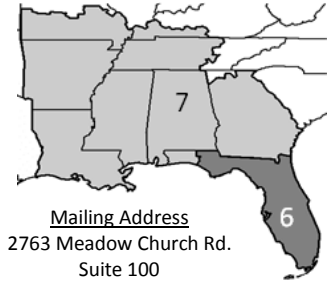




United States Department of Agriculture
Agricultural Marketing Service
Dairy Programs



Phone: 770-682-2501
Fax: 770-545-8850
E-mail: FMMA6&7@fmmatlanta.com
Home Page: www.fmmatlanta.com

Market Administrator
Federal Order No. 6 – Florida Marketing Area
Federal Order No. 7 – Southeast Marketing Area

Mailing Address
2763 Meadow Church Rd.
Suite 100
Duluth, GA 30097

October 18, 2017

TO: Handlers and Interested Parties
FROM: Market Administrator, Duluth, GA
SUBJECT: Policy Regarding Milk Containing Antibiotics

Under the Southeast and Florida orders, any load of producer milk testing positive for animal drug residue contamination, that is rejected by a handler prior to receipt at a plant, will not be considered “milk approved by a duly constituted regulatory agency for fluid consumption” [Section 1007.12(a) and 1006.12(a)]. As such, milk from the producer(s) identified as causing the contamination will not be pooled and will not be subject to the minimum payment provision of the Order. The milk from that producer will not be pooled until the producer’s milk meets the Grade A requirements for fluid consumption. The pool status of commingled milk from other producers on the tanker load will not be affected. The milk from such producers will be considered to be a receipt at the plant at which the load was rejected. Handlers will be obligated to pay these producers the appropriate minimum order prices.

The offending producer may also be held responsible by the handler for damage done to other milk with which it may be commingled, subject to the following conditions:

1. The handler may not deduct the value of damage to such other milk from the producer’s milk check without prior written authorization from the producer.
2. The handler documents the source of drug residue, and an appropriate regulatory agency has been notified of the incident.
3. Restitution to the handler by the responsible producer does not exceed the value of the load of milk (excluding the responsible producer’s milk) at the lowest class price for the month, plus actual and reasonable disposal costs and net of any salvage value.

Handler Reporting Requirement

In order for a handler to be excused from a producer payment obligation, due to an incident of antibiotic producer milk, such occurrence must be reported on the Federal Order 6/7 “**Report of Milk Products Dumped or Lost**” form. The reported explanation should be “**Antibiotic Contamination**” or some other self-evident explanation. A copy of the “Report of Milk Products Dumped or Lost” form is attached, and is available on the Market Administrator’s website: www.fmmatlanta.com under the Handler Reporting Forms section. The completed form should be faxed to (770) 545-8850 or emailed to dumpedmilk@fmmatlanta.com. To qualify for appropriate credit, notification must be made by the next business day.

The treatment outlined above is limited to penicillin and other antibiotic contamination of a producer’s milk. Handlers are required to keep laboratory and other records in support of their actions on antibiotic contaminated milk.

**UNITED STATES DEPARTMENT of AGRICULTURE
 AGRICULTURAL MARKETING SERVICE - DAIRY PROGRAMS
 MARKET ADMINISTRATOR**

Federal Orders 6 and 7
 2763 Meadow Church Road, Suite 100, Duluth, GA 30097
 (770) 682-2501 Fax (770) 545-8850
 www.fmmlatlanta.com email: dumpedmilk@fmmlatlanta.com

REPORT OF MILK PRODUCTS DUMPED OR LOST

*Instructions: To qualify for appropriate credit for dumped or lost product, notification must be made to the Market Administrator's office by telephone, fax, or email by the next business day. **Please report dump or loss to one of the phone numbers, fax numbers or email addresses listed above.***

HANDLER NAME _____ LOCATION _____
 (CITY/STATE)

DATE OF DUMP/LOSS _____ TIME _____ Where and how was product disposed?

Was dumped product used as animal feed? (Please indicate) Yes No
 (Please check description, explain if necessary)

Product dumped from batch tank, vat, silo or other measurable method.
 Explain: _____

Product loss was not contained (accidental loss, quantity estimated through other methods).
 Explain: _____

Product Description	Units of Measure	Product Weight	Butterfat %	Butterfat Pounds
Handler Comments:				

Handler Representative:

Name: _____ Date: _____

MA Representative Receiving Notification:

Name: _____ Date: _____

Comments: _____

MA Use Only	
Month	
Auditor	
Date	

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0032. The time required to complete this information collection is estimated to average .5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.
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