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Hygiene requirements for handling raw milk

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This regulation is established pursuant to § 26 (3) of the Food Act, § 17¹(5) of the Infectious Animal Disease Control Act and Article 1 (4) and Article 10 (8 a) of Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin (OJ L 139, 30.04.2004, p. 55–205).

Chapter 1 General provision

§ 1. Scope of application

This Act establishes hygiene requirements for handling raw milk in animal keepers' households or in holdings where milk is produced (hereinafter *milk production holding*), and hygiene requirements for handling small quantities of raw milk offered for sale, sold or delivered by producers in some other way for or without charge (hereinafter *delivery*) directly to consumer from their milk production holdings located in Estonia.

Chapter 2 Requirements for handling raw milk, except small quantities of raw milk for direct delivery to consumer

§ 2. Requirements for handling raw milk, except small quantities of raw milk for direct delivery to consumer

(1) Raw milk is milk produced by the secretion of the mammary gland of farmed animals that has not been heated to more than 40 °C or undergone any treatment that has an equivalent effect.

(2) Raw milk, except small quantities of raw milk for direct delivery to consumer, is produced according to the hygiene requirements provided for in Chapter I (I) of Section IX of Annex III of Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin (OJ L 139, 30.04.2004, p. 55–205).

(3) Milk production holding must meet the hygiene requirements provided for in Chapter I (II) of Section IX of Annex III of Regulation (EC) No 853/2004.

(4) Raw milk must meet the requirements, incl. the microbiological criteria, provided for in Chapter I (III) of Section IX of Annex III of Regulation (EC) No 853/2004.

§ 3. Delivery of raw milk to a buyer or processor of raw milk

(1) To deliver raw milk, except small quantities of raw milk for direct delivery to consumer, from a milk production holding to a buyer or processor, an animal-health certificate is required.

(2) An authorised veterinarian issues an animal-health certificate of which the period of validity is up to six months. The animal-health certificate proves that raw milk comes from a clinically healthy animal and herd and from a region where there has been no restriction on movement due to an infectious animal disease or suspicion of such disease.

§ 4. Direct delivery of milk to consumer or retailer

(1) In addition to the microbiological criteria provided for in Chapter I (III) of Section IX of Annex III of Regulation (EC) No 853/2004, raw milk directly delivered to consumer or retailer must also meet the following requirements:

- 1) result of the analysis on the residues of reducing material in raw milk made once a month is negative;
- 2) result of the analysis on *Staphylococcus aureus* in raw milk made every two months is lower than 500/ml.

(2) To deliver raw milk directly to consumer on the market, in a street and in other similar open to public places and to retailer who delivers raw milk directly to consumer from its retail establishment located in Estonia, one must have the animal-health certificate referred to in § 3 (2), which must include information about the results of the laboratory analyses referred to in paragraph 1 and about the place of delivery. A catering establishment, incl. an enterprise or an authority e.g. a school or a kindergarten among other things involved in catering, is also deemed to be a retail establishment.

Chapter 3

Hygiene requirements for small quantities of raw milk for direct delivery to consumer

§ 5. Handling small quantities of raw milk for direct delivery to consumer

(1) For the purposes of this Regulation, by animal species the following quantities of raw milk for direct delivery to consumer are considered to be small:

- 1) cow – up to 100 kg a day or up to 700 kg a week;
- 2) goat – up to 20 kg a day;
- 3) ewe – up to 10 kg a day.

(2) Requirements of Chapter II of this Regulation do not apply to small quantities of raw milk and to handling raw milk.

(3) Raw milk must come from a clinically healthy animal and herd and from a region where there has been no restriction on movement due to an infectious animal disease or suspicion of such disease.

(4) Raw milk must come from a herd which according to § 43 (2) of the Infectious Animal Disease Control Act has been declared to be free of brucellosis and tuberculosis or from an animal checked for brucellosis and tuberculosis and which shows negative reaction to the test.

(5) Raw milk must come from an animal to which neither medicines or other veterinary medicinal products withdrawn nor unauthorised substances or products have been administered.

(6) Immediately after milking, milk must be held in certain conditions to prevent deterioration of milk and to avoid contamination. It must be cooled immediately to not more than 8 °C in the case of daily collection, or not more than 6 °C if collection is not daily.

(7) In a milk production holding, milk is produced and stored following good hygiene practices.

(8) Small quantities of raw milk may be delivered only from a milk production holding to consumer.

Chapter 4

Entry into force

§ 6. Entry into force

This Regulation will enter into force on 1 July 2006.

Ester TUIKSOO
Minister

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Secretary General