

12 KAR 5:030. Test samples.

RELATES TO: KRS 260.775-260.845, 260.992

STATUTORY AUTHORITY: KRS 260.825(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 260.825(1) requires the Director of the Agricultural Experiment Station to promulgate administrative regulations necessary for the efficient enforcement of KRS 260.775 through 260.845 regarding milk. This administrative regulation establishes criteria and procedures for the physical handling and storage of milk samples that will be tested for payment purposes.

Section 1. Producers' milk samples to be tested for payment purposes shall at all times be under the care of, and only be physically handled by, a licensed sampler-weigher or a licensed tester.

(1) The license requirement for the physical handling of milk samples to be tested for payment purposes excludes the shipping of samples via a commercial carrier. In these cases, the samples shall be packaged, the shipping container sealed, and unpacked by licensed sampler-weighers or licensed testers; and

(2) Milk samples shall be physically handled, stored, and shipped in a manner to maintain their integrity. The sample shall be maintained in a temperature range of 0.5-4.4⁰C (33-40⁰ F).

Section 2. Milk-receiving stations, laboratories, transfer stations, and processors shall provide adequate storage for milk samples.

(1) These locations shall provide a minimum storage capacity for samples representing at least three (3) days bulk-milk shipments; and

(2) Sample storage refrigerators shall be monitored daily with an accurate thermometer to ensure the proper temperature. The monitoring shall be documented with:

(a) A recording device; or

(b) A licensed sampler-weigher or licensed tester who shall keep a daily record that includes:

1. Date;

2. Time (including a.m. or p.m.);

3. Temperature; and

4. The sampler-weigher's or tester's initials.

(AES-CL 13, 17, 23; 1 Ky.R. 1233; eff. 7-2-75; Am. 11 Ky.R. 613; eff. 11-13-84; 15 Ky.R. 1120; 1456; eff. 11-23-88; 27 Ky.R. 1853; eff. 3-19-2001; 47 Ky.R. 744, 1353; eff. 2-9-2021.)