



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Department of Natural Resources



DISPOSAL OF MILK FOR DAIRY FARMS

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This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Wisconsin Department of Natural Resources (DNR) or the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

Purpose: This guidance is provided to aid farmers in selecting the best possible option for disposal of milk when unavoidable due to instances such as unsalable milk, unexpected changes in demand, natural disaster, disease, etc.

You are advised to create and maintain a record of every milk disposal:

- Maintain all records to include the date, volume, location, and reason for disposal so that documentation can be produced upon request.

Environmental concerns:

- Discharge of milk to surface water or groundwater is a discharge of pollutants in the same way that discharge of manure or process wastewater would be.
- Milk contains higher concentrations of nutrients than manure and has high biochemical oxygen demand, which can cause detrimental impact to surface water, including fish kills.

Land application of milk is regulated in the same way as land application of process wastewater:

- Milk is considered process wastewater under DNR rules governing animal feeding operations. [Refer to NR 243.03 (53) and NR 151.015(16) Wis. Adm. Code]
- For permitted CAFOs, land application of milk must conform with ch. NR 243 and the DNR approved nutrient management plan (NMP). Land applications, including nutrient content, must be tracked in the NMP.
- For non-permitted operations, DNR regulations prohibit "significant discharges" of process wastewater, including milk, to waters of the state. [Refer to s. NR 151.055, Wis. Adm. Code]
- For all operations, land applying milk to frozen or snow-covered ground requires that the farm follow the rules in ch. NR 214, Wis. Adm. Code. Contact the DNR for details.
- Any disposal actions resulting in an unpermitted discharge of pollutants to waters of the state are prohibited.

What you should do if you have milk needing disposal:

- One immediate option is to dispose of the milk in an existing manure storage structure, especially when expecting rainfall amounts that increase the chance of surface runoff and water impacts from land applied milk. When feasible, you can land apply the storage contents according to your NMP. Farmers, including permitted CAFOs, are not required to obtain approval prior to disposing of milk into on-site manure storage structures.
- The following recommendations for land applying manure and process wastewater, including milk, may be used to reduce the risk of groundwater or surface water contamination:
 - Use the farm's NRCS 590-compliant NMP to determine the best places to apply the milk to meet the nutrient needs of this year's crop and adjust other planned nutrient applications to account for the nutrient content of the milk.
 - Apply milk uniformly across a field using liquid manure application equipment.

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- APPLICATION RATE: If you do not have a nutrient management plan, take care to follow the nutrient needs of the crop where you land apply milk to avoid overapplying or causing runoff or leaching.
 - Applying 4,500 gallons of milk per acre will provide about 200 pounds of N, 81 pounds of P₂O₅, and 67 pounds of K₂O.
 - All of the N and P in milk are considered plant available immediately, so care must be taken to apply milk to fields that have the lowest risk of groundwater or surface water contamination. Applying milk to fields with a perennial crop or those recently seeded increases the opportunity for plant uptake of the nutrient applied.
 - Consider making multiple applications with less volume per application to reduce the risk of nutrient losses.
- Finding appropriate lands for spreading may be difficult during the growing season, so plan to apply on lands that:
 - Do not contain very sandy soils,
 - Do not have shallow soils or high groundwater levels,
 - Were not planted in alfalfa last year,
 - Did not have manure or fertilizer applied this spring or even last fall,
 - Are not too steep,
 - Are located away from streams, rivers, lakes, and wetlands, and
 - Are currently in pasture and typically do not experience runoff.
- Consider injecting or incorporating land-applied milk to reduce the risk of runoff to surface waters.
- Applications should be made only when heavy rainfall is not expected in the near future.
- Milk will have a very strong odor as it decomposes, so apply to fields farthest from neighbors if possible.
- Milk can be utilized for animal feed by the producer, but it may not be sold or distributed as animal feed unless the producer has a commercial feed license and the milk can be labeled accordingly. Questions regarding distributing milk for animal feed should be directed to DATCP (ss. 94.72(2) and (5) (a-b), Wis. Stats.).
- Exercise extreme caution if considering adding milk to anaerobic digesters. Consult the digester company before adding milk to the digester to determine appropriate volumes of milk that can be added without negatively impacting the digester's microbial communities.
- The solids in milk may plug valves, tanks, pipes, hoses, and other storage and spreading equipment. Rinsing may reduce plugging.
- Additional resources may be available; refer to NRCS and UW guidelines: <http://learningstore.uwex.edu/Assets/pdfs/A3610.pdf>.
- In cases where all above options for disposal are unavailable and a discharge is inevitable, make all attempts to infiltrate the milk on the ground to avoid a discharge to surface waters and report the spill to the DNR Spills Hotline.

Depending on milk disposal scenario, there may be additional considerations.

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