

Traas, Laura M – DATCP: Yeah, it's. I have problems with the PMO language of saying that this one needs to be homogeneous, but this one could just be represented. I have a problem with that language in the PMO, but that that.

Thornton, Lynn: Well, and then the PMO allows that quality true side sampling port that you can take your sample out of there for your appendix N right.

Traas, Laura M – DATCP: Correct.

Thornton, Lynn: And they say that's OK. How do you know that's a representative sample?

Traas, Laura M – DATCP: Again, they say that the tanker must be agitated before you use the qualitative side sampler and that one, I am not sure how you get that portion of the tanker to homogeneity. I have not seen any testing to show me that. Any sample pulled from that side port on a tanker being agitated at a plant reaches even representative level.

Thornton, Lynn: Well, there's if you're going to agitate it anyway, what's the port - there's no point in the side sampling port, and my understanding was you didn't have to agitate it. You could take that sample and the tanker came in off the road without agitation. You don't think so? OK.

Traas, Laura M – DATCP: Now our former milk specialist and I say former because he retired on December 31st, but our former milk specialist would not have accepted pulling that sample out of that tanker without showing that that tanker, that sample had reached some level of representative.

Alexander Beard: Laura? Is it correct to say from a stepping aside from this wording discussion for just a second that that the bulk majority, the vast majority of direct fill tankers in this country are not agitated prior to sampling and receiving bays upon receipt? At least not the ones I've been for me, you know, I and we don't have widespread issue with plants running their appendix N screens. You know they the receiver has a job to do up there when they have to give that thing a pretty good stir with that dipper, umm. And that's getting harder to get done because folks don't like to put the elbow grease into it. But and it's a little risky, you could take a cold dip if you're not strapped in, but most trucks aren't being agitated, right?

Traas, Laura M – DATCP: Actually, we now this survey was three years ago now, I want to say we didn't survey three years ago and the states that we got back, I would say that two-thirds of them said that they were doing some type of agitation before pulling their appendix N sample at their intake. There are a couple of states that do not did not require agitation at that time that may have changed over time as economic pressures have increased. I haven't done a survey recently.

Alexander Beard: And were those last question is were those umm, those respondents were they just referencing agitation on direct fill loads or was this were they all loads coming in for what we.

Traas, Laura M – DATCP: I believe it the question was specific to direct fill loads.

Alexander Beard: OK.

Thornton, Lynn: So this this must be loads that are live on loading them that you're talking about that aren't agitating.

Alexander Beard: Is that for me?

Thornton, Lynn: Meaning they yeah, yes. As in pulling in off the road and coming into the intake Bay cause like our loads are dropped, our haulers drop - we have yard horses, so some of our direct ship loads could set out there in the parking lot for anywhere from an hour to 12 hours. So yes, we agitate every single direct ship load.

Alexander Beard: I'm with you. The drop yard scenario is just become so prevalent all across the whole country really. And you know, I'm just thinking, like here in Ohio or Indiana or I could probably come up with a handful of other states where I walk in bays and it could be a load that's been sitting there all night or a load that just came in. Umm I have never personally been in a plant and witnessed truck agitation prior to sampling.

Leigh Hamilton: Yeah. And I think the key thing Alex there is that we're drawing a difference between the universal sample, which is for payment, and the appendix N sample because I think for the farmer payment sample, there's absolutely no way that you could get a representative sample just by pulling out of the top of an agitated trailer. But where you've already taken the sample on the farm just to clear that at the plant, I think you know the missing link, I guess between Lynn's position and Laura's position is that maybe the requirement should be that it's representative for the purposes of that test that's being done so that it's representative in that the sample taken is within the range that the test that's being done to clear that sample for Appendix N can be effective.

Alexander Beard: To make that distinguishing, uh yeah, that that's a fine suggestion. Certainly, if I was a farmer, I would advocate for every plant to pull payment samples off the top.

Traas, Laura M – DATCP: OK, I hate to do this, but we are at three minutes to 11. Umm so I need to. Let's see, Max, Do you remember? Was this open meeting listed as nine to 11 or was this open meeting listed as just starting at 9?

Huebner, Max K – DATCP: It should just be starting at 9 and should be open ended.

Traas, Laura M – DATCP: OK. So we won't - I won't run into trouble if we go a little past 11, but I do want to be respectful of your time. We're going to come back to discuss all of this at the next meeting. I've got us starting with the inline sampling concepts. That brings up the first question, which is, are there any comments by the committee members?

Helen Schmude: I have one. So, you know, I've got a Grade B, you know, cheese plant, right? So I'm really wondering if we aren't spending too much time on the word homogeneity or whatever the heck it is, it means right of being similar. Having the same uniform structure, we agitate 10 minutes, pull a sample. We've done agitation studies and we say here's the time that we need using this agitator right at this, you know, speed, RPMs, whatever you want to say, it gives us the most mixed sample if you want. Are we hung up on this one word that I don't think we have in our definitions? With that means that mean it means being uniform. We you know what I mean? Are we just putting way too much into that word where you agitate, you make your load right as homogeneous or equal uniform as you can right you and you take your sample.

Traas, Laura M – DATCP: Yeah. And that's something that I'll work on language for this entire section before we meet again and see if we can make this language a little more usable to our purposes. Other comments from the committee. Hearing none, I will ask the next question, which is we are at January 9th, two weeks from now is January 23rd. We have been going every two weeks on Tuesday at 9:00 o'clock does January 23rd work for those of you on the committee.

Helen Schmude: It works for me.

Traas, Laura M – DATCP: Mick.

Mick Homb: I'm OK with that.

Traas, Laura M – DATCP: Alex.

Alexander Beard: Sounds good.

Traas, Laura M – DATCP: Andy Johnson.

Andrew Johnson: Yep, green light.

Traas, Laura M – DATCP: OK. So we will meet again, starting at 9:00 o'clock on Tuesday, January 23rd. Any last comments? Otherwise, I'll entertain a motion to adjourn. Now, what do you want to adjourn?

Andrew Johnson: Motioned.

Traas, Laura M – DATCP: And is there a second?

Mick Homb: I'll second.

Traas, Laura M – DATCP: OK, it's been motioned and seconded all those in favor of adjourning for today signify by saying aye.

Helen Schmude, Andy Johnson, Alexander Beard, Mick Homb: Aye.

Traas, Laura M – DATCP: OK, that's all of the committee members on the call. I thank you again for your participation. We are getting close. There's like two pages left, so we're getting there. And then what will happen is I will take all of these comments, go back, work with our legal people to put this into legal language and then well, so you guys will get a bit of a break and then we'll get together again once we get there to look at what the language says and make sure that the legal language did not change our intent. So, thank you all very much. And for those of you in Wisconsin, stay safe with the snow.