

**TITLE 21      AGRICULTURE AND RANCHING**  
**CHAPTER 34    DAIRY AND EGG PRODUCERS**  
**PART 3        PASTEURIZED MILK ORDINANCE**

**21.34.3.1      ISSUING AGENCY:** New Mexico State University, New Mexico Department of Agriculture  
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[7/1/97; 21.34.3.1 NMAC - Rn & A, 21 NMAC 34.3.1, 05/29/09]

**21.34.3.2      SCOPE:** Part 3 shall apply to any person producing or shipping milk.  
[7/1/97; 21.34.3.2 NMAC - Rn, 21 NMAC 34.3.2, 05/29/09]

**21.34.3.3      STATUTORY AUTHORITY:** Granted to the board of regents of New Mexico state university  
under the New Mexico Dairy Product Act, Chapter 25, Article 7A, Sections 1 through 19, New Mexico Statutes  
Annotated 1978 Compilation.  
[7/1/97; 21.34.3.3 NMAC - Rn, 21 NMAC 34.3.3, 05/29/09]

**21.34.3.4      DURATION:** Permanent.  
[7/1/97; 21.34.3.4 NMAC - Rn, 21 NMAC 34.3.4, 05/29/09]

**21.34.3.5      EFFECTIVE DATE:** July 1, 1997  
[7/1/97; 21.34.3.5 NMAC - Rn, 21 NMAC 34.3.5, 05/29/09]

**21.34.3.6      OBJECTIVE:** The objective of Part 3 of Chapter 34 is to establish the procedure for inspecting  
dairies to insure the production of safe, wholesome milk and to govern the intrastate and the interstate shipment of  
pasteurized milk.  
[7/1/97; 21.34.3.6 NMAC - Rn, 21 NMAC 34.3.6, 05/29/09]

**21.34.3.7      DEFINITIONS: [RESERVED]**

**21.34.3.8      PASTEURIZED MILK:** The procedures for compliance testing, sampling, and checking dairy  
establishments shall be those contained in the latest editions of the United States department of health and human  
services, public health service, food and drug administration, *grade A pasteurized milk ordinance*, the *Methods of  
Making Sanitation Ratings of Milk Shippers*, the *Procedures Governing the Cooperative State-Public Health  
Service Food and Drug Administration Program of the National Conference on Interstate Milk Shippers*, and the  
*Evaluation of Milk Laboratories* provided that out-of-state producers of milk and milk products may be sampled at  
dairy retail stores, food service establishments, grocery stores and other places where milk and milk products are  
sold for purposes of quality examination to determine compliance with Sections 2, 4, 7 and 10 of the *grade A  
pasteurized milk ordinance*.  
[7/1/97; 21.34.3.8 NMAC - Rn, 21 NMAC 34.3.8, 05/29/09; A, 1/1/2018]

**HISTORY OF 21.34.3 NMAC:**

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center  
and Archives under:

DPH 67-22, Amending Section 7 of the Regulations Governing the Grading and Grade Labeling of Milk and Milk  
Products, 10/4/67.

EIB/FQM/1, Grade A Pasteurized Milk Regulations, 7/1/80.

NMDA Rule 93-2, Pasteurized Milk Ordinance, filed 5/28/93.

History Of Repealed Material:

EIB/FQM/1, Grade A Pasteurized Milk Regulations, repealed 8/20/93.