

**HISTORY AND ACCOMPLISHMENTS  
OF THE  
NATIONAL CONFERENCE ON  
INTERSTATE MILK SHIPMENTS**

**"To Assure the Safest Possible Milk  
Supply For All The People"**

**2009 EDITION**

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## FOREWORD

All too often our Heritage is lost, or at best becomes distorted, due to the tendency of man to rely on his memory and the failure to accurately record what has happened. Men come and go and in going a bit of history takes flight and is lost forever.

Men of Vision created the National Conference on Interstate Milk Shipments - Men of dedication have made the Conference work. A man of Great Devotion has now chronicled the History of this Organization.

All past and future participants in the National Conference on Interstate Milk Shipments owe Don Race a tremendous debt of gratitude for giving his time and laboring unselfishly to bring this document to fruition.

This History and Accomplishments of NCIMS is not intended, and does not cover all issues; it is intended to record and preserve for the future the climate of the dairy industry and regulatory community since the production, processing and sale of milk progressed from a typically localized industry to one in which political jurisdictions became barriers to the movement of milk and the subsequent dismantling of these barriers.

As Chairman of the National Conference on Interstate Milk Shipments, I am proud to have appointed Don Race as Chairman of a Committee to record our Heritage, and am doubly proud that his efforts were consummated during my term as Chairman. All persons who truly have the motto of the Conference at heart, "The Best Milk For All The People", will find this History to be invaluable in better understanding the roots from which the Conference grew.

Jay Boosinger, Chairman  
National Conference on  
Interstate Milk Shipments  
1979-83

**THE HISTORY AND ACCOMPLISHMENTS OF THE**  
**NATIONAL CONFERENCE ON INTERSTATE MILK SHIPMENTS**

**INTRODUCTION**

In order for the history and accomplishments of the National Conference on Interstate Milk Shipments to be fully appreciated it is necessary to describe briefly the milk sanitation, regulatory, and marketing problems of the late 1930's and through the decade of the 1940's, and to reflect on the thinking and philosophy of the regulatory and industry officials of that period.

It is generally agreed that during the 1930's the movement of milk and milk products from one political subdivision to another was restricted to a large extent by the availability of milk close to the point of processing and marketing. There were significant exceptions to this, particularly where a large metropolitan area was contiguous to one or more other political subdivisions and it was necessary for the milk supply to be obtained from areas normally under the supervision of other than the local regulatory agency. It appears then, milk processed and marketed in a given area was obtained as close to that area as possible, limited primarily by its availability. This was true also in the case of the large metropolitan area contiguous to several states, but in these cases the geography was such that several political subdivisions would be involved. There is little question but that economics was an important consideration in the problem that existed or which was developing.

As war clouds loomed, and later when World War II was declared, the problems surrounding the movement of milk supplies intensified. Military bases with large numbers of personnel were springing up across the nation. Those which were already in existence were increasing in population at a heretofore unheard of rate. They had to be supplied with fresh milk and milk products of high quality quickly and dependably, often in areas that produced inadequate volumes of milk locally.

These situations brought to the minds of thinking people the necessity for a system by which milk could be moved promptly, and with short notice, from one state or area to another without the need for the costly and time consuming verification of the quality of the milk at the source. The World War II experience, in reality, was a relocation of milk consumption areas. The problem was handled quite effectively as regional, jurisdictional, and personal interests were moved to a less dominant position in behalf of the war effort. Essentially this was no different than the posture taken in other industries and by the general public as a whole during World War II.

**POST WAR PLANNING**

Following World War II there became quite identifiable similar milk movement problems and, although the problems existed to some extent earlier, the situation seemed to have strong advocates for each of three or four different positions. The true basic reason for each of these positions was not always expressed. Motivation for a given position was often an economic one, with which no one would argue, except that the position was sometimes represented as being in the interest of public health.

There were those who wanted a market protected from the economic competition of supplies outside the local marketing area and, since there were few economic laws or regulations to control this, sanitary regulations and inspections were sometimes used to control the market. Others wanted to purchase raw milk supplies wherever it was most economically beneficial to do so, but often couldn't because local sanitary regulations prohibited the receipt of such supplies. Still others wanted more lucrative markets for their surplus milk, but were barred from moving their milk into those markets because of the restrictive sanitary regulations and inspection requirements enforced by the receiving area.

The very basic reasons for these positions were sometimes self-serving not only from the standpoint of some from the producing and processing part of the industry, but from the standpoint of some from the regulatory field.

Very few would protest an industry's interest in purchasing supplies or marketing milk to the best economic advantage, nor would they protest the responsibility of a regulatory agency to ensure that milk consumed in its political subdivision be of healthful quality and, particularly, that it not be a threat to public health. But to control the economic welfare of an industry, a company, a cooperative, or regulatory agency, by use of public health measures, was not acceptable to fair-minded and responsible people.

## THE BEGINNING

Fair-minded and responsible people were the ones that initiated the action that led to the formation of the National Conference on Interstate Milk Shipments. It is entirely possible, and even probable that some had a special interest, but few allowed it to prevail over, or dominate, the basic plan that: (1) sanitary regulations should protect public health; (2) sanitary regulations should be uniform throughout the country in content and enforcement and that, (3) milk must be produced under regulations which would ensure public health safety. Uniformity of regulations would mean that regulations would mean the same thing to people in different areas of the country and, therefore, milk should be able to move from one market to another without restriction so far as sanitary regulations are concerned.

The official beginning of the plan for a National Conference on Interstate Milk Shipments appears to date back to March 23, 1944, when the Committee on Interstate Quarantine of the State and Territorial Health Authorities Association adopted the following motion:

"Resolved: that the Committee recommend to the conference that the Public Health Service study seriously the Certification of milk and milk products sold for interstate shipment by somewhat the same procedure now in effect for the certification of shellfish, and report back to the Committee on Interstate and Foreign Quarantine."

This resolution was made when the major problems of moving milk supplies were of World War II origin, but the reasoning behind it was essentially appropriate to the problems of milk supply movements following World War II.

On November 24, 1944, Thomas Parron, Surgeon General of the United States, wrote to all state health officers (records available at this time do not give a reliable indication of state departments of agriculture that might have had the major responsibility for the sanitary control of milk in 1944) as follows:

"The report of the Committee on Interstate and Foreign Quarantine, which was approved at the 42nd Annual Conference of State and Territorial Health Officers in Washington, March 21-22, 1944, contained the following recommendation:

"It is recommended that the Public Health Service study seriously the certification of milk and milk products sold for interstate shipment by somewhat the same procedure as is now in effect for the certification of shellfish and report back to the Committee on Interstate and Foreign Quarantine."

"In connection with the certification of shellfish sources, the Public Health Service issues periodically lists of dealers by name and state number, certified by state health departments whose shellfish sanitation control measures are endorsed by the Public Health Service as complying with its minimum standards. Careful consideration has been given to the application of a similar procedure to the certification of milk sources, and the following plan is proposed for your comment:

"The Public Health Service would undertake the publication and periodic revision of lists of milk shippers who, having surpluses to dispose of, have applied to the State for listing, and whose producing farms and receiving stations have within the preceding 12 months been inspected, sampled, and certified as having achieved the required compliance rating by the state health or other milk control agency, whose rating procedure has been checked and approved by the Public Health Service.

"The shellfish certification procedure has met with general support because both producing and consuming states have accepted the shellfish sanitation standards of the Public Health Service. In the field of milk production, however, there is less unanimity of agreement on standards of sanitation. There are some 11 states, including California and the Northeastern group, in which the milk ordinance recommended by the Public Health Service has not been adopted either locally or as State regulations. The Public Health Service is actively cooperating with the International Association of Milk Sanitarians in effort to devise standards that would be universally acceptable. With such standards available, a single list of certified shippers would fulfill the needs of all areas, including those with milk shortages and those with surpluses. In the meantime, in the absence of universally accepted standards, it is believed that practically all states would be adequately served by two or three lists, as follows:

"List 1 would include milk shippers certified as having a compliance rating of 90% or more on the basis of the Public Health Service Milk Ordinance provisions (P.H. Bul. 220) and rating procedure. In normal times this list would probably be large enough to supply the needs of all standard milk ordinance areas experiencing shortages; but under present war-time conditions it is likely to be grossly inadequate; a few standard ordinance areas now have surpluses, while most milk sheds with surpluses are not operating under these standards.

"List 2 would include either, (a) shippers certified as having a compliance rating of between 80% and 90% on the basis of the Public Health Service Milk Ordinance, or (b) shippers certified as having a compliance rating of 90% or more on the basis of the Northeastern States Emergency Sanitation Standards for Raw Milk for Pasteurization (Jl. of Milk Technology, Sept. - Oct. 1944, pp270-5), when rated by a procedure similar to that of the Public Health Service. Please indicate whether alternative (a) or (b) would be of greater use to you as list 2. Until normal conditions are re-established possibly both would be desirable, making three lists in all.

"The receiving stations of shippers on all lists would be required to have a compliance rating of 90% or more on the basis of the Public Health Service Milk Ordinance standards. The present plan contemplates the certification of shippers of raw milk for pasteurization only. If the demand justifies, the procedure could later be expanded to include pasteurized milk dealers. Discussion of other details may be left until agreement has been reached on major issues.

"One advantage of such lists would lie in furnishing immediate information on acceptable milk sources which may be tapped to relieve local shortages. They would also tend to eliminate trade barriers and duplication of inspection. If this plan of cooperation is to be of practical value, however, it must have the active support of both receiving and shipping states. The former must be willing to accept shipments from certified dealers, and the latter must accept the responsibility of inspection, examination, and certification of milk sources.

"Your frank comments are therefore solicited. Responses from State Health Officers will be summarized for the information of their Committee on Interstate and Foreign Quarantine."

#### THE RESPONSE

Only a summary of the response is available but it is interesting:

"Only 23 States and Territories have responded to the Surgeon General's circular. No reply has been received to date (March 8, 1945) from the following States and Territories:

Arizona	Minnesota	Oregon
California	Mississippi	Puerto Rico
Colorado	Missouri	South Carolina
Delaware	Montana	South Dakota
District of Columbia	Nebraska	Utah
Hawaii	Nevada	Virgin Islands
Idaho	New Hampshire	Washington
Kansas	New Jersey	West Virginia
Maine	New York	Wisconsin
Massachusetts	North Carolina	Wyoming

"The only PHS Districts in which a majority of the states replied are 3, 4, and 9. No reply was received from any state or territory in PHS Districts 5, 6, 8, and 11.

"The failure of so many states and territories to reply may be due to (1) misconception of the purpose of the proposed plan, (2) reluctance to commit the state health department on this matter in states where milk control is legally vested in another department, (3) opposition to the plan of a nature that could not be voiced."

#### Abstracts of Replies

"Alabama: Lists 1 and 2a would be of distinct value for civilian supplies, and list 2b might be acceptable for supplies furnished directly to Army. Suggest also lists of pasteurized milk sources for direct shipment to Army and Maritime posts.

"Alaska: Lists 1 and 2 would be of considerable value.

"Arkansas: Only list 1 would be of value to State H.D. Lists 2a and 2b would assist military reservations that are willing to accept producer requirements below grade A. Will require standardization of survey technique.

"Connecticut: Favor eventual reciprocal inspection, but would necessitate change in state law which requires inspection of out-of-state sources by State Dairy and Food Commissioner.

"Florida: If only one list is published, prefer list 1 with list 2a as second choice. If more than one list is published prefer lists 1 and 2b.

"Georgia: First letter agrees with Dr. Cox of Texas that shipping states should certify the grade of milk as per USPHS standards; objects to changes in basic standards. Second letter, following discussions with PHS District Office, approves certification plan in principle, but believes it should be discussed at meeting of states in PHS District 4.

"Illinois: Believes certification plan should be based on Federal legislation stipulating sanitary requirements. (Note: This does not seem necessary for successful functioning of shellfish certification plan.) Need for certification is not clearly indicated, as any dairy desiring outside supply can arrange for it through local health officer communicating with health officer at source. Suggest instead monthly or quarterly reports on surpluses or shortages of graded milk in areas operating under PHS standards.

"Indiana: Instead of certifying supplies, would prefer to furnish receiving areas ratings based on PHS standards in the case of milk for manufacturing. Believes Council of State Governments could bring about unanimity on production standards among all states and cities.

"Iowa: Wants list 1, and prefers 2a to 2b, but agrees that both should be published. Should include lists of pasteurization plants if feasible.

"Kentucky: List 1 acceptable for fluid sources. List 2 should contain sources of milk manufacturing based on Midwest Agreement standards. Have been accepting milk on

this basis for many years from Tennessee, West Virginia, and Virginia; same procedure should be acceptable to other states.

"Louisiana: Such lists would be helpful for milk shipped in.

"Maryland: Desirable move; might be undertaken when labor conditions improve. Could not do much with present personnel shortage.

"Michigan: Certification definitely needed and desired. Wants list 1 for fluid milk, and a second list of sources of milk for manufacturing based on Midwest Agreement standards.

"New Mexico: Wants lists 1 and 2a, but realizes 2b may be necessary until normal conditions are re-established. Plan would stimulate producers to meet PHS standards.

"North Dakota: Lists 1 and 2a adequate. Opposed to any list based on emergency standards. Have no surpluses at present. Doubt that lists could be published often enough to show certified sources having current surpluses.

"Ohio: Can see value of such a program, but State Department of Health could not undertake certification. Regulation of milk supply is vested in State Department of Agriculture and local health departments.

"Oklahoma: Approve lists 1 and 2a; but object to list 2b, which represents emergency standards, as no emergency program is needed. Certification program should improve quality of public milk supplies.

"Pennsylvania: Now have an acceptable procedure in cooperation with Ohio, Michigan, Indiana, and Wisconsin (probably refers to Midwest Agreement).

"Rhode Island: Would like lists 1 and 2b.

"Tennessee: Enforcement of dairy laws is function of State Department of Agriculture. State Department of Health could cooperate only through organized health units in areas operating under PHS ordinance. Wants 2 lists based on the one standard used by a majority of states: list 1 to be accepted as Grade C.

"Texas: Certification plan objectionable because (1) milk is more important food than shellfish for children and the sick and requires closer supervision; (2) it would apparently require only one inspection per year for shipped-in milk as against at least two for local milk and would therefore be discriminatory; (3) it would substitute a numerical rating for the present system of grading. Texas tried an emergency sub-standard milk but discontinued because of inadequate supervision. Majority of states should not be penalized for failure of a minority of states to adopt PHS standards.

"Vermont: Plan would help in attaining uniformity but doubt if receiving states and cities would agree on standards.

"Virginia: Have had difficulty in securing information re: sanitary status and in classifying milk imported from out of state. Certification plan is needed, and all three lists are necessary for the present."



The summary and conclusions are recorded in this way:

"1. Only 23 of the 53 States and Territories responded to the Surgeon General's letter concerning a proposed plan for the certification of interstate milk shippers.

"2. Of those replying, 7 opposed the plan. Of these, 2 (Maryland, Ohio) cannot undertake the job of certifying, 2 (Illinois, Texas) prefer grading to rating, 1 (Connecticut) would require a change in the state law, 1 (Pennsylvania) prefers the present Midwest Agreement procedure and 1 (Vermont) fears that receiving areas would not accept certifications. Only 2 states suggested the need for lists of pasteurized milk shippers.

"3. As only a minority of the States and Territories have thus far registered their views on the plan of certifying shippers, the question should be brought before the Conference of State and Territorial Health Officers to obtain a wider expression of opinion"

#### THE ACTION

Background material developed by Dr. J. L. Rowland, first chairman of the National Conference on Interstate Milk Shipments, indicates the next major move was the development of a plan to carry out the 1946 resolution of the Conference of State and Territorial Health Officers. This plan, developed by the U.S. Public Health Service, was submitted to state milk control authorities by the Surgeon General in a letter dated December 31, 1946.

Dr. Rowland's report then indicates:

"In 1949, the Association of State and Territorial Health Officers again requested the Public Health Service to assist the states with the problem. Similar demands were made by state health departments and state agriculture departments, local health officials and representatives of the milk industry. In December, 1949, representatives of several mid-western states met in Indianapolis for the purpose of discussing the problem and of determining whether some plan could be set up to deal more effectively and efficiently with the interstate milk problem. As a result, representatives of eleven midwestern states met in Chicago, Illinois, in February, 1950. At this meeting, a committee was named to investigate the problem and to arrange for a national conference.

"This committee requested the Surgeon General to invite all states to have their representatives attend a national conference at St. Louis, Missouri, June 1, 2, 3, 1950. Representatives of industry, state health departments, and state agriculture departments from 26 states attended and participated in the meeting. As a result of group discussions and joint planning, certain basic conclusions and procedures were established to be used in developing and administering state milk control programs that would be in agreement with one another.

"The report of the 1950 Conference was used by many states in developing sound and more uniform programs of milk control. As such it was used as a guide for organization and administrative action, and its use developed a greater degree of

reciprocal trust between the producing and the receiving states. The plan was also used by many states to set up systems for the supervision and certification of intrastate milk sources, and has assisted many areas to secure better milk supplies for their people."

The preliminary, or planning, meeting was held in Indianapolis on December 6, 1949 and was attended by midwestern state representatives and the U.S. Public Health Service. Those attending were:

H. L. Thomasson	Indianapolis, Ind.	Milk Sanitation Consultant
E. B. Carroll	Charleston, W. Va.	Principal Sanitarian
J. H. Millar	Charleston, W. Va.	W. Virginia State Health Department
D. K. Summers	Cleveland, Ohio	U.S.P.H.S. Milk & Food Consultant
Louis E. Smith	Louisville, Ky.	Kentucky State Dept. of Health
O. T. Law	Indianapolis, Ind.	Indiana State Board of Health
Ivan VanNortwick	Topeka, Kansas	Chief, Milk Sanitarian Food and Drug Div., K.S.P.H.
Dr. James Lieberman	U.S.P.H.S. Region 7, Kansas City, Mo.	Milk and Food Consultant
Harold Wainess	U.S.P.H.S. Region 5, Chicago, Ill.	Milk and Food Consultant
John M. Schlegel	Indianapolis, Ind.	Milk Sanitarian
John Taylor	Indianapolis, Ind.	Director, Dairy Div.
Enos G. Huffer	Springfield, Ill.	Milk Sanitarian
W. G. Stevens	Indianapolis, Ind.	Public Health Sanitarian

Mr. Thomasson acted as chairman of the meeting and outlined the purpose of the meeting:

"...to discuss ways and means of handling supplemental milk supplies at both the local and interstate levels. This would consist of knowing where such supplies are located and have information available for exchange between various states regarding their ratings and the kind of supervision under which they operate."

Quotes from the meeting indicate some of the feelings and problems of the period.

Mr. Louis Smith of Kentucky stated:

"...that at the present time Kentucky is an importing state and would probably continue to be for some time to come. Improvement has been made in the past

few years to level out production in the larger markets through premium payments. However, this program has not relieved shortages, particularly during the Fall months. There is a need for some central source of information concerning the location, rating, and status of available supplemental milk supplies which would be available during the shortage period."

Mr. H. L. Thomasson stated:

"...that Indiana was working toward the listing of supplemental supplies. He stated that Indiana had two purposes for promoting such a program:

1. Assist the milk manufacturers to obtain markets for graded milk.
2. To provide a program of compliance with good sanitary practices of all manufactured milk supplies which at some future date would apply to all dairy products."

Mr. Harold Wainess stated:

"...fifty-eight plants in Wisconsin, not covered by the Chicago Health Department have milk supplies which they wish to market. The wide acceptance of the Grade A program and the possibility of exporting supplemental supplies of milk and dairy products into areas covered by these ordinances has attracted their attention. A joint meeting of the Wisconsin State Health Department, State Department of Agriculture, and the Public Health Service, Region 5 was called in which the code was discussed, exclusive of references to cities, with fifty fieldmen from the Department of Agriculture and with Mr. Clarence Luchterhand."

The question of what rating should be approved was raised by Mr. Thomasson. It was pointed out that the receiving states should approve supplies and the rule to follow was that of accepting only supplies for supplement that rated comparable or higher than the local supply.

A danger was pointed out as being one where inferior supplies might receive the approval of certain localities and thus work to the detriment of the total program. This problem could be controlled from a state level, it was stated.

Referring to Mr. Wainess' discussion of the Wisconsin system, it was pointed out that the plan was to have the supervision of the milk supply carried on by the plant field service. The State Health Department would only check on the work of these fieldmen. Mr. Wainess said, "the code for interstate shippers approves this system and the state of Texas has agreed to accept the program, a state quite insistent upon the matter of supervision."

Mr. Huffer pointed out, "that this was inconsistent with the requirements of local enforcement of the 1939 code which specifically requires that supervision of a milk supply be performed by a Health Department."

Mr. Wainess reported the 1950 code would permit industry inspection and that there was some consideration now to amend the 1939 code to permit industry inspection until the 1950 code is published.

Mr. VanNortwick said, "that in cases in his state where the industry was doing the routine milk sanitation work, two surveys a year were run to satisfy the 1939 code requirements."

According to the record it was decided that: (1) at the next and larger meeting, the formation of an organization of states and regional authorities would be discussed; (2) the name of this meeting would be "The First Public Health Conference on Interstate Milk Shipments", and (3) the purpose would be to develop uniform methods of movement of acceptable milk supplies and to amend and remove sections of health ordinances which established trade barriers.

### The Plan for the First Conference

Personal communication with Dr. Rowland may give some less formal insight to the beginnings of the National Conference on Interstate Milk Shipments. Dr. Rowland was, at the inception of NCIMS, Director of the Missouri Bureau of Food and Drugs under the Division of Health.

In a 1982 tape recorded communication of his recollections, Dr. Rowland stated, "The movement of fluid milk to different markets had been a problem for years," he recalled, and "it settled down to what we called 'trade barriers', and states had trade barriers; there were cities with trade barriers." He pointed out the situation was not new in that "we had areas of the country, up in Wisconsin for example, and other leading states that had a surplus of good milk and good dairy products that were denied a market in other parts of the country."

Dr. Rowland was fully aware of the differences in regulations that restricted the movement of milk. He said, "that even before World War II there was a group of us who were concerned. At the time I was in charge of these activities in the village of Oak Park, Ill. I never saw one of the suburbs that did not have different regulations, and we talked about them being standardized, but there were little things in there that would give them authority to prevent the flow of milk in even certain suburbs of Chicago and other cities."

On the national level, Dr. Rowland said this happened "all over the country". It was with this thinking in the background that some felt something had to be done after the war. Sometime during this period J. L. Rowland went back to school and became a medical doctor.

Earlier, however, Rowland and L. C. Peckham, United States Public Health Service Regional Consultant, discussed the subject of the various trade barriers and the fact these still existed and caused a great many problems. At that time most of the milk sanitation programs were in departments of health, but some were in agriculture. There were overlapping responsibilities and regulations, and in consideration of this, Peckham and Rowland thought it would be nice "if we could all get together". On the other hand, they'd been told they could "never get everybody together".

Rowland and Peckham could never accept this kind of thinking. It was a challenge.

The challenge led them to call others together. They did this on the premise that if they could get these people in the same room they could "get the spirit going in the right direction and they could get something done".

Rowland and Peckham called together representatives from Illinois and from some of the suburban health departments. Rowland reports there weren't too many - perhaps six or a few more. According to Dr. Rowland, a person who should receive a great deal of credit for laying the seed for this is Dr. W. H. Haskell who was with Klenszade Products, Inc., Chicago, Ill.

Dr. Rowland and Mr. Peckham called together people who seemed interested. They presented the challenge and Dr. Rowland was elected chairman of this yet unidentified group, which would eventually become "the Conference". The U.S. Public Health Service gave Peckham the freedom to go ahead and work with these people on just how to conduct this forthcoming meeting. During this time Rowland and Peckham contacted A. W. Fuchs, who at that time was head of the USPHS milk program, and he pledged his support for the new program.

Rowland and Peckham decided St. Louis should be the place for the first meeting. Invitations were sent to "not just the public health department and not just to state health departments, but to departments of agriculture, both state and federal, and any other department that had any authority in the matter whatsoever. "...also industry was important; we wanted industry to have some input, but we wanted the decision to be made by those who were really involved in the situation."

### The Plan for the First Conference

The meeting was at the Statler in St. Louis and Rowland and Peckham decided it should be kept light, but also serious.

Before the number of persons, and who they were, is discussed it is important to know how these great forethinkers approached the meeting. They were people of great faith, and this has to show through in the survival of NCIMS.

Of his effort to make the conference work, Dr. Rowland said, "I was an amateur magician throughout my life, and still am, so the various points of working together, of not just camaraderie, but working together; seriously trying to iron out our problems, was presented by a series of little talks, using some magic tricks for emphasis. Everyone was handed a bottle, the label listing the ingredients of honesty, cooperation, and wanting to solve the problems. These were handed out to everybody and they had to take a swig of it every now and then when things got a little tight. The inside of the bottle was nothing more than distilled water. It looked interesting and the bottles were suggestive.

"The format of the meeting was a workshop. The first part of the meetings were given over to lectures by those in attendance; very short planned talks given by representatives from health and agriculture, cities, states, the various federal agencies - everyone that was involved, including industry. The workshops then were assigned and around each workshop table was a representative from each area involved, agriculture, state, city, right down the line, so that we had everyone properly represented - everyone had a voice. Each table was assigned a subject matter to discuss, to work on, to deliberate on, and they were required to report back to the general assembly. Plenty of time was given for this particular activity. After the reports were presented and debated at the general assembly the groups went back into workshops again to iron out the differences of opinion. We continued this type of relay, so to speak, until we came to an agreement. Once it was agreed upon, it was finalized, and again presented in the final form to the body as a whole. The group deliberated with honesty, with a desire to work out the program, to listen and to agree. We continually hammered at red tape and regulations, knowing full well that changes in regulations and laws would be something that would be difficult to do. We came to the end of the meeting and there was agreement. Maybe not all of us got exactly what we wanted out of it, but at least we could see the fairness of it and it would permit milk to flow from

surplus areas to deficit areas with some degree of expedition. We had accomplished what we had set out to do. We had that report out and in the hands of those in attendance in less than a week. One of the illustrations created was a glass milk bottle overflowing with milk that could flow in all directions. At the first meeting we had a bottle of milk on one side of the room and an empty glass on the other side of the room and by illusion the milk left the bottle and before their eyes went down to empty and the glass on the other side of the room filled with milk."

### **The First National Conference on Interstate Milk Shipments**

As mentioned earlier the first conference was held at the Hotel Statler in St. Louis, Missouri in June, 1950. Dr. James Rowland was chairman and set forth the now familiar objective, "The best Possible Milk Supply for all the People".

A. W. Fuchs, Chief of the Milk and Food Branch, U.S. Public Health Service, discussed the national problem and its background; a review of the action taken by the U.S. Public Health Service, and possible solutions to the problem. Members of official agencies and industry, from both the shipping and receiving states, were called upon to present their specific problems.

A concrete example of one state's solution of the problem was presented by official representatives of the State of Wisconsin. Mr. Harvey Weavers, Chief, Dairy Division, Wisconsin Department of Agriculture, presented the Wisconsin plan in the area of supervision. Mr. Clarence Luchterhand, State Milk Sanitarian, Wisconsin State Department of Health, presented the program of surveys and certification as conducted under the plan. A discussion of the program followed.

### **The Structure**

At this first conference task forces were named and delegates assigned to each of the seven. The task forces were:

- |                           |                       |
|---------------------------|-----------------------|
| 1. Regulations            | 5. Role of the Public |
| 2. Supervision            | Health Service        |
| 3. Certification          | 6. Laboratory         |
| 4. Channels for Reporting | 7. Industry           |

Chairmen and reporters for each task force were elected from the task force members. The General Assembly was adjourned to permit the individual groups to develop the questions relative to the aforementioned task forces and to develop recommendations. At the re-convening of the General Assembly, the chairman of each group or his appointed representative stated the question, reported the committee members' names and submitted their recommendations.

The General Assembly was called to order by Chairman Rowland on June 3, 1950. The reports and recommendations of each task force were discussed, amended, and adopted as a tentative procedure for supervising and certifying milk supplies destined for interstate shipment. This was accomplished by motion vote.

The success of this three day meeting was expressed in the form of a motion that the executive committee appoint a working committee to develop plans for the development of a permanent conference of interstate milk shippers with such meeting to be held within a period of one year.

### The First Accomplishments

It is important to record the actions taken by the task forces and approved by the General Assembly in that, for the most part, they reflect the procedures still in use today.

#### REGULATION

"Since there is no widely adopted standard available other than the U.S. Public Health Service Recommended Milk Ordinance and Code, the 1939 edition of the Public Health Service Milk Ordinance and Code shall be used as the basic regulation. Compliance with this standard shall be measured by the U.S. Public Health Service milk sanitation rating method."

#### SUPERVISION

"The receiving states should recognize inspection and supervision by the following:

1. Full-time local health department personnel
2. Full-time local state agriculture department personnel
3. Full-time local state health department personnel

Supervision shall be based on the procedure outlined in the 1939 Public Health Service Ordinance and Code. Supervision shall be measured by the enforcement rating procedure outlined in Reprint 1970. Public Health Service Reports, 'Methods of Making Sanitation Ratings of Milk Sheds'."

#### CERTIFICATION

"Receiving states should accept ratings made only by certified rating officials of either the U.S. Public Health Service or the State Health Department. Certifications shall include survey ratings on the:

1. Producing farms
2. Receiving stations or plants
3. Enforcement rating of the supervising agency

"Area ratings shall be made not less than every two years. If an individual source is in a 90% rating area an individual rating is not necessary. Milk plants or individual sources not under an area survey and who are in areas with less than 90% rating shall have surveys made annually and not more often than semi-annually. If a request is received for a milk source not under recognized supervision, the survey will be denied.

"The U.S. Public Health Service is to initiate a program to standardize rating procedures:

1. Of its own personnel
2. Of state rating officials
3. And to issue a certificate of competence to qualified Health Department survey officers."

(Note: apparently the principal milk sanitation control agencies in those days were health departments.)

### LABORATORY

"There shall be strict adherence to procedures outlined in the latest edition of Standard Methods for the Examination of Milk and Dairy Products - American Public Health Association. Where alternative methods are permitted by Standard Methods, milk intended for interstate shipment shall be examined by Standard Plate Counts or Direct Microscopic Counts. Samples from each dairy farm shall be examined not less than the frequency prescribed in the basic regulations (1939 Milk Ordinance Code). The state may accept the results from local official laboratories which they have approved as complying substantially with the American Public Health Association Standard Methods and checking closely with the results obtained at least twice per year on split samples. The state may accept the results from officially designated laboratories which they have officially checked periodically and found to be satisfactory.

"The state approval of local laboratories should include an annual visit to the laboratory at which time evaluation of the quarters, equipment, procedures, results and records shall be made on appropriate survey forms of U.S. Public Health Service, or the equivalent.

"To insure uniformity, the U.S. Public Health Service is to spot check the laboratories of the state agencies participating in the certification of milk for interstate milk shipment and to certify their compliance with Standard Methods."

### CHANNEL FOR REQUESTING AND REPORTING INFORMATION

"An individual in the receiving states desiring information on a milk supply should make the request to the state control official in his own state who will transmit the request to the Regional Office of the Public Health Service and to the state health department in the shipping state. The state health officer of the shipping state shall report the results of the survey to the regional officer of the Public Health Service, to the state official of the receiving state who will immediately notify the local health officer and/or the individual requesting the survey. Industry in a shipping state desiring a survey should likewise make a request to the regulatory official in his own state.

"To expedite the requesting and reporting process, for the immediate future, requests and reports can be sent direct from one state agency to another state agency with carbon copies of all requests and reports being sent to the Regional Office of the Public Health Service. The U.S.



Public Health Service shall prepare a certified list of milk shippers and circularize it to all state agencies, monthly, who in turn are urged to advise their local health officers and/or industry."

#### ROLE OF THE PUBLIC HEALTH SERVICE

"The state regulatory agencies should carry the work load involved in the interstate milk program with the assistance of the U.S. Public Health Service. The Public Health Service shall be prepared to extend to state regulatory authorities and educational institutions such assistance in the training of field representatives of the state and local governmental units and industry field and plant personnel and state survey officers as the respective states may require in operating the interstate milk shipment plan. The Public Health Service should also train, or assist in training, laboratory personnel of state, local laboratories or of industry as requested by state authorities. The Public Health Service should act as the clearing house for the receipt and dissemination of information as indicated in the letter from the Surgeon General, dated December 31, 1946.

"The Public Health Service should spot check the inspection and survey work of enforcement agencies to determine whether milk regulations are being correctly interpreted and enforced.

"The Public Health Service should furnish state regulatory agencies periodically with interpretations and regulations based on questions submitted by such agencies and also that state authorities relay such interpretations to local enforcement agencies and/or industry.

"It should be recognized that assistance from the Public Health Service can only be effective insofar as state regulatory authorities cooperate. Information can only be disseminated after it has been correctly and promptly submitted by the states. Upon request interpretations of regulations will be supplied. Therefore, the Public Health Service should urge all state authorities to continuously furnish it with information so that all states may be kept informed. The general purpose of the foregoing statements is to promote uniformity in interpretation and enforcement of standards for interstate milk shipments. The prime role of the Public Health Service is to bring about the highest degree of uniformity in attitude and performance on the part of state authorities so that any certification of a milk supply can be accepted with confidence."

#### STATEMENT OF INDUSTRY AT CONFERENCE

"We of industry who are here appreciate the opportunity of attending this conference. We are present as individuals and observers and any opinions are expressed in that light.

"We are certainly in agreement with the objectives of this meeting, 'best possible milk supply for all the people'."

The industry addressed the following subjects and answered them accordingly:

Subject: Devise means to carry back results and objectives of the conference to the industry.

Answer: "We suggest that the proceedings and recommendations of this meeting be forwarded to the respective trade organizations and industry for their information and their members."

Subject: What are the potentialities of this meeting and desirability of making it a permanent organization with industry and agriculture?

Answer: "If any permanent organization results from this meeting it would seem advisable to invite participation of industry through local and national trade organizations."

Subject: Dissemination of information concerning shortages of milk.

Answer: "We would like to comment that it would seem advisable that industry confer with the health officer having jurisdiction as to the prospective supply and demand situation."

Subject: What can health officials do to assist industry?

Answer: "We believe that health officials should continue to give attention to differences in milk regulations, interpretations and methods of enforcement so as to assure 'The Best Possible Milk Supply for All the People'."

The first National Conference on Interstate Milk Shipments was a Planning Conference. The Conference through group discussion and constructive joint planning strove to reach basic conclusions that could be used as guidelines in the organization and administration of state programs which would be in agreement with one another. The purpose of the Conference, therefore, was to work out a plan that was correct in content, practical, and fair in its administration so that trustworthiness would become a part of the supervision of interstate milk shipments.

### The Courses of Action

In order for the procedures to begin, which would achieve the objectives and goals, several courses of action were agreed upon. They were as follows:

#### Receiving States

1. Local health departments and industry should anticipate in advance the amount of milk needed and the season in which it will be needed.
2. Requests for surveys should be submitted early.
3. There should be established an intra-state reporting system in order that all local areas will be kept informed and information will be current.
4. A record system should be established which would reveal the following:
  - A. Certification Information
  - B. Sources of Incoming Milk
5. Furnish counsel and supervisory service to local health departments.

#### Producing States

1. Establish a sound supervisory system.
  - A. In the local health departments
  - B. Plants not under health departments' supervision
2. Establish a survey and certification system.
3. Set up an efficient record system along with the supervisory system.
4. Provide a laboratory certification system.
5. Review and check state regulations; revise and bring them up to date with the 1939 Milk Ordinance and Code.

### Receiving States and Producing States

1. Standardize procedures and personnel.
2. Work out a rapid requesting and reporting system (An ideal goal is to have survey reports out within ten days after the completion of the field work).
3. Establish close liaison with industry and local health officials.
4. Provide an effective educational service.

### U.S. Public Health Service

1. Regional office should provide a rapid system of sending requests and reporting information to the state.
2. Assist states in the standardization of procedures and personnel (This should be a continuous program).
3. Spot check state agencies to maintain uniformity in operation.
4. Assist states, if possible, with work load.
5. Assist states with organization and administration problems.

The accomplishments to this point were that the organization was formed, the course of action to move toward the goals and objectives was established, and people found they could work together. Not all was tranquility, but there was encouragement.

Industry, state health departments, state agriculture departments, federal, and local regulatory representatives from 26 states attended and participated in the first conference.

## **THE SECOND NATIONAL CONFERENCE ON INTERSTATE MILK SHIPMENTS**

The Conference was held in June, 1951 at the Statler Hotel, St. Louis, Mo. Dr. J. L. Rowland was chairman.

The 1951 Conference was held to evaluate the interstate plan, to make constructive improvements and to clarify certain aspects of the plan so the program would more accurately meet the true interstate problem. From the progress reports of the producing and receiving states, it is evident that the plan had been placed in operation by several of the states.

It was pointed out by Dr. Rowland, that twenty-one states had participated in the program during the past year; that a number of other states had taken steps to implement the program; and that still other states had indicated an interest in participating as soon as possible.

The first recorded reference to official voting was mentioned in the record of the 1951 Conference. The rules stated:

- (a) In general assembly, each state will be entitled to one vote. If there is more than one state agency represented they should caucus to decide whether to vote "yes," or "pass."
- (b) Representatives of municipalities, industry, Public Health Service and other federal agencies will not be entitled to a vote in the General Assembly.

### Industry Support

It is important to note, however, that industry as well as municipal, and federal representatives were allowed to participate in all other deliberations, including voting in the task forces. This is illustrated, to some extent, when Mr. E. B. Kellogg, Secretary of the Milk Industry Foundation, Washington, D.C. presented to the General Assembly a statement of policy agreed upon by representatives of producers and processors. The statement is as follows:

1. We support the objective of this conference to do all possible to furnish the public with an adequate supply of dairy products of high quality as best serving the interests of producers, processors, and consumers.
2. We believe that inspection requirements should be simplified as much as possible to include only those directly related to quality and safety.
3. We believe that the principle of certification of the quality of milk and cream supplies by a responsible authority will promote its acceptability to areas needing additional milk and cream.
4. The representatives of producers and processors here present are happy to make our contributions to the solution of the problems under consideration, and commend the originators of the Conference for their foresight and excellent leadership.

Some new issues were raised at this meeting. One was a recommendation to appoint a committee of industry and state representatives to study the feasibility of recognizing industry inspection under a broad plan of official supervision. Another was a recommendation in respect to manufactured milk products. It was stated:

"The program should be expanded to include all milk constituents used in the preparation of 'milk products' as may be defined under Section 1, paragraph K, 1939 Edition of the U.S. Public Health Service Milk Ordinance and Code, and also to include all milk constituents used in frozen desserts.

"In addition, the following action on specific products was recommended:

1. Concentrated Milk  
Adequate standards shall be formulated for the concentrating operations and the finished products. These shall include the pasteurization and packaging as a finished Grade A product.
2. Dry Milk Solids  
Adequate standards shall be formulated for the drying operations and the finished product.
3. Adequate standards shall be formulated for supplemental milk fats to be used in milk products and frozen desserts."

These subjects were reviewed and changed at subsequent Conferences.

The next several meetings of the National Conference on Interstate Milk Shipments found it more and more recognized as the future basis for the movement of milk supplies from one political subdivision to another. Other things were happening too.

## THE 1952 CONFERENCE

Dr. J. L. Rowland chaired the 1952 Conference which was held in St. Louis, MO.

In 1952 the U.S. Public Health Service was preparing what would become the 1953 U.S. Public Health Service Milk Ordinance and Code. This proposed new edition was part of the agenda at the 1952 NCIMS meeting. In addition, the Conference itself was developing tighter controls that would assure milk being shipped was what it was represented to be. Currency of ratings within states, bills of lading and shipping tags, provisions for farm tanks, and sampling, were problems addressed. Also, inquiries were made at both the 1951 and 1952 conferences relative to tests for the detection of:

- (1) Reconstituted milk
- (2) Flashing milk
- (3) Antibiotics
- (4) Quaternaries

Reports at the time indicated:

"Methods for the detection of reconstituted milk, presumably are being worked out by the A.O.A.C. referee for reconstituted milk. Experimental work has been carried out, but not published on detection of admixtures of raw and heated milks; results indicate the tests will be satisfactory. Tests for antibiotics will be included in the next edition of the Standard Methods. Requirements for precautions in collecting samples of tank truck milk also will be outlined in the next edition of Standard Methods. It is recommended that the sanitarian and laboratory worker be alert to the possibility of heat treated or chemically treated milk and that they undertake appropriate tests as needed."

Much time was spent on the question of Grade A Dry Milk Standards and a progress report was given on the development of such standards. A committee on Parliamentary Procedure presented what amounted to the Conference's first constitution.

## THE 1953 CONFERENCE

Dr. Kenneth G. Weckel, University of Wisconsin, Madison, Wisconsin was Chairman in 1953.

By 1953 the program was going so well that a resolution was passed which stated:

Whereas: The plan of this Conference is working so advantageously and without adverse criticism, and

Whereas: The representatives of states and municipalities have demonstrated such a high degree of cooperation,

Therefore, be it resolved:

That the next regular meeting of this Conference be held in 1955 at a time and place designated by the executive committee;

Any two states whose interim problems cannot be satisfactorily settled by the executive committee may demand a special meeting of the Conference in 1954, which special Conference shall be called by the executive committee."

Thus we moved to the biennial Conference schedule.

### The Standards

The 1953 Milk Ordinance and Code was to be adopted as the standard in place of the 1939 Code for use as soon as the U.S. Public Health Service would begin using it for survey purposes. Another report at the 1953 conference had to do with industry inspection. The report stated:

"In those states and municipalities in which the laws and ordinances permit, the regulatory agency may utilize industry inspection providing:

1. That the competence, integrity, and objectivity of the industry inspection is established by official check inspections and found to be within the average of five points of the official inspector's ratings.
2. That qualified industry inspectors may be issued a permit by the regulatory agency which may be revoked and,
3. That the industry inspections shall be supplementary to and not a complete substitute for official inspections."

Due to the fact this was a controversial subject and the vote was close, with a large number of states passing, it was the opinion of the executive committee that this matter be given further consideration for the purpose of clarification of the controversial points.

### **THE 1955 CONFERENCE**

The 1955 Conference was held at the Hotel Peabody, Memphis, Tenn. D. B. Whitehead, Mississippi State Department of Health was Chairman.

By comparison, the 1955 meeting was not one invoking much controversy. The subjects discussed do indicate some of the things discussed years later were not all that new.

The agenda, for example, included discussions of:

1. Rules and regulations on animal health
2. Farm water supplies
3. Industry inspection
4. Acceptance of industry sampling on bulk tanks
5. Labeling.

The conference voted at this meeting to establish a permanent laboratory committee which was as vitally important then as it is now.

Although it might not be a highlight of the history and accomplishments of the NCIMS, it certainly is interesting to note that the treasury balance on March 28, 1955 - the day before the meeting began - was \$17.00. The registration for the 172 registrants at the conference was \$5.00 per person. Secretary-Treasurer C. K. Luchterhand spent \$154.06 for that conference. This certainly was a frugal but effective organization.

Dr. M. R. Fisher was chairman of the Constitution Committee and the committee recommended changes to the existing document and formed the constitution that remained the guide for the conference for the next 20 years.

The changes were:

1. That the District of Columbia be included;
2. That the State of Ohio be moved from Group 1 to Group 2;
3. That there be one specific member, a laboratory member designated as a member at large, being selected from any place in the 48 states and the District of Columbia.

It is important to note that the Constitution provided for an executive board that fairly represented the regulatory, industry, and educational disciplines.

## THE 1957 CONFERENCE

In 1957 H. Luther Hortman, Louisiana State Department of Health, was Chairman of the Conference.

Dr. Luther Black, U.S. Public Health Service, reported that 40 states were participating in the laboratory certification program. Some relatively minor changes were made in the laboratory program. These included changing to biennial surveys instead of annual surveys, and provisions for notifying Public Health Service Regional Offices when laboratories lose their certification as well as when they regain it. One of the notable achievements was the strong laboratory program that had been developed.

### Industry Inspection

Industry inspection was again discussed and there were strong proponents for recognition of industry inspection as an official method, but there was a stronger belief that it was "impractical at this time." Possibly the least convincing argument against industry inspection was that: "Industry should not be placed in the position of being official and having official duties because this very well could lead to the elimination of official agencies entirely...". The most convincing, apparently, was "there will be a greater tendency for inspection personnel to accept or reject milk on the basis of economic conditions affecting the plants paying the 'industry inspectors'."

It would be unfair to say these two statements were the true thrust of the committee's report. More accurately, the conference probably just wasn't ready for such a departure from what had been the traditional way of inspecting farms.

### Other Products

Other questions raised at this conference included whether or not canned whole milk, sterilized, unsterilized, or both should be included in the definitions of milk products in the U.S. Public Health Service Milk Ordinance Code. This was resolved by continuing the exemption already in the Code.

For the first time the words "ultra high temperature" pasteurization were used and this was in connection with the phosphatase test.

The conference was asked to request that the U.S. Public Health Service initiate a program to standardize the rating procedure of:

1. Its own personnel
2. State Rating Officials

The U.S. Public Health Service endorsed this request.

In another task force at this Conference it was recommended that individual states promote the formation of state conferences for the understanding and the carrying out of policies of this Conference at the local level. Another recommendation was to apply the Conference requirements for raw milk shipments to finished products in interstate and intrastate shipment. This created much debate insofar as it involved the "intrastate" concept. The recommendation was adopted after the word "intrastate" was removed.

#### Validity of Ratings

Much time was spent on developing informational procedures that would help ensure the validity of the milk shipped and received. This is one of the points in the Conference history that illustrates shippers and receivers, both regulatory and industry, wanted a program that could never be faulted for lack of trust. Shippers and receivers wanted an exchange of information. A procedure for channeling information was developed and it had much to do with the early success of the program.

This conference devoted considerable time to laboratory procedures and certification, another important feature that led to trustworthiness in the program. The laboratory program was built on a strong foundation and remains strong today.

One of the final actions at this Conference is as significant today as it was in 1957. A resolution was passed which stated:

"Be it therefore resolved that the Conference go on record as urgently requesting the Surgeon General of the Public Health Service give consideration to the reevaluation of the needs of the milk sanitation section of the Public Health Service with respect to funds and personnel necessary to permit greater participation in carrying out the above functions, and

"Be it further resolved that the members of the Conference, if and when necessary, assist in every way possible in the support of the Public Health Service in the accomplishment of these objectives, and that the Secretary of the Conference be instructed to forward this resolution to the Surgeon General for his consideration."



## THE 1959 CONFERENCE

The 1959 Conference was held in St. Louis, Mo. Luther Hortman served as Chairman. Although it certainly wasn't the most important transaction at the 1959 Conference, it is at least interesting to note that the registration fee was \$3.00 and banquet charge was \$4.00.

### Labeling

This Conference addressed the problem of labeling and identification of processed milk products. Although the role of the National Conference on Interstate Milk Shipments might not be fully recognized, it was this Conference project that led to the formation of the National Labeling Committee in 1960 and the development of the uniformity in labeling we now are so fortunate to have.

### The Reductase Test Question

Probably one of the more emotional discussions of any Conference was one related to the use of Reductase Tests as a means of certifying the quality of milk. This had been an ongoing debate, but at this Conference it was settled by accepting such tests until May 1, 1961. It was also required that listed shippers whose milk was tested by the Reductase Tests be identified on the Sanitary Compliance Rating List. The discussion was sometimes described by the more kindly conferees as "hearty". The other descriptions have no part in a history of this sort.

## THE 1961 CONFERENCE

The highlights of the 1961 conference, with Harold J. Barnum, Denver Department of Health and Hospitals, serving as Chairman, include more on the Reductase Test controversy.

Dr. Robert McFate, Director of Laboratories, Chicago Board of Health, presented a paper entitled, "Chicago Report on use of the Methylene Blue Test". Upon completion of this presentation, Mr. James Meany, Chicago Board of Health, addressed the Chair stating, "I move that the conference reconsider the question of allowing the Methylene Blue technique to be used for another two years." The motion was seconded by Harvey Weavers (the motion lost by a vote of 25 to 4).

A special business meeting was called to order by Chairman Harold Barnum at 5:00 P.M. This meeting was for the purpose of discussing further the Methylene Blue question. John Faulkner, U.S. Public Health Service, discussed the place of the Methylene Blue test in the Interstate Milk Shipments Agreements. Dr. Kenneth Weckel discussed the fact that the 1959 Laboratory Task Force report differed from the final Conference report, and asked the group to reconsider the action taken on the vote of April 4, 1961, regarding the Methylene Blue test. Ray Belknap moved for reconsideration of the Methylene Blue problem. The motion was seconded and passed by a voice vote.

James Meany, Chicago Board of Health, told the group that the elimination of the Methylene Blue test would cost Chicago \$250,000.

George Steele reported that the Laboratory Task Force Committee report of 1959 had approved the continued use of the Methylene Blue test, by a vote of 11 - 8, but that the Conference had, in general session, amended the report to require May 1, 1961, as the deadline after which the test could no longer be used in checking interstate milk shipment supplies.

Luther Hortman moved that, "Chicago be granted an extension of time to allow them to comply with the rules of the Conference and to come up with a definite plan to be presented to the group on April 6, 1961. The motion was seconded by C. K. Luchterhand and passed by a voice vote.

### The National Sanitation Act

One of the lively items at this time was something called the National Sanitation Act. This would have mandated that milk could be moved from one state to another, apparently under a national code, without restriction. A resolution was made at this Conference.

"...that the Association of State and Territorial Health Officers should reconsider very carefully the probable effects proposed bills advocating a national milk sanitation act would have on the National Conference. After considerable discussion of the resolution, Clarence Luchterhand moved that the resolution be tabled. This was seconded by Harvey Weavers. Motion to table was put and carried."

### Dry Milk

At this Conference it was agreed that "dry milk" should be included in the NCIMS Agreements as the Sanitation Ordinance and Code for Dry Milk Products used in Grade A Pasteurized Milk Products.

Among other matters discussed were standardizing; issuing certificates of qualification by the U.S. Public Service to state milk sanitation rating officers; a study of means of implementing reciprocity between states; reporting the number of milk producers added to or deleted from a supply; and the need for pasteurizing interstate shipments of milk. Insofar as check ratings were concerned, it was recommended and approved that whenever the check rating results of a listed supply is found to be 10 or more points below the published rating the "state and Public Health Officers shall make a new survey in accordance with conference procedures and this new rating shall become the rating for that shipper."

## **THE 1963 CONFERENCE**

The record of the 1963 Conference in Memphis, Tennessee, with Park Livingston as chairman, includes the first references to the revision of the 1953 Milk Ordinance and Code. This would lead to the development of the 1965 Milk Ordinance and Code which would later become the basis for making sanitation compliance ratings. Also, of significance at this Conference was the inclusion of provisions for antibiotic testing in the Conference Agreements.

### Industry Inspection Again

The question of licensing industry inspectors became an issue in 1963 and was to be referred to a committee, appointed by the Board, for resolution. Also a recommendation was made to appoint a committee to work through the National Mastitis Council to develop an Abnormal Milk Program.

The Conference, at this session, agreed to follow a proposal of the National Labeling Committee whereby a nationwide numerical coding system would be utilized. It was also agreed that these numbers should be used in the Interstate Milk Shippers list for plant identification.

It is interesting to note that in 1963, 261 persons were in attendance from 39 states, the District of Columbia, and Victoria, British Columbia, Canada.

### **THE 1965 CONFERENCE**

One of the very important activities of the 1965 Conference in Louisville, Kentucky, with Park Livingston, Dean Milk Company, as Chairman, was the presentation of the Grade A Pasteurized Milk Ordinance - 1965 Recommendations of the U.S. Public Health Service. An effective date for its use in making milk sanitation ratings was established as July 1, 1967.

### Cooling Temperatures

One item in the new Ordinance that became an issue was the requirement that pasteurized milk and milk products be cooled and stored at a temperature of 45 degrees F. and be maintained thereat until delivered. A committee was appointed to study this provision and report its recommendations at the 1967 Conference.

Other items of interest discussed at the 1965 Conference included a recommendation that sanitary standards be developed by the U.S. Public Health Service for Grade A Condensed Milk; and it was at this conference that provisions for licensing industry inspectors were adopted.

Pesticides and abnormal milk were on the agenda, and there was an expressed urgency for further action in respect to uniform labeling of milk and milk products. A recommendation also was made to update the present frozen desserts ordinance so it could be used as a uniform guide for the establishment of sanitation standards for packaging and marketing frozen desserts.

The Conference was growing. Three hundred seventy one persons from 41 states and the District of Columbia were in attendance.

### **THE 1967 CONFERENCE**

The Eleventh National Conference on Interstate Milk Shipments was held at Miami, Florida, in April 1967. Dr. Howard K. Johnston was Chairman.

### Abnormal Milk

It is certain the subject of consuming interest at the Conference was the abnormal milk program. Emotions ran probably as high as they did during the "Methylene Blue" discussions of previous years. Nonetheless, as was true throughout the history of NCIMS, good judgment finally prevailed and a workable program was developed - not entirely at this conference, but subsequently.

### Single Service Closures

Recommendations for standards for single service closures were presented in 1967 and they formed the basis for certification of single service container and closure manufacturer operations.

It was at this session that the cooling requirements in the 1965 PMO were resolved to limit plant responsibility to the period of time the product was in the plant operators possession.

Arrangements were made to hold the 1969 Conference in Denver, Colorado, where rooms were guaranteed at \$16.00 and \$19.00 per night for single and double rooms respectively!

## **THE 1969 CONFERENCE**

One of the major reports at the 1969 Conference, at which Shelby Johnson, Kentucky Department of Health, was Chairman, concerned a study of how the structure and organization of the Interstate Milk Shippers Conference should be changed if its scope is to be broadened to include products not then covered by the Pasteurized Milk Ordinance. Part of the problem dealt with the need for reciprocal acceptance of manufactured milk products as well as the possible need for restructuring the Conference. The committee report was a thorough analysis of the problems. The committee was continued and its deliberations subsequently led to the Conference structure we have today.

Other considerations at this Conference included a recommendation that studies be done to develop test procedures which would more accurately measure the bacterial quality of bulk cooled milk; and the approval, for use in making ratings, of the recommended Sanitation Ordinance for Condensed and Dry Milk Products used in Grade A Pasteurized Milk Products, 1969 Edition, Supplement 1 to the Grade A Pasteurized Milk Ordinance - 1965 Recommendations of the U.S. Public Health Service.

### Reciprocity

It was at this Conference that Chairman Shelby Johnson was directed to:

"...appoint an operating committee of five charged with the responsibility of receiving reports of lack of reciprocity, investigating such reports and taking, in respect to the facts determined, warranted action within the powers of the Conference Agreements and, finally, that the committee submit to the 1971 Conference a résumé of its functions with recommendations."

## THE 1971 CONFERENCE

The 1971 Conference was held in St. Louis, Mo. Shelby Johnson, Chairman, was ill and the meeting was ably supervised by Secretary J. C. McCaffrey and Program Chairman Earl Wright.

Several items were considered at this time that were intended and designed to strengthen the Conference. Before discussing these, however, it is interesting to note that 43 states, the District of Columbia, and Puerto Rico were represented by official delegates. Sixteen of the states were represented by both health and agriculture; eleven by agriculture only, and sixteen by health only.

During this Conference much time was spent on the abnormal milk program and particularly on the effort to reduce the somatic cell count standard from 1,500,000 to 1,000,000 per milliliter. The vote held the standard at 1,500,000. An effort to restrict the abnormal milk screening test to the Wisconsin test was also defeated.

An action of considerable significance was one in which the restriction on making surveys more often than semi-annually was removed. The removal of the semi-annual requirement allowed those supplies where routine ratings dropped below 90 to be re-rated almost immediately instead of waiting six months.

### More on Reciprocity

The delegates at this Conference voted to have the Executive Committee undertake studies to determine the magnitude of the problem of lack of reciprocity between states. Farm water supply requirements became an issue - part of the issue being whether or not wells with buried casings should be permitted. The U.S. Public Health Service was requested to review the problem.

In the finished products area, the delegates voted not to include in Interstate Milk Shippers program additional products such as frozen desserts.

### The New Structure

One of the most important actions taken at this Conference was one in which the recommendations of the Committee on the Structure and Organization were adopted. This action eliminated the Task Force structure which had existed and worked well, since the inception of NCIMS. The Task Forces were replaced by the system of Councils, in effect now. The new system was less cumbersome and provided a better means of handling problems between conferences.

It was also at the 1971 Conference that the delegates voted to have the Laboratory Committee review and report back to the 1973 Conference on existing bacterial standards and procedures and, if necessary, work toward the development of new standards and procedures for the examination of Grade A raw and pasteurized milk.

The records of the 1971 Conference indicate another "first". Although women had attended and participated to some extent in previous Conferences, it appears that it was in 1971 a

woman of distinction was appointed to an official position on a Task Force. This person was Helene Uhlman who was associated with the Calumet Region of the Gary, Indiana Department of Health.

### **THE 1973 CONFERENCE**

The 1973 Conference met in Des Moines, Iowa. The chairman was John Schilling, St. Louis Department of Health. It was the first Conference to operate under the Council system.

A great deal of the discussion dealt with the recommendations which should be considered when the 1965 Pasteurized Milk Ordinance would be revised. The Milk Sanitation Branch of the FDA/USPHS had solicited comments on such items as hauler evaluations, definitions, and standards, etc. The Conference requested advance final draft copies of actions the FDA/USPHS planned for the revised PMO.

#### A Federal Regulation?

One issue considered at length was the matter of a possible federal regulation. Approved by the delegates was a resolution opposing the publication of the proposed Pasteurized Milk Ordinance in the Federal Register, other than as a model regulation for adoption by states on a voluntary basis. The resolution also opposed the development of Federal regulations for fluid Grade A milk for publication in the Federal Register under the Federal Food, Drug and Cosmetic Act.

Reciprocity again became a subject of serious discussion. It was at this point in the Conference that it was declared that any state not participating in complete reciprocity would be so identified in the October, 1973 Interstate Milk Shipper Listings. It was also recommended that a Constitutional revision be made which would prohibit delegates from states not practicing complete reciprocity from entitlement to voting privileges and/or to serve as officers of the Conference. This would become a critical issue at a future Conference.

It was at this Conference that the Vice Chairman position was created.

### **THE 1975 CONFERENCE**

The 1975 Conference was held at St. Louis, Mo. with H. H. Vaux, Indiana Department of Health, serving as chairman.

#### More on a Federal Regulation

The focal point of the 1975 Conference was related to the possibility of the Pasteurized Milk Ordinance becoming a federal regulation. Excerpts from resolutions serve to illustrate the strong feeling toward this issue. The resolutions also reaffirm the strong loyalty toward a voluntary program that had produced very good results. Some of these excerpts, in a resolution submitted by Jay Boosinger, Florida Department of Agriculture, are as follows:

"Whereas: There is serious and widespread concern regarding the detrimental effect that many laws and regulations have on consumer prices, on state and local governments and on business vitality and productivity and, Whereas: the Food and Drug Administration on May 2, 1975, issued a pre-proposal draft of Proposed Regulations for Grade A Milk and Milk Products and, Whereas: these proposed regulations depart substantially from the historic role played by the U.S. Public Health Service in assisting the states in administering meaningful and uniform Grade A Milk regulatory programs through involvement in the Interstate Milk Shippers Conference, and Whereas: the states which participate in the Interstate Milk Shippers Conference have historically met together with each other, the affected industry, and the Public Health Service to promote better milk for all people through reaching voluntary agreement on Procedures to be followed and, Whereas: the voluntary agreements could be changed by the delegates to these meetings and, Whereas: the Proposed regulations for Grade A Milk and Milk Products when finalized will have the full effect of law: Therefore, be it resolved that the Interstate Milk Shippers Conference request the Commissioner of the Food and Drug Administration to prepare an economic study which will consider the economic impact that the form of the present proposed Grade A Milk and Milk Products Regulations will have on consumers, state and local regulatory programs, and the dairy industry. Be it further resolved that this economic impact study consider the economic impact on consumers, state and local governments, and dairy industry with regard to the content of the proposed Grade A Milk and Milk Products regulations. Be it further resolved that the Chairman of the Interstate Milk Shippers Conference furnish a copy of this resolution to all members of the Appropriations Committee in the U.S. House of Representatives and the U.S. Senate."

Later, at the same Conference, a proposed combined policy was presented as follows:

"(a) The delegates reaffirm the 1973 Conference resolution which opposes the publication of the Pasteurized Milk Ordinance as a federal regulation in the Federal Register, and that if it is published in the Federal Register it be published only as a model ordinance and code for adoption by state and local governments on a voluntary basis.

"(b) The delegates strongly recommend that the pre-proposal draft of the Grade A Milk Sanitation Regulations now before the Conference not be published in the Federal Register as a federal regulation.

"(c) The Conference requests that the period for filing comments on the pre-proposal draft of the Pasteurized Milk Ordinance, the notice of which was published in the Federal Register dated May 5, 1975, be extended for 12 months to August 4, 1976.

"(d) The Conference requests that a draft of the proposal as a model ordinance for adoption by state and local regulatory agencies, be made available at least 90 days before the next operating session of the NCIMS, the date of such session to be established by the Executive Board, for further review and comment, and that it not be printed in the Federal Register for any purpose until after that time."

It was largely as a result of this problem that the Conference was non-terminally adjourned to a date which would be established by the Executive Board, depending upon

whether FDA accepted a Conference request for an additional 12 month period to study the pre-proposed draft of the federal regulation.

### The Memorandum of Understanding

The non-terminally adjourned 1975 Conference was reconvened in January, 1976, in St. Louis, Mo. It was during the period following the part of the Conference held in May, 1975, that a committee was formed to work with the FDA in developing a memorandum of understanding. The memorandum would become an important part of the future of the NCIMS. More will be said about that later. The January, 1976, session however, was devoted to a large extent to the review of the proposed PMO requirements.

### **THE 1977 CONFERENCE**

H. H. Vaux served as chairman of the 1977 Conference in Cincinnati, Ohio. Although the Councils dealt to a large extent with proposed PMO requirements, other important issues were faced. One was the revision of the Constitution. The proposed Constitution addressed reciprocity and the elimination of voting rights for delegates from states not practicing reciprocity. The voting rights were restored by an amendment from the floor.

This Conference, however, encompassed a period of time that will have to be regarded as one of the most critical in the history of the NCIMS. A resolution at the time reflects this view by directing a commendation:

"...to Chairman H. H. Vaux for his dedication and leadership during his term on the Executive Board, and especially for his calm and effective guidance of Conference affairs during the recent critical period in Conference history".

The problems of the period were related to the questions of whether the Grade A Milk Program would become a federal regulation program or if it would continue to be a voluntary cooperative State-Federal Program. The solution came in the form of the memorandum of understanding. A resolution at the 1977 Conference describes it rather well:

"Whereas: the National Conference on Interstate Milk Shipments had gone on record in favor of a memorandum of understanding between the National Conference and the Food and Drug Administration specifying the responsibilities of the Food and Drug Administration and National Conference on Interstate Milk Shipments relative to the State-Federal cooperative Interstate Milk Shippers Program.

Therefore: be it resolved that the National Conference on Interstate Milk Shipments recommend to the Food and Drug Administration that the National Conference, in cooperation with FDA, proceed to sponsor the appropriate regional meetings involving FDA personnel from the Dairy and Lipid Products Branch, regional FDA milk consultants, appropriate state enforcement and survey personnel and industry representatives; the purpose of such regional meetings to bring about a greater awareness and understanding of the most recent interpretations of the Grade A Pasteurized Milk Ordinance and related documents, as well as the procedures of the National Conference on Interstate Shipments. Be it further resolved: that NCIMS recommend to the Food and



Drug Administration that the Memorandum of Understanding of the Grade "A" PMO and IMS procedures issued by the Dairy and Lipid Products Branch, FDA, to regional FDA personnel and state regulatory and survey personnel be published on a regular and continuing basis in the FDA Quarterly Listing of Sanitation Compliance and Enforcement Ratings of Interstate Milk Shippers.”

J. C. McCaffrey

In the summer of 1978 a truly remarkable part of the National Conference on Interstate Milk Shipments was lost. J. C. McCaffrey, Secretary-Treasurer passed away, and the 1979 Conference in Louisville, Kentucky had to proceed without his dedicated guidance.

#### Foot and Mouth Disease

Among other things, it was at this Conference more and more was heard about Foot and Mouth Disease. As a result, a committee was appointed to work with USDA/APHIS and industry to develop a contingency plan to prevent the spread of this disease.

#### The Revised PMO

By the time of the 1979 Conference the revised PMO was fairly well completed and final action was taken to establish an effective date for its use in making the Sanitary Compliance Ratings. More work was done than can be recorded, but the result of greatest importance was that instead of a federal regulation the Conference and the voluntary concept was still intact.

Other Agreements reached at this Conference included:

1. A request that the FDA establish an actionable level for inhibitory substances in single strength milk.
2. A recommendation for the establishment of a committee to study the problem of manure pits installed under conventional milking barns.
3. A recommendation to accept polycarbonate returnable milk containers without the use of a "sniffer".
4. A recommendation to appoint a committee to study the feasibility of reducing the frequency of dairy farm inspections to one per year.
5. Acceptance of the B. Stearothermophilus disc assay or the Sarcina Lutea cylinder plate method, or equivalent, to detect inhibitory substances in raw and finished products.
6. Rejection of reducing the maximum bacteria level in commingled raw milk from 300,000 per ml. to 200,000 per ml.
7. Rejection of a requirement for recording thermometers on farm bulk tanks.
8. Rejection of the Abnormal Milk Committee recommendation to reduce the maximum permissible number of somatic cells from 1.5 million to 1.3 million.
9. Defining and including sterilized, unrefrigerated milk in the PMO. It would require milk to come from Grade A sources and be subject to Grade A inspection, except for evaporated milk, evaporated skim milk, condensed milk (sweetened or unsweetened), canned eggnog, and special dietary products.
10. A provision for a method by which accreditation of laboratories can be withdrawn.

11. A provision for a method or system of sampling procedures for a single load of raw milk which encompasses more than one jurisdiction.
12. The establishment of the effective date of the revised PMO as July 1, 1980.
13. Removal of the requirement that a plant or receiving station had to be resurveyed when a check rating of producer dairies resulted in an adverse action.
14. Requiring the appointment of a committee to establish a procedure by which coded memoranda and changes voted by the Conference become effective.
15. Removing the requirement that when 50 percent or more of the listed shippers in a state have adverse actions because of low check ratings the state be identified in the quarterly publication Sanitation Compliance and Enforcement Ratings of Interstate Milk Shippers.
16. Permitting the reelection of Executive Board members provided their total term on the Board would not exceed 12 calendar years.

### **THE 1981 CONFERENCE**

In 1981 the Conference was held at Hot Springs, Arkansas. Jay Boosinger, Florida Department of Agriculture, was chairman. One of the dominant issues at both the 1979 and the 1981 Conferences was the new antibiotic test and actionable level which would be established. Here again good Conference judgment prevailed although the final chapter may never be written.

Much of the 1981 Conference was devoted to the interpretation and modification of the administrative procedures for various items in the PMO.

It is not too late to mention, however, that the format of the 1978 PMO had been altered to include a public health reason for each item. This feature which appeared in most previous Codes, had been eliminated in the 1965 PMO. It was brought back by popular request.

Among other items agreed upon at the 1981 Conference were those which would develop a committee to study the significance, effectiveness, and possible testing programs which would measure psychrotrophic bacteria in milk; recommendations to minimize the risk of Foot and Mouth disease; approval of sterile milk requirements; and prohibition of the sale of raw milk to consumers. These represent only a few of the items considered and are listed only to illustrate the tenor of the Conference, for the most part. There were, however, some more momentous actions, one of which was the establishment of a joint committee of NCIMS and FDA representatives to review FDA Coded Memoranda prior to approval and implementation.

Another issue which the Conference had dealt with in 1979 and again in 1981 was the proposal to reduce the number of inspections required each year on farms where the record and performance would indicate such a procedure would not reduce the quality or public health impact. More will be done about this in the future, especially if economic conditions should become more serious. The last chapter on this cannot now be written.

**NOTE:** See the "CONCLUSION" section, page 54, which followed the original History.

## THE 1983 CONFERENCE

Chairman Jay Boosinger gaveled the 19th NCIMS to order on May 10, 1983, at Stouffer's Riverfront Towers, St. Louis, Missouri. While the number was not a record, the 105 "problems" submitted for discussion, in addition to proposed changes in the Constitution, would prove to keep the conferees busy for the next 4 days. As is usually the case, the range of topics was broad - from fine-tuning some of the sanitary requirements, to interpreting laboratory results, to changing the Constitution and operating procedures.

One topic which was receiving increased attention was the sale of raw milk, which appeared to be increasing in some parts of the country, and some states were being pressured to permit the sale of raw milk under the guise of "freedom of choice". The delegates instructed the Chairman to meet with FDA to press for an administrative hearing to resolve the 9 year old stay against prohibiting the sale of raw milk to the consumer in interstate commerce.

As has been the case at several previous Conferences, the matter of reducing the inspection frequency for farms with a good record was once again brought up, as was the proposal to only require a one-compartment wash vat in milkhouses with automated C.I.P. systems. The delegates once again rejected the inspection proposal, but did approve the change to a one-compartment vat under certain circumstances, only to have the approval reversed by FDA, nullifying the Conference action.

Since the beginning of Conference operation under the M-O-U there had never been any detailed procedures for the implementation of Conference actions. However, with the approval of the resolution of Problem 311, there are now detailed procedures to be followed by the Conference, its secretary, and the FDA, together with specific time frames for Conference actions to become effective.

The national economy was having its impact on milk sanitation programs nationwide, including that of FDA. In fact, a number of conferees expressed concern and anxiety over what appeared to be a reduction in federal resources to carry out FDA responsibilities of the program. Therefore, the Conference directed the Chairman to meet with the FDA Commissioner to obtain a renewed commitment of resources and personnel for the Milk Safety Branch to once again increase its support for IMS program activities.

While it is not possible to touch on every Conference decision, some of the actions of note included:

- providing for affiliation of persons unable to attend the Conference;
- approving the reduction of the maximum allowable somatic cell count to 1,000,000 per ml, effective July 1, 1986;
- approving the use of the P.I. count in lieu of the S.P.C. at the discretion of the state regulatory agency;
- approving the feeding of animal waste products to lactating dairy cattle providing certain restrictions are met;
- approving gravity-flow channels for manure disposal;
- placing a limit of 12 years on Executive Board membership; and
- again rejecting proposals to change the criteria for adverse actions on check ratings.

## THE 1985 CONFERENCE

On May 14, 1985, Vice-Chairman Boyd Cook called the 20th NCIMS to order at the Hyatt Regency Hotel, Lexington, Kentucky. Because of the death of his mother, Chairman Jim Kennedy was unable to attend the first general session, making it necessary for the Vice-Chairman to take over for him.

There were over 275 conferees from 45 states and the District of Columbia registered at the Conference, with a fairly even split between local, state and federal enforcement and rating personnel and industry representatives. Forty-four states and the District of Columbia had voting delegates present.

Perhaps the single, most talked about topic during the entire Conference was, ironically, one which had not been submitted for discussion as a problem. It was, instead, the Salmonellosis outbreak traced to lowfat milk from the Hillfarm Dairy, Melrose Park, Illinois, the largest single disaster ever to hit the dairy industry. In Northern Illinois alone, over 12,000 culture-confirmed cases were reported, with several thousand more in Indiana, Iowa, Michigan, and Wisconsin. On Thursday morning, May 16, FDA representatives Jerry Kozak, Charles Price, and Bob Sanders gave an excellent 1-1/2 hour summary and briefing of the activities and findings to-date of the multi-agency task force which was conducting the investigation of the milk plant and its raw milk source to determine the cause of the outbreak. The combined massive effort by state and federal government personnel, dairy plant representatives, and private consultants demonstrated the dedication of all concerned to finding the answer to the problem.

While the Salmonellosis outbreak and the discussions about it tended to have a dampening effect on the Conference, other matters of significance were considered and acted upon. Some of them were:

- approving the use of liquid manure pits under milking barns, after having rejected the idea at previous Conferences. However, since no construction and operation requirements were included, the Board deferred establishing an effective date until those considerations could be included;
- tightening the requirements for the bulk storage of cleaning and sanitizing compounds on the farm, and medicinal storage;
- approving appointment of a committee to study the inspection, licensing, and other issues related to bulk milk haulers and tankers, and develop problems for consideration in 1987;
- extending the implementation date for using the PI counts adopted in 1983 to July 1, 1988, to allow for the completion of the FDA study and analysis of the data;
- instructing the Chairman and certain other Conference members to meet with the FDA Commissioner to discuss and evaluate the IMS program, the M-O-U, and agency budgetary and personnel support for the program; and
- rejecting a request to permit maternity and convalescent pens with silica sand floors in the milking portion of the barn.

## THE 1987 CONFERENCE

Even though it had been over 2 years since it happened, the dark cloud of the Hillfarm Dairy Salmonellosis incident continued to hang over the dairy industry and the 1987 Conference. There were those with serious concerns over the way that the Conference handled the crisis, feeling that it was ill-equipped and inadequately structured to prevent such an occurrence from happening in the future. These concerns manifested themselves in the drafting of an industry sponsored proposal to amend the Conference Constitution and By-Laws, recommending significant changes in Conference structure, organization, and operation, including expanding the Executive Board to include more members. To bring these concerns to the attention of all conferees, and to provide for input from all in attendance, a 2-hour forum was held immediately prior to the official opening of the 21st NCIMS. During the course of those discussions, the proposed Constitutional changes were discussed in detail.

At the conclusion of the forum, Chairman Kennedy called the 21st NCIMS to order at 10:00 a.m. on May 5, 1987. In attendance were 326 paid registrants representing 46 states and the District of Columbia. Of the total, 192 represented industry, and 134 represented local, state, and federal agencies and academia. Forty-six states and the District of Columbia were represented by voting delegates.

In spite of the extensive and detailed investigation of the Hillfarm incident conducted jointly and cooperatively by the State of Illinois, FDA, and the dairy industry, the exact route of entry of the offending organism could not be definitely established. Several possible scenarios were developed, but none could be proven to be exactly what happened. What did come out of the investigation, however, was enough to cause some additional concerns - concerns that the PMO itself, as currently written, was inadequate to preclude the possibility of another such incident from happening again in the future. Because of these observed inadequacies in the PMO, a number of Problems were submitted, primarily by the Milk Safety Branch, to address these issues, issues relating to such things as magnetic flow-meters, dating and coding of finished products, sampling of pasteurized bulk shipped products, handling products from defoamers, and the proper separation of pipelines between products and other solutions. In addition to the 17 Problems submitted by FDA, 65 Problems affecting the Conference documents were submitted by other conferees for consideration.

While the voting delegates rejected the proposal to make major changes in the NCIMS Constitution and Bylaws, they did approve an amendment clarifying the procedural requirements for amending both the Constitution and By-Laws. To address the concerns for strengthening the PMO, and to respond to the other issues submitted, some of the significant actions taken:

- require the discarding of products which have overflowed, leaked, been spilled, or improperly handled;
- approved requirements for the handling of products drained from processing equipment, collected from a defoamer system, rinsed from equipment, containers, or pipelines, or returned products which have physically left the plant premises;
- required a physical break in connecting piping between Grade A products and other substances;
- set forth conditions for the design, installation, and operation of container coding/dating devices;
- prohibited products from continuous defoamers from being returned to filler bowls;

- prohibited restrictors in the leak detector lines of dual stem flow diversion devices;
- included specific requirements for magnetic flow-meter systems;
- reduced the maximum allowable temperature of products on delivery vehicles from 50 °F. to 45 °F.;
- included a definition of and requirements for "washing station";
- adopted the proposal to require FDA to include implementation dates in all official interpretations of the PMO, DMO, SSCC, MMSR, and EML documents;
- defined critical processing element violations, and required regulatory agency action to prevent further processing until the violations are corrected; and
- for the first time, accepted procedures and wording, for inclusion in the PMO, for the surveillance and evaluation of bulk milk haulers.

### **THE 1989 CONFERENCE**

On May 2, 1989, Chairman James I. Kennedy called the 22nd NCIMS to order at the Hilton at the Circle Hotel, Indianapolis, Indiana.

There were approximately 325 persons registered during the Conference. Delegates present represented all states with the exception of Alaska, Hawaii, Wyoming and the District of Columbia.

Conference deliberations throughout the week involved 89 problems, and 5 proposed Constitution and Bylaws changes submitted to the Conference.

Emphasis was placed toward resolving problems submitted which affect the Methods of Making Sanitation Ratings, Drug Residue, Methods of Issuing FDA Interpretations and Constitution/Bylaws changes.

One problem submitted abolished the NCIMS/FDA Joint Committee on Interpretations. A suggested FDA modification to this problem passed. This amendment established guidelines for issuing interpretations as follows:

- \* FDA develops interpretation and issues to state agencies and other interested parties with provisions for a 30 day written comment period.
- \* Comments shall be submitted to the NCIMS Executive Secretary/Treasurer who shall forward comments to FDA, Milk Safety Branch, within 30 days of end of comment period.
- \* If no comments are received by FDA by the end of the 60 day period the interpretation becomes effective within 60 days. (Except in cases of a public health emergency or interpretation is a reinstatement of a previous policy, the interpretation becomes effective immediately.)
- \* The NCIMS Executive Board may within 60 days (with a majority vote) request FDA to consider modifying or rescinding the interpretation or extending the effective date.
- \* Require FDA to notify NCIMS Executive Board that comments were received from the Executive Secretary/Treasurer and action FDA plans to take.

Major Constitution and Bylaws changes passed included:

- \* Allowing for the election of a state rating or enforcement person to replace a local health representative on the Executive Board whenever no local health representative involved in milk related activities is available within the Region.
- \* Made the NCIMS Liaison Committee Chairman a non-voting member of the Executive Board.
- \* Strengthened the power of the Executive Board to act on emergencies between Conferences by specifically allowing them to poll states to determine support or non support of proposed Board action(s).
- \* Other changes were mainly housekeeping and clarifications.

The Drug Residue issue became a very emotional issue during the Conference. After much deliberation a solution was passed. However, FDA was unable to accept the criteria set forth and at the August 1989 meeting between the Executive Board and FDA the issue was resolved.

A Procedure change was adopted which will consider each U.S. Trust Territory as a state with all rights, duties, responsibilities and privileges of a state at the Conference.

The election of members to the Executive Board resulted in the largest change in members in many years. This was due to several members having served the maximum number of years allowed under the Constitution and other vacancies brought about by retirements or changes in employment.

A total of five new members were elected plus one new USDA member appointment. Additionally, a new Chairman was elected to replace Jim Kennedy, who had also served the maximum number of years. Al Place, New York Department of Agriculture and Markets, was elected. Boyd Cook was re-elected Vice Chair.

H. H. Vaux, Executive Secretary/Treasurer also resigned effective June 1, 1989. A resolution was adopted thanking Herb for his years of service as Chairman through three Conferences and Executive Secretary/Treasurer for the past ten years. Leon Townsend (retired - Kentucky Department of Health) was selected at an earlier Executive Board meeting to replace Mr. Vaux.

## **THE 1991 CONFERENCE**

The 1991 Conference was called to order by Chairman Al Place, NY Department of Agriculture and Markets, on April 23 at the Galt House, Louisville, Kentucky.

Some 340 persons attended the 1991 Conference, making it one of the largest in modern history. Delegates were present from all the states with the exception of Alaska, Arkansas, Delaware, New Hampshire, Rhode Island and the District of Columbia. For the first time a delegate attended from Puerto Rico. This was made possible by a Problem passed at the 1989 Conference which allowed Trust Territories to seat delegates.

The 1991 Conference was the first that included deliberations by the Technical Engineering Review Committee which was instituted by a problem passed at the 1989 Conference.

Conference deliberations throughout the week centered around the 104 Problems submitted. The major thrust of the Problems submitted involved the Animal Drug Residue Issue.

Following is a summary of major Problems passed:

- \* Change the somatic cell count of raw milk to 750,000/ml, effective July 1, 1993.
- \* Appoint a committee to work with FDA on suggested changes in point value for violations of drug labeling and storage requirements.
- \* Add requirement to 16r to list active ingredients on drug labels.
- \* Set up laboratory quality assurance program for alternative drug testing procedures.
- \* Set up third party database for reporting results of drug residue test.
- \* Allow laboratory methods which have been evaluated by AOAC and recommended by FDA at currently referenced levels to be used for regulatory action.
- \* Appoint committee to recommend disposal and/or reconditioning methods of drug adulterated milk and report back to the 1993 Conference.
- \* Accepted revised changes in the Single Service document recommended by the SSCC. This was a carry over Problem from 1989.
- \* Accepted amended Laboratory Committee report which:
  - 1) LQAB is to develop protocol for implementing the usage of alternative procedures.
  - 2) LQAB will certify the central state laboratory and analysts within their jurisdiction.
  - 3) Approved flow diagram for certification procedures.
- \* Added Tolerance and Safe Levels for Drug Residues in Milk. "Safe Levels", are used by FDA as guides for prosecutorial discretion. ... "Safe Levels", do not (1) bind the courts, the public (including milk producers), or the agency (including individual FDA employees), and (2) do not have the "force of law" of tolerances (or of binding rules). FDA will provide NCIMS with current listings of "Safe Levels" through its Compliance Program 7371.008 entitled "National Drug Residue Milk Monitoring Program".

Resolutions passed included:

- \* Required the establishment of a standing committee to be called the "Constitution and Bylaws Revision Committee".
- \* Honored Robert L. Sanders, FDA, Milk Safety Branch, for his extensive and continuous dedication and accomplishments in the dairy program, and wished him a happy retirement.
- \* Encouraged all states to participate in the NDRMMP as prescribed in the FDA Policy Program 73-71008.
- \* Fully endorsed the "Milk and Dairy Beef Residue Prevention Protocol" developed jointly by AVMA and NMPF.



- \* Expressed appreciation to Al Place for supporting the goals of NCIMS, to the Animal Drug Residue Committee for its efforts in dealing with the animal drug residue issue, and to the SSCC for its efforts in rewriting the single service standards.

Al Place was re-elected Conference Chairman, and Boyd Cook was re-elected Vice Chairman. Chairman Place retired in 1992 and Dan Rackley, Oklahoma Department of Health, was elected Chairman at the Executive Board meeting on July 22, 1992.

## **THE 1993 CONFERENCE**

The 24th Conference was called to order by Chairman Dan Rackley, Oklahoma Department of Health, on May 4, 1993 at the Marriott Hotel, Arlington, Texas. The invocation was given by Tom Williamson, and Al Place was identified as Conference Parliamentarian.

Some 338 persons registered for the 1993 Conference. Registrants included 156 from regulatory/academia and 182 from industry/service. This included registrants from Belgium, Canada, Mexico and New Zealand. Delegates were present from all states with the exception of Alaska and Rhode Island. Also, absent was the District of Columbia. One U.S. Territory, Puerto Rico, also seated a delegate.

A record number of 204 Problems were submitted for deliberation, plus one carry over Problem from the 1989 Conference. A total of 74 Problems were passed as submitted and/or amended and passed. Of the 74 Problems passed, FDA failed to concur with only 275, 305 and 314. (Note: This concurrence meeting between the Executive Board and FDA occurred on August 5, 1993.) Additionally, ten resolutions were submitted by the Resolutions Committee and eight were approved.

Following is a summary of major Problems passed:

- \* Revised MMSR regarding compliance with Appendix N.
- \* Clarified MMSR debits for violations of 2 and 7 points for drug violations.
- \* Required facilities fortifying products with vitamins to keep volume control records and cross reference amount of vitamins used.
- \* Revised Personnel Health Section 13 and 14 of PMO.
- \* Eliminated reference to WMT, CMT, Whiteside, OTC and Coulter Counter in PMO and other related documents.
- \* Required disc assay method for drugs specified in Appendix N to have been independently evaluated or evaluated by FDA and found acceptable and required regulatory action on positive results as specified in Appendix N.
- \* Approved Texas study (authorized by 1989 Conference) to allow states to certify industry for sealing of equipment in a plant on an emergency basis.
- \* Clarified regulatory responsibilities in enforcement of Appendix N.
- \* Set implementation date of July 1, 1995 for a state to be in substantial compliance with Appendix N in order to be an active participant in future IMS Conferences, with approval of the Executive Board.
- \* Clarified positions of elected members of the Executive Board who retire or change discipline from which elected.

- \* Allowed Executive Board to conduct official business by using FAX ballots and conference calls.
- \* Required FDA to revise EML and submit to 1995 Conference.
  
- \* Required FDA to make certain revisions to 2400 laboratory forms.
- \* Directed Conference Chair to appoint a committee to establish protocol, parameters and implement a pilot project to evaluate a performance based farm inspection system.
- \* Directed Conference Chair to appoint a standing committee to advise the Board and FDA on matters related to acceptability of imported milk products under any existing or future U.S. Trade Agreements.
- \* Directed Conference Chair to appoint a committee to review, evaluate and study current NCIMS and make appropriate recommendations to the 1995 Conference.

Resolutions passed included:

- \* Expressed appreciation to Dan Rackley, the Executive Board, Leon Townsend, Kirmon Smith and his staff, local arrangements committee and Glenn Witte.
- \* Expressed appreciation to Arlington Marriott.
- \* Expressed appreciation to Appendix "N" Symposium Laboratory subcommittee chaired by Ron Gilman and Symposium participants.
- \* Expressed thanks and appreciation to booth exhibitors.
- \* Directed Conference Chair to appoint a committee to review, evaluate and study the current NCIMS and develop appropriate recommendations for the 1995 Conference.
- \* Directed FDA-CVM through the Milk Safety Branch to issue an MI clearly defining a procedure that should be followed when veterinarian problems are found.
- \* Requested various branches of FDA to more closely coordinate their activities and work through the Milk Safety Branch to insure that laboratory practices, drug policies, etc. have followed NCIMS procedures and have delegate or Board concurrence before changes to the PMO or related documents are made.
- \* Recommended that drug manufacturers voluntarily place all appropriate symbols on the over-the-counter (OTC) and prescription (Rx) drugs with the color of the OTC symbol being green and color of the Rx symbol being red.

At the Executive Board meeting at the end of the Conference, Dan Rackley was re-elected Conference Chairman and Larry Claypool, Mid-America Dairymen, was elected Vice Chairman.

### **THE 1995 CONFERENCE**

The 25th Conference was called to order by Chair Dan Rackley, Oklahoma Department of Agriculture, on May 2, 1995 at the Marriott Pavilion Hotel, St. Louis, Missouri. The invocation was given by Norris Robertson, and Al Place was identified as Conference Parliamentarian.

This being the silver Anniversary of the Conference it was fitting that the meeting was held in St. Louis, which hosted the first Conference in 1950.

Some 336 persons registered for the 1995 Conference. This included 169 from regulatory and academia and 166 from industry. Registration from outside the U.S. included persons from Canada, Mexico and New Zealand. All states seated delegates with the exception of Alaska and Hawaii. One U.S. Territory, Puerto Rico, also seated a delegate.

For the first time computerization of the Conference was in full evidence. Computers, projection panel, etc. allowed the proposals submitted for deliberation to be projected on screens at all of the Council sessions and in the General Assembly.

One Hundred sixty-one "Proposals" (this changed from "Problems" from previous Conferences) and ten "Resolutions" were submitted for deliberation. A total of 73 "Proposals" and 8 "Resolutions" were passed as submitted and/or amended. Of the 73 "Proposals" passed, FDA failed to concur with only Proposals 116, 125, 143, 237, and 315. At an Executive Board meeting in Pittsburgh, July 29, 1995 differences on the non-concurrence "Proposals" were worked out with the exception of Proposals 143 and 315. Proposal 315 will be referred back to the 1997 Conference. Proposal 143 needed minor wording changes and will be worked out by FDA and the Board.

Following is a summary of major Proposals passed:

- \* Allowed non-Grade A and Grade A products to be separated by a water rinse.
- \* Updated Appendix O of PMO, Vitamin Fortification.
- \* Changed sampling frequency of single service products.
- \* Recommended formation of a committee to prepare updated language for the PMO to allow dairies to move into the computer era.
- \* Modified Section 6 of the PMO to require examining of aseptic milk and milk products for drug residues.
- \* Approved a Performance-Based Farm Inspection program on a voluntary basis.
- \* Required the formation of a committee to study the current hauling and transportation practices.
- \* Made Section 6 of the PMO, animal drug residue detection, equal to Appendix N.
- \* Requested FDA to develop performance criteria for positive controls to be used with drug residue screening test; requested LQAB to routinely select and analyze samples of positive controls to meet criteria of the Laboratory Committee; required LQAB to notify manufacturers of positive control and test kit manufacturers whenever they fail to meet NCIMS standards; required LQAB to notify NCIMS whenever a firm fails to meet certain criteria; and allowed the Laboratory Committee to request FDA to issue memoranda notifying states whenever a firm's control samples do not meet the NCIMS standard.
- \* Added language to EML which requires the notification of state regulatory agencies and customers of decertified laboratories.
- \* Added language to EML which allows the decertification or non-certification of a laboratory for willful refusal to permit evaluation.
- \* Amended MMSR rating methods to allow alternate means to determine compliance with Appendix N and by providing reciprocity.
- \* Provided method for indicating non-compliance with drug residue standards.

- \* Changed Constitution to allow the election of Executive Board members from either a local health, state rating or state enforcement agency from each of the three (3) groups of states.
- \* No reference shall be made regarding the use of or non-use of rBST or rBGH.
- \* Allowed re-ratings to be made within 3 days if the rating agency believes the re-rating would result in an acceptable rating.
- \* Requested the NCIMS Executive Board to investigate if a state allows the use of misleading labeling of milk or milk products which are not in compliance with the PMO or Conference agreements and rule on whether or not it is a violation of Conference agreements on reciprocity.
- \* Prevented states which fail to honor reciprocity provisions set forth in the Procedures from voting at a Conference.
- \* Required Council III Chair to appoint a committee of Council members and others to develop a resolution urging FDA to provide a uniform comprehensive computer database system for implementation by states and industry and that FDA provide a grant or grants to facilitate the development of such a system.

Resolutions passed included:

- \* Encouraged the formation of a National Dairy Farm Pre-Harvest Milk and Dairy Beef Food Safety Task Group.
- \* Required NCIMS Chair to appoint a committee to assist FDA in modifying the DMO, to remove inconsistencies and report these changes to the NCIMS Executive Board for approval.
- \* Directed Resolution #5 Committee to examine the issue of producer decertification and issue recommendations to the 1997 Conference.
- \* Requested that FDA expeditiously complete its work on the use of recycled plastics.
- \* Required NCIMS Chair to direct NCIMS/FDA Liaison Committee to explore with FDA the development of a uniform comprehensive computer database.
- \* Requested FDA Training Branch and MSB to offer training courses which will meet requirements of mandatory education for Rating Officers and Laboratory Evaluation Officers in each FDA region.
- \* Thanked St. Louis Marriott as Conference host.
- \* Expressed gratitude to the Program Committee and Chair Jerry Kozak, Leon and Elsie Townsend, Anuja Minor, Charles Otto and FDA Regional Milk Specialists for their assistance with the Conference.

At the Executive Board meeting, July 29, 1995, Dan Rackley, Oklahoma Department of Agriculture, was re-elected Conference Chair and Ted Hickerson, AMPI, was elected Vice Chair.

### **THE 1997 CONFERENCE**

The 26th Conference was called to order by Chair Dan Rackley, Oklahoma Department of Agriculture, on May 5, 1997 at the Hyatt Regency Hotel, Burlingame, California. The invocation was given by Les Wood, California Department of Food and Agriculture. Al Place served as Parliamentarian.

The Executive Secretary's Report showed there were 294 persons registered. Registrants were present from Canada, Mexico and New Zealand. A total of 158 Proposals were submitted. Additionally, 2 Proposals from the 1995 Conference were resubmitted by the Executive Board just prior to the Conference. Fifty-seven of the Proposals passed as submitted or amended. FDA failed to concur with the following Proposals: 119, 123, 135, 136, 211, and 319. At an Executive Board meeting in Chicago, September 4, 1997 differences were worked out between the Board and FDA on the non-concurrence Proposals 119, 123, and 136. Proposals 135 and 319 were held over to the October, 1997 Conference and Proposal 211 was held over until the 1999 Conference.

The Roll Call of Delegates showed all states present with the exception of Connecticut and Nevada. One U.S. Territory, Puerto Rico, also seated a delegate.

Due to the complex nature of those Proposals pertaining to the work of the Resolution #5 Committee 17 Proposals were held over to a "Special Resolution #5 Conference" to be held in October.

Following is a summary of major Proposals passed:

- \* Changed Sampling Criteria for hauled dairy farm water.
- \* Amended DMO administrative procedure #1 from 25 days to 15 days.
- \* Amended PMO, Section 7, Item 5r, and Administrative Procedure #17 regarding milk tank trucks.
- \* Amended PMO requirements for partial pick-ups of raw milk.
- \* Amended PMO requirements for cleaned-in-place milk pipelines.
- \* Amended PMO requirements for feed stored in milking parlor.
- \* Removed DMO references to aseptic processing and added appropriate language from PMO regarding vat pasteurization.
- \* Extensively amended PMO, Section 7, 15p - "Protection from Contamination"
- \* Amended SSCC, regarding "component part" and bacterial standards.
- \* Amended SSCC, rinse test.
- \* Amended SSCC, outer wrappings.
- \* Amended PMO, udder and teats sanitizing.
- \* Amended PMO and DMO - use of separators within HTST systems.
- \* Established Geometric Means Committee.
- \* Amended PMO, pasteurization equipment requirements.
- \* Amended PMO, Appendix I.
- \* Amended PMO, Standards for Milk and Milk Products.
- \* Amended PMO, criteria for evaluation of computerized systems.
- \* Established Test Kit Manufacturers Committee.
- \* Defined Eggnog and Boiled Custard according to CFRs.
- \* Removed O.I. from all reference in the 2400 Forms, Appendix N, PMO and EML.
- \* Extended time limit for Grade A product and heat-treated product samples.
- \* Established 2400 Forms review process.
- \* Asked MMSR or other Committee to review current certified industry dairy farm inspection requirements.

- \* Amended PMO, Administrative Procedures regarding church suppers or ethnic festivals.
- \* Amended Conference mission - "Assure the Safest Possible Milk Supply for all the People".
- \* Amended Constitution and Bylaws - established membership of Committees in Article IV, Section 3.
- \* Established a Committee on how Manufacturing Grade would be included under NCIMS.
- \* Allowed FDA to make editorial changes to Appendix P, to make critical control items consistent with the dairy farm inspection report item numbers.
- \* Established new classification for LEOs that would allow for evaluation of Appendix N facilities.

At the Executive Board meeting, May 8, 1998, Dan Rackley, Oklahoma Department of Agriculture, was re-elected Conference Chair and Ted Hickerson, AMPI, was re-elected Vice Chair.

### **1997 RESOLUTION #5 SPECIAL CONFERENCE**

Due to the complexity of the Resolution #5 Proposals a "Special Conference" was held at the Ramada Hotel, Rosemont, Illinois. (Resolution #5 which passed the 1993 NCIMS directed the Conference Chair to appoint a Committee to review, evaluate, and study the current program, and to further develop appropriate recommendations for the Conference.) The Conference was called to order by Chair Dan Rackley, Oklahoma Department of Agriculture, on October 16, 1997. The invocation was given by Everett Groeschel, Illinois Department of Public Health.

Because of the complex nature of this Conference a professional parliamentarian, Bill Johnston, Northwestern University, was employed by NCIMS to act as Parliamentarian.

The Executive Secretary's Report showed there were 257 persons registered. Delegates were seated from all 50 states, with the exception of Hawaii and Nevada. Also Puerto Rico seated a delegate. On advice of the parliamentarian the Executive Secretary reported that all Conference announcements and submissions were made in accordance with the Constitution.

A move was made by delegates from Louisiana, Texas, Missouri, New Mexico, Michigan, and Iowa to derail all Resolution #5 Proposals. Although heated debates were held on several Proposals, many of the Resolution #5 Committee recommendations passed, although some were amended extensively.

Following is a summary of major Proposals passed:

- \* Retained SSCC document and make Appendix J of PMO.
- \* Sanitizers shall be used in accordance with 21 CFR 178.1010.
- \* NCIMS Chair shall assign the "Other Species Milk Committee" to review and update Section 7 of PMO with respect to lactating animals and report back to the 1999 Conference.
- \* NCIMS Chair shall appoint a HACCP Implementation Plan Committee.

- \* Returned MMSR document to the MMSR Committee for editing changes passed at Special Conference and return document to 1999 Conference for delegate action.
- \* NCIMS Chair to appoint a Committee for development of a system of alternative coding of milk and milk product packaging and report to 1999 Conference.
- \* Removed proposed new language in MMSR B2d(2) and C2b(2).
- \* Requested FDA to add product codes for containers and closures to 2359i.
- \* Retained provision that three (3) days must lapse before a second inspection can be made contained in 1995 revision of PMO.
- \* Requested FDA to investigate what happened to Proposal 230 from 1991 Conference and report back to Executive Board.
- \* NCIMS Chair shall assign Liaison Committee to work with FDA to develop a mutually acceptable state program evaluation format.
- \* Renamed PMO appendix "Hauling" to Dairy Farm Construction Standards and add drug residue avoidance control measures.
- \* Requested FDA to advise NCIMS Executive Board and Liaison Committee of the standardization package for FDA regional milk specialists and state rating officers and make available for revision and comment.
- \* Changed PMO to prevent likelihood of disease transmission by plant employees.
- \* NCIMS Chair shall appoint a Committee to update "The History and Accomplishments of NCIMS".
- \* NCIMS Chair shall appoint a Committee to review, update and include interpretive memos in relevant Conference documents in accordance with NCIMS Procedures.
- \* Accepted the following sections of Resolution #5 PMO as amended: Section 7, 17, 18 and Appendix A, D, H, I, J and M.
- \* NCIMS Chair shall appoint a Special Study Committee to coordinate with other Study Committees to assure uniformity between all NCIMS documents.
- \* Required milk laboratory evaluation to be made upon request of State and shall be made by qualified State Milk Laboratory Evaluation Officers.
- \* NCIMS Chair to establish a Committee to review enforcement scores and report back to 1999 Conference.
- \* Made certain changes in Resolution #5 Procedures.

## **THE 1999 CONFERENCE**

The 27th Conference was called to order by Chair Dan Rackley, Oklahoma Department of Agriculture, on May 3, 1999 at the Sheraton Hotel, Atlanta, Georgia. The invocation was given by Norris Robertson, FDA. Bill Johnston, Northwestern University, served as Parliamentarian. Senator Harold Regan, Chairman of the Georgia Agriculture Committee, gave the welcoming address.

The Executive Secretary's Report showed there were 305 persons registered. A total of 143 Proposals were submitted. Thirty-four of the Proposals passed as submitted, and 32 passed as amended. Fourteen of the Proposals were Laboratory forms and were referred to the Laboratory Committee. FDA failed to concur with the following Proposals: 125, 152, 226, 237, 243, 267, 272, and 401. Also, FDA did not concur with Resolution #12. At an Executive Board meeting in Washington, DC, July 27, 1999, the Board could not agree with FDA's non-concurrence on Proposal 125 and voted to submit the Proposal back to the 2001 Conference.

The Board accepted FDA's non-concurrence with Proposals 152, 226, 237, and 243. FDA concurred with Proposal 267 with the suggested mutually-agreed-to language that we would not implement the program until a valid QA Program was in place. The Board disagreed with FDA's non-concurrence on Proposal 272 and supported the delegates' position. The Board accepted FDA's proposed language on Proposal 401 with the understanding that the Executive Board and FDA would work together to determine what substantial compliance and non-compliance means. The Board accepted FDA's non-concurrence on Resolution #12.

The Roll Call of Delegates showed all states present with the exception of Hawaii and Nevada. Puerto Rico also seated a delegate.

Following is a summary of major Proposals passed:

- \* FDA will confer with NCIMS prior to finalizing a determination of equivalence.
- \* Strike "no growth by test specified in Section 6". Refer to 21 CFR 113.3 (e)(1).
- \* Charged Technical Committee and FDA to editorially review and correct the use of terms throughout document.
- \* Changed substantial non-compliance as determined by FDA.
- \* Delayed implementation of Section 7C of PMO regarding sheep milk testing until after 2001 NCIMS.
- \* Removed references to sheep and goat milk TB testing.
- \* Changed requirements for openings between milk parlor and cattle housing.
- \* Added "hot and cold or warm" after lavatory fixture.
- \* Screen doors shall open outward to milk house.
- \* Required FDA and states to review and accept information supporting cleaning of multi-use containers frequencies extending beyond one day.
- \* Limited physical connection between pasteurized products and unpasteurized products.
- \* Abnormal milking equipment is to be kept clean to reduce the possibility of re-infections.
- \* Required milk tank mfg. after 1/1/2000 to be equipped with approved temp. recorder.
- \* Defined Bulk Milk Hauler/Sampler, Milk Tank Truck Driver, Milk Transportation Company, Dairy Plant Sampler, and Milk Tank Truck Cleaning Facility.
- \* Added permit requirement to responsible person for the bulk milk pick-up tanker.
- \* Reworded much of Section 3, 5 and 6 of PMO.
- \* Allowed regulatory agency to forgo suspension of permit, provided products are not offered for sale.
- \* Defined certified industry inspections.
- \* Flavored products are considered to be negative provided all raw commingled loads and samples are negative for drug residues.
- \* Required industry sampler to be evaluated in accordance with Section 6 of PMO.
- \* Changed penalties section and reinstatement section of Appendix N.
- \* Requested FDA to accept visual drug residue test kits.
- \* Required appointment of NDRMMP Committee to review protocol followed under NCIMS.
- \* Set criteria for consumer representative on Executive Board as non-voting member.
- \* Established non-voting position on Executive Board for NMPF and IDFA.



- \* Set time for Executive Board to rule on matters of non-compliance with State Programs recommended by FDA.
- \* Required appointment of Internet Committee.

At the Executive Board meeting at the end of the Conference, Dan Rackley was re-elected Conference Chair and Ted Hickerson was re-elected Conference Vice Chair. Leon Townsend's contract as Executive Secretary was extended until December 31, 2001.

At an Executive Board meeting on July 22, 2000, Dan Rackley resigned as Conference Chair to accept a position with Dean Foods Company. Dan Borer, Nebraska Department of Agriculture, was elected to replace Rackley.

### **THE 2001 CONFERENCE**

The 28th Conference was called to order by Chair Dan Borer, Nebraska Department of Agriculture, on May 7, 2001 at the Wichita Marriott Hotel, Wichita, Kansas. The invocation was given by Norris Robertson, FDA. Bill Johnston, Northwestern University, served as Parliamentarian. Jamie Clover Adams, Kansas Secretary of Agriculture, gave the welcoming address.

The Executive Secretary's Report showed there were 335 persons registered. A total of 155 Proposals were submitted. Twenty-five Proposals were passed as submitted, 47 were passed as amended, 63 received a "No Action" vote, 13 were withdrawn by the submitter, 2 were tabled and not brought back to the floor, and 7 were referred to the Laboratory Committee. Additionally, there were 13 Resolutions submitted, 11 passed and 2 failed. At the NCIMS Executive Board/FDA concurrence/non-concurrence meeting September 26, 2001 in Baltimore, FDA reported that the Agency concurred with all Proposals passed. However, FDA recommended a few minor wording changes to the following Proposals: 113, 124, 125, 137, 223, 235, and 301. The Executive Board accepted all the changes recommended by FDA.

The Roll Call of Delegates showed all states present with delegates; Puerto Rico also seated a delegate. As far as can be determined from past records, this is the first time all states seated a delegate.

Following is a summary of major Proposals passed:

- \* Extended the voluntary NCIMS HACCP Pilot Program for dairy plants.
- \* Allowed the use of "special", "select" and "premium" as descriptive terms on packaging of milk/milk products.
- \* Eliminated the requirement for FDA to publish a numerical sanitation compliance rating score.
- \* Added a definition of Food Allergens to the PMO.
- \* Reinstated drug screening test methods where results are visually interpreted via a color change, provided that laboratory personnel conducting these tests participate in annual split sampling programs.

- \* Eliminated the requirement that state regulatory officials conduct quarterly drug testing audits of 10% of the bulk milk pickup tankers tested by industry for drug residues.
- \* Modified FDA's memo (M-a-86) setting forth industry requirements for the drug residue testing program.
- \* Eliminated the requirement that Grade A dried and condensed milk be tested for drug residues.
- \* Required new animal drug residue tests approved by FDA to be calibrated/verified to detect the specific drug within 50% of the safe/tolerance level.
- \* Approved Bacto Scan FC as a new test method for automatic determination of total bacteria counts in milk as an alternative to the SPC method.
- \* Approved the use of pasteurization equipment with twin balance tank system separating pasteurized and raw piping.
- \* Designated a study committee to review the need for pasteurizer cooling section pressure differential controls for both HTST and HHST units.
- \* Allowed the use of a liquid ingredient injection system (slurry tanks) within the HTST pasteurizer with the use of block and bleed valves.
- \* Required new testing procedures for pasteurization equipment to ensure the equipment/controls are not affected by electro magnetic interference from hand-held communication devices (walkie-talkies).
- \* Appointed a committee to review the current methods and application for using techniques that employ wet chemistry such as Liquid Chromatography/Mass Spectrophotometry to identify and quantify specific drug residues.
- \* Changed the time for FDA to respond to and implement proposals passed by the NCIMS from 45 to 90 days. Required proposals concurred with by FDA to become effective January 1 following the Conference.

Resolutions adopted included the following:

- \* If the National Drug Residue Milk Monitoring Program (NDRMMP) is reestablished by FDA, that it be proactive and timely, fully considering all alternatives, and requiring FDA to present the program to the NCIMS to solicit input from industry and state regulators before resuming the program.
- \* Established a Scientific Advisory Committee as a standing committee.
- \* Formed a study committee to determine compliance and enforcement for the review of on-farm bulk tank temperature recording charts.
- \* Created a working group to coordinate input from state delegates and industry that is related to FDA's issuance of information via NCIMS Memoranda.

At the Executive Board meeting immediately following the Conference, Dan Borer was re-elected Conference Chair and Ted Hickerson was re-elected Conference Vice Chair.

## **THE 2003 CONFERENCE**

The 29th Conference was called to order by Chair Dan Borer, Nebraska Department of Agriculture, on April 28, 2003 at the Doubletree Hotel, Seattle, Washington. The invocation was

given by Dan Borer. Bill Johnston, Northwestern University, served as parliamentarian. Valoria H. Loveland, Director, Washington Department of Agriculture, gave the welcoming address.

The Executive Secretary's Report showed 278 persons registered. A total of 150 Proposals were submitted. Four Proposals were withdrawn, 1 was tabled and not brought back to the table, 8 were referred to the Laboratory Committee as 2400 forms, 62 were voted "No Action", 34 were "Passed as Submitted", and 41 were "Passed as Amended". Additionally, there were 10 Resolutions submitted, 9 passed and 1 failed. The NCIMS Executive Board held a concurrence/non-concurrence meeting with FDA on September 18, 2003 in Chicago, Illinois. FDA reported that they concurred on all Proposals except Proposal 103. They recommended changing "undesirable milk" to "abnormal milk". The Executive Board unanimously approved this change. Additionally, FDA asked for authorization to make a few editorial changes to Proposals 163 – 164 and 217 – 218. The Executive Board unanimously approved these changes.

The Roll Call of States showed 46 states plus Puerto Rico seated delegates. The states of Alaska, Connecticut, Main, and New Hampshire were absent. It was announced that FDA had nominated and awarded the FDA Group Recognition Award to the NCIMS HACCP Milk Pilot Program.

Following is a summary of major Proposals passed:

- \* Revised PMO to exempt bulk shipped, heat-treated milk products and ultra-pasteurized products thermally processed at or above 136 degrees C. for at least 2 seconds.
- \* Revised PMO by adding definitions regarding abnormalities of milk and added Appendix R to allow for the use of Automatic Milking Installations.
- \* Revised PMO to allow cooling ponds under certain conditions.
- \* Revised PMO regarding changes to pasteurization systems, FDD location and Test 5 for timing pumps, etc.
- \* Revised PMO regarding treatment of lactating animals and treatment records.
- \* Changed PMO, Appendix D, by adding new section regarding Pressure Relief Valves located with HTST, HHST and Aseptic Processing Systems.
- \* Re-wrote PMO, Appendix J, to reflect recent changes in single service industry or in its current practices.
- \* Modified Milk Tank Truck Hauler Report and Sample Evaluation Form 2399a.
- \* Appointed study committee to evaluate membrane filtration technology and develop uniform guidance principles.
- \* Changed Visual Test Protocol (M-I-01-4) so that annual proficiency tests for visually read animal drug residue tests may be combined with the regulatory proficiency tests.
- \* Changed PMO by adding new definition for water buffalo milk, to become effective upon FDA's acceptance of validated PMO, Section 6, and Appendix N test methods.
- \* Charged "Other Species Committee" to clarify terminology used in respect to animals referred to in PMO and make appropriate Proposal to 2005 Conference.
- \* Changed PMO, Section 3, Administrative Procedures. Added under Suspension of Permit: Samples shall then be taken at a rate of not more than two (2) per week on separate days within a three (3) week period.
- \* Changed PMO, Section 1, by adding new definition for Industry Plant Sampler and referencing the Industry Plant Sampler throughout the section where appropriate.

- \* Changed PMO, Section 6, by adding wording “or approve in-line sampler” and requesting third party validation study be performed.
- \* Changed PMO and DMO under Appendix N, by incorporating wording from M-a-78, M-a-79 and M-a-86 (Revision #3).
- \* Changed MMSR document to require immediate withdrawal of a shipper from the IMS List for accepting milk from unlisted sources.
- \* Changed MMSR document by deleting Volume (cwt) received.
- \* Changed MMSR document by modifying the method of using “Evaluation of Sampling Procedures” form for Part I, Item 9.
- \* Requested FDA to update EML document after the issuance of IMS-a following the Conference.
- \* Revised the NCIMS Constitution and Bylaws by removing the requirement for Constitution and Bylaws Proposals to be submitted to the Executive Secretary 90 days prior to a Conference. Added new Section 15 requiring delegates to be notified 45 days prior to a Conference of Proposal changes. Required the NCIMS/FDA Liaison Committee to study the issue of Conference frequency relating to cost, frequency of publishing Conference documents, etc., and maintaining goals and objectives of the Conference, and report back to the 2005 Conference.
- \* Directed Conference Chair to appoint a Committee to study the additional requirements currently in the PMO, Item 16p, C, D, and # beyond what is required in 21 CFR 113 and 108.
- \* Requested Conference, in consultation with FDA, to establish a Committee to develop, implement and maintain oversight of a voluntary State Contracted Third Party Regulatory Inspection Pilot Program for foreign firms wishing to be listed in the IMS List. The Committee shall study and evaluate the Pilot Program and report back to the 2005 Conference.

At the Executive Board meeting at the end of the Conference, Marlana Bordson, Illinois Department of Public Health, was elected Chair, and John O’Connor, Dean Foods, was elected Vice Chair.

### **THE 2005 CONFERENCE**

The 30th NCIMS Conference was called to order by Vice Chair, John O’Conner, Garelick Farms of Lynn Dairy, Lynn, MA, on May 14, 2005 at the Hyatt Capitol Square, Columbus, Ohio, due to the absence of Chair Marlana Bordson on the opening day. The invocation was given by Dan Borer. Bill Johnston, Northwestern University, served as parliamentarian. Lewis Jones, Ohio Department of Agriculture, introduced Fred L. Dailey, Director, Ohio Department of Agriculture, who gave the welcome address. Dr. Robert Brackett, CFSAN, gave the FDA report.

The Executive Secretary’s report showed 310 persons registered and noted that, for the first time, a person was registered from the French Embassy and Columbia, South America. Forty-eight states and Puerto Rico seated delegates.

A total of 133 Proposals were submitted, of which 62 were assigned to Council I, 52 to Council II and 19 to Council III. Fifty-two (52) were voted “No Action”. One was tabled. Fifty-

three (53) were passed as amended and twenty-seven (27) passed as submitted. Ten (10) Resolutions were submitted of which 9 passed and 1 failed.

The Executive Board held a concurrence/non-concurrence meeting with FDA, on September 27, 2005 in Chicago, Illinois. FDA non-concurred with three Proposals (126, 127 and 128). Editorial changes were suggested in several other Proposals. The Executive Board approved the editorial changes suggested.

Proposals 126 – 128 along with 130 and 131 were discussed together. FDA felt there was merit to information received from industry after the Conference. A substitute solution was presented, combining 129 and 131. The Executive Board passed unanimously a motion to accept the substitute solution presented by FDA. A second motion passed unanimously to amend the substitute solution as follows: “Critical factors including, but not limited to pH, potassium sorbate and cooling time and temperature shall be monitored and documented by the processing facility for verification by the Regulatory Agency. pH limits with a pH tolerance of + or – 0.05 units are to account for reproducibility and inaccuracies in pH measurements. Formulation or processing changes that affect critical factors shall be communicated to the Regulatory Agency”.

Following is a summary of major Proposals passed:

- \* Direct Conference Chair to appoint a Committee to study the use of alternative enforcement measures to evaluate and develop data on the performance and conformance of the state regulatory agencies.
- \* Change Procedures to allow for the electronic version of the IMS List-Sanitation Compliance and Enforcement Ratings of Interstate Milk Shippers on the FDA web site to suffice for the PHS/FDA publishing the document.
- \* Change Procedures for state regulatory agency report to replace enforcement ratings.
- \* Change Procedures to allow FDA certified Sampling Surveillance Officer the authority to delegate the inspection of Industry Plant Samplers and Dairy Plant Samplers to other qualified State, Regional, or Local Regulatory Agency personnel.
- \* Require the Liaison Committee to look at the SRO/SSO certification/re-certification requirements and make a recommendation to the 2007 Conference regarding the requirements being placed in appropriate NCIMS document(s).
- \* Add new #6 in the Procedures, Section VIII, Governing the Certification of Milk Plant, Receiving Station and Transfer Stations NCIMS HACCP Systems for IMS Listing; E. Qualifications and Certifications (and renumber the existing 6 through 10).
- \* Require the Liaison Committee to look into catastrophic events which would penalize industry if states were unable to meet NCIMS requirements, and report back to 2007 Conference.
- \* Add new Procedure to specify a hearing process for SRO, SSO, or LEO as cited in the Memorandum of Understanding Between PHS/FDA and Conference.
- \* Establishes rules in Procedures and Constitution/Bylaws to govern editorial changes to NCIMS documents.
- \* Require Constitution/Bylaws language to be consistent with the PMO and other NCIMS documents.
- \* Require a foreign government to provide adequate assurance that the level of public health protection is equivalent to that provided by the NCIMS program.

- \* Establish a Third Party Certification Pilot Program as an alternative option to M-I-00-4.

- \* Require certain training activities under the HACCP program.
- \* Require Aseptic Committee to study aseptic processing and packaging as it relates to the PMO, CFR and NCIMS.
- \* Add RO, UF and micro filtration instrumentation criteria to PMO.
- \* Require Chair to appoint a Heating/Cooling Systems Review Committee.
- \* Require the dairy industry be responsible for providing FDA with scientific information for evaluation of certain milk products.
- \* Require Chair to appoint a Personnel Health and Procedures Study Committee.
- \* Require CVM to review and make recommendations to Laboratory Committee on any FDA approved drug residue test kits.
- \* Remove all references to CMT and WMT found in PMO.
- \* Require Chair to appoint a Committee to refine the criteria currently used by FDA to define non-standardized Grade "A" dairy products.
- \* Allow states to submit a list of currently permitted non-IMS listed milk tank truck cleaning facilities to Executive Secretary for publishing on the NCIMS web page.
- \* Require Chair to appoint a study committee to evaluate Appendix N of PMO.
- \* Accepted updated version of EML.

At the Executive Board meeting at the end of the Conference, Marlena Bordson, Illinois Department of Public Health, was re-elected Chair and Don Breiner, Land 'O Lakes, was elected Vice Chair.

## **THE 2007 CONFERENCE**

The 31<sup>st</sup> Conference was called to order by Chair Marlena Bordson, Illinois Department of Public Health, Springfield, IL, on May 7, 2007 at the Little America Hotel, Salt Lake City, UT. The invocation was given by Past Chair Dan Borer, Nebraska Department of Agriculture. Bill Johnston, Northwestern University, served as Parliamentarian. Kyle Stephens, Utah Department of Agriculture, introduced Commissioner Leonard M. Blackham, Utah Department of Agriculture, who gave the Welcome Address. Donald Kramer, Deputy Director, Office of Food Safety, CFSAN, gave the FDA report.

The Executive Secretary's report showed that 334 persons registered and delegates were seated from 49 states and Puerto Rico. Attendees were registered from Canada, Columbia, S.A., Germany, Mexico, The Netherlands, and New Zealand.

Bordson reviewed the Time/Temperature of Milk Pasteurization and Heat Inactivation of Food Defense Agents of Concern document developed jointly by FDA, NCIMS Executive Board and Liaison Committee. The document along with a cover letter from NCIMS was sent to all State Milk Program Managers and Delegates after the Conference requesting that the information be distributed to all milk processing plants.

A total of 105 Proposals were submitted, of which 43 were assigned to Council I, 46 were assigned to Council II and 16 were assigned to Council III. Forty-nine (49) were voted "No Action". Nineteen (19) were passed as submitted and thirty-seven (37) were passed as amended. No proposals were tabled. Eight (8) resolutions were submitted and all eight passed.

At the Executive Board meeting following the Conference, John A. Beers, Virginia Department of Agriculture, was elected Chair and Don Breiner, Land O' Lakes, was re-elected Vice Chair.

The Executive Board held a concurrence/non-concurrence meeting with FDA, on September 17-18, 2007 in Chicago, Illinois. FDA non-concurred with eight (8) proposals. They concurred with the intent of the 8 proposals and non-concurred in order to make appropriate editorial changes or to seek guidance from the NCIMS Executive Board on additions or corrections to proposals. The requested changes to Proposals 129, 143, 208, 223, 230, 231 and 238 were unanimously approved by the Executive Board. Proposal 303 included an effective date which FDA did not believe could be met. After thorough discussion, FDA agreed to add language which provided for the provisions to take effect upon each state's regulatory and rating personnel being trained in the implementation of the Aseptic Pilot Program and until that time aseptic plants would be inspected and rated under the current system. The resolution to this proposal was unanimously approved by the Board. The actions of the 2007 Conference, including the details of the resolution of the FDA non-concurred proposals may be found in the FDA IMS-a-46, "Actions of the 2007 National Conference on Interstate Milk Shipments" dated October 15, 2007.

The following is a summary of the major Proposals passed:

- \* Revised the PMO to allow the use of open tower water as a secondary cooling media under specified conditions.
- \* Revised the PMO to provide guidance for the acceptance of electronic (paperless) data collection, storage and reporting systems.
- \* Revised the PMO to clarify criteria for separating water lines from Grade A product lines.
- \* Revised the PMO to provide an alternative for a separate milk receiving pump for non-Grade A milk when 2 grades of milk or milk products are received in the milk plant.
- \* Revised the PMO to provide guidelines for the supporting information that should be included in the proposal submitted to the Regulatory Agency to establish an equivalent process to pasteurized water.
- \* Revised the PMO to expand the options for water reclaimed in a dairy plant to Category I purposes and clarifies requirements for documenting and testing for reclaimed water.
- \* Revised the PMO to provide options for HTST systems that do not use cream balance tanks for raw milk separators.
- \* Incorporated the criteria and requirements for the certification and recertification of Milk Sanitation Rating Officers and Sample Surveillance Officers into NCIMS documents.
- \* Established an alternative enforcement procedure for farm and plant ratings that allows shippers with an acceptable sanitation rating equal to or greater than 90% but an enforcement rating below 90% to continue to ship milk for up to 6 months while corrections are made.
- \* Extended the voluntary International Certification Pilot Program until Dec. 31, 2009.
- \* Extended the Aseptic Pilot Program until Dec. 31, 2009 and established an Aseptic Pilot Program Implementation Committee to provide oversight and



training as well as study current and new aseptic technology and report to the 2009 Conference.

- \* Established a new procedure for a state to request emergency consideration during a public health emergency or natural or man-made disaster when a state is not able to operate in full compliance with the program.
- \* Established the HAACP Implementation Committee as a standing committee.
- \* Established a new procedure for appointing alternates to Councils to maintain voting balance.
- \* Revised MMSR criteria for calculating the enforcement score of in-plant samplers.
- \* Revised the MMSR to provide for pro-rating specific items for calculating the enforcement rating for a single farm BTU.
- \* Assigned the MMSR Committee to study Proposal 123 on Appendix N records review and report back to the 2009 Conference.
- \* Directed the Conference Chair to assign or appoint a committee to study animal/herd shares and the means to prevent practices used to circumvent food safety regulations.
- \* Directed the Chair to instruct the study committee on Defining Grade "A" Dairy products to extend its work to develop detailed criteria and recommendations to the FDA and the Executive Board.

### **THE 2009 CONFERENCE**

The 32<sup>nd</sup> Conference was called to order by Chair John A. Beers, Virginia Department of Agriculture and Consumer Services, Richmond, VA on April 19, 2009 at the Caribe Royale Orlando, Orlando, Florida. The invocation was given by David Lattan, Council III Chair of Prairie Farms Dairy, Inc. Bill Johnston served as Parliamentarian. John Miller, Florida Department of Agriculture, introduced JoAnne M. Browne, Florida Department of Agriculture, who gave the Welcome Address. Nega Beru, Ph.D., Director, Office of Food Safety, CFSAN, gave the FDA report.

The Executive Secretary's report showed that 315 persons registered and delegates were seated from 46 states and Puerto Rico. Attendees were registered from Israel, Mexico and Quebec, Canada.

A total of 133 Proposals were submitted, of which 53 were assigned to Council I, 64 were assigned to Council II and 16 were assigned to Council III. Sixty-four (64) were voted "No Action". Twenty-seven (27) were passed as submitted and forty-two (42) were passed as amended. No proposals were tabled. Eleven (11) resolutions were submitted, ten (10) passed and one (1) was ruled out of order by the Chair.

At the Executive Board meeting following the Conference, John A. Beers, Virginia Department of Agriculture, was re-elected Chair and Don Breiner, Land O' Lakes, was re-elected Vice Chair.

The Executive Board held a concurrence/non-concurrence board meeting with FDA, on September 9-10, 2009 in Chicago, Illinois. FDA non-concurred with three (3) proposals, 117, 119 and 232, for the purpose of making editorial changes. Proposals 117 and 119 made separate but distinct changes to the same paragraph within Item 15p and FDA cited the need to merge the two (2) proposals with appropriate editing to follow the format of the PMO. The recommendation to include the editorial corrections to Proposals 117 and 119 was unanimously approved by the Board. With respect to Proposal 232, FDA identified a conflict within the text which addresses the lists “Grade “A” Milk and Milk Products Includes” and “This definition does not include”. The recommended changes were unanimously approved by the Executive Board. The actions of the 2009 Conference, including the details of the resolution of the FDA non-concurred proposals may be found in the FDA IMS-a-47, “Actions of the 2009 National Conference on Interstate Milk Shipments” dated October 14, 2009.

The following is a summary of the major Proposals passed:

- \* Revised the PMO to make editorial changes to Appendix H. Pasteurization Equipment and Procedures and Other Equipment, to delete references to “HHST and Aseptic processing systems and replace Figures 31-36 with thirteen (13) new updated Figures that illustrate the same pasteurization principles with a more complete reflect of PMO language, indicating current technology and a broader range of continuous flow pasteurization applications.
- \* Revised the PMO to clarify the wording of Definition 5. Hooved Mammals Milk.
- \* Revised the PMO to clarify Definition X. Milk and Milk Products and provide guidelines for the regulation of non-standard milk and milk products.
- \* Revised the PMO to provide consistency for re-certification of Certified Industry Inspection personnel similar to State Rating Officers.
- \* Revised the PMO to raise the Somatic Cell Count for Goats from 1,000,000/ml to 1,500,000/ml.
- \* Revised the PMO to provide a confirmatory test for sheep milk when the Single Strip Direct Microscopic Somatic Cell Count exceeds the 750,000 per mL limit.
- \* Revised the PMO to allow for the straining of pasteurized milk and milk products processed in a membrane filter system provided specific requirements are met.
- \* Revised the PMO to provide definition and criteria for position detection devices.
- \* Revised the PMO to clarify the requirements for water that is not separated from pasteurized milk and milk products.
- \* Revised the PMO to provide definition and requirements for the use of Ultraviolet Light disinfection as an alternative method of producing water equivalent to pasteurized water in a dairy plant.
- \* Revised the PMO to update Section 8. Animal Health to cover other hooved mammals with respect to TB and Brucellosis health status, testing and enforcement rating criteria.
- \* Extended the voluntary NCIMS International Certification Pilot Program until Dec. 31, 2011.
- \* Extended the NCIMS Aseptic Pilot Program until Dec. 31, 2011 and provided that state regulatory and rating personnel must be trained in the implementation of the Aseptic Pilot Program prior to an aseptic plant being inspected and rated under the pilot program. The Aseptic Pilot Program Implementation Committee will continue to provide oversight and training as well as study current and new aseptic technology and report to the 2011 Conference.

- \* Revised the PMO to incorporate UV light disinfection technology and criteria for acceptability.
- \* Revised the PMO to update Appendix G. *Chemical and Bacteriological Tests* to make it more consistent with current laboratory testing procedures and requirements and current 2400 series laboratory forms.
- \* Revised the PMO to accept the Fast Alkaline Phosphatase (FAP) test as an approved electronic phosphatase method.
- \* Revised the PMO to define and clarify the use of vacuum breakers on HTST systems.
- \* Revised the PMO to clarify Appendix H. *Pasteurization Equipment and Procedures and Other Equipment* and Appendix I. *Pasteurization Equipment and Controls – Tests*.
- \* Revised the PMO to establish a one (1) year expiration date from the earliest survey date for submitting FORM FDA 2359d – Report of Certification following an evaluation of a Single-Service Manufacturing Plant which eliminates the ninety (90) day grace period for form submission.
- \* Revised the PMO and FORM FDA 2359m (10/06) *Milk Plant, Receiving Station or Transfer Station NCIMS HACCP System Audit Report* in order to accurately reflect the requirements of the NCIMS HACCP Program.
- \* Revised the PMO, Appendix Q, OPERATION OF AUTOMATIC MILKING INSTALLATIONS to provide separation system criteria to prevent cross contamination.
- \* Revised the MMSR and Procedures to clarify that an individual dairy farm shall only be included in one (1) IMS listing and clearly established rating expiration dates.
- \* Revised the MMSR to provide updated examples of completed rating forms and instructions for how to properly complete the Rating and NCIMS HACCP Audit Reporting Forms.
- \* Revised several FDA 2400 Series Forms and referred numerous proposals to the Laboratory Committee to follow the 2400 Series Forms protocol.
- \* Suspended the requirements of the PMO Section 7 allowing only for refrigeration for the purpose of a study/pilot to be conducted to examine the benefits of using Carbon Dioxide as a processing aid in raw milk during transportation.
- \* Requested FDA to issue a memorandum clarifying documentation of proper cleaning and sanitation.
- \* Recommended two (2) proposals be sent to the FDA Risk Assessment Study for review and consideration with the Appendix “N” Committee.
- \* Change the International Certification Pilot Program as defined in IMS-a-45 that once a TPC has their two (2) existing plants IMS listed, the TPC may request from the ICCP Committee permission to add up to two (2) additional plants for a maximum of four (4) listed plants.

NATIONAL CONFERENCE ON INTERSTATE MILK SHIPMENTS

CONFERENCE LOCATIONS AND CHAIRMEN

YEAR	CHAIRMAN	LOCATION
1950	J. L. Rowland, MO Dept. of Health	St. Louis, Missouri
1951	J. L. Rowland, MO Dept. of Health	St. Louis, Missouri
1952	J. L. Rowland, MO Dept. of Health	St. Louis, Missouri
1953	Kenneth Weckel, University of WI	St. Louis, Missouri
1955	D. B. Whitehead, MS Dept. of Health	Memphis, Tennessee
1957	H. L. Horton, LA Dept. of Health	Memphis, Tennessee
1959	H. L. Horton, LA Dept. of Health	St. Louis, Missouri
1961	Harold J. Barnum, CO Dept. of Health	St. Louis, Missouri
1963	Park Livingston, Dean Milk Company	Memphis, Tennessee
1965	Park Livingston, Dean Milk Company	Louisville, Kentucky
1967	Howard K. Johnston, PA Dept. of Health	Miami, Florida
1969	Shelby Johnson, KY Dept. of Health	Denver, Colorado
1971	Shelby Johnson, KY Dept. of Health	St. Louis, Missouri
1973	John Schilling, St. Louis Health Dept.	Des Moines, Iowa
1975	Herb Vaux, IN Dept. of Health	St. Louis, Missouri
1977	Herb Vaux, IN Dept. of Health	Cincinnati, Ohio
1979	Herb Vaux, IN Dept. of Health	Louisville, Kentucky
1981	Jay Boosinger, FL Dept. of Agriculture	Hot Springs, Arkansas
1983	Jay Boosinger, FL Dept. of Agriculture	St. Louis, Missouri
1985	James Kennedy, MO State Milk Board	Lexington, Kentucky
1987	James Kennedy, MO State Milk Board	St. Louis, Missouri
1989	James Kennedy, MO State Milk Board	Indianapolis, Indiana
1991	Al Place, NY Dept. of Agriculture	Louisville, Kentucky
1993	Dan Rackley, OK Dept. of Health	Arlington, Texas
1995	Dan Rackley, OK Dept. of Agriculture	St. Louis, Missouri
1997	Dan Rackley, OK Dept. of Agriculture	Burlingame, California
1997*	Dan Rackley, OK Dept. of Agriculture	Rosemont, Illinois
1999	Dan Rackley, OK Dept. of Agriculture	Atlanta, Georgia
2001	Dan Borer, NE Dept. of Agriculture	Wichita, Kansas
2003	Dan Borer, NE Dept. of Agriculture	Seattle, Washington
2005	Marlena Bordson, IL Dept. of Public Health	Columbus, Ohio
2007	Marlena Bordson, IL Dept. of Public Health	Salt Lake City, Utah
2009	John Beers, VA Dept of Ag. & Consumer Services	Richmond, VA

\*Special Resolution #5 Conference

EXECUTIVE SECRETARY

1950 – 1978	J. C. McCaffrey
1978 – 1989	Herb Vaux
1989 – 2008	Leon Townsend
2008 -	Marlena Bordson

## CONCLUSION

This history of the National Conference on Interstate Milk Shipments only highlights what appear to be the more salient of the events of its first 31 years of official existence, and the several years that led to its beginning. There can be no question but that its achievements have exceeded all expectations of those forward-looking founders.

The amount of activity that was not recorded might well be as important as that which is recorded. This would include the numerous discussions and meetings that took place between Conferences. It includes the enormous amount of letters, phone calls, etc. among individuals, regulatory organizations, trade associations, and industry. The expert counsel of the academia in the areas of technology that had a bearing on the decisions made at Conferences should not go unnoticed.

The result of all this has been a model of effective sanitary control of one of the nations most important food products; an unheard of high degree of uniformity of interpretation of requirements and application of rules that would lead to confidence in a product; and finally, a program that would lead to substantial savings to taxpayers, producers, processors, and the consumer.

All of this was accomplished by people who would argue fervently on each side of an issue but had the good judgment and fair mindedness to find a solution to the problem. It required integrity and trustworthiness - and it worked.

The text of the history includes few names of people and their significant contributions to the success of NCIMS. Although it is time to recognize some of these people it must be understood not everyone who contributed can be included in this list. This would be impossible. The list would be endless. A partial list would have to include Dr. J. L. Rowland, the Conference's first Chairman, Clarence Luchterhand, Wisconsin Department of Health; John D. Faulkner, U.S. Public Health Service; Milton Fisher, St. Louis Department of Milk Control; Enos G. Huffer, Illinois Department of Public Health; Samuel O. Noles, Florida Department of Health; L. C. Peckham, U.S. Public Health Service; H. L. Thommason, Indiana Department of Health; C. J. Babcock, U.S. Department of Agriculture; E. B. Kellogg, Milk Industry Foundation; Harold J. Barnum, Denver Bureau of Health and Hospitals; C. Peterson, Minnesota Department of Health; Louis E. Smith, Kentucky Department of Health; John C. Schilling, St. Louis Department of Health; Alex G. Shaw, Florida Department of Agriculture; Dick Whitehead, Mississippi Department of Health; Harold Wainess, U.S. Public Health Service; Dr. Luther A. Black, U.S. Public Health Service; Maurice R. Debaets, Bowman Dairy Co.; C. W. Fahrenbach, Nebraska Department of Health; Glenn C. Fulkerson, Tennessee Department of Health; J. C. McCaffrey, Illinois Department of Health; Dr. D. G. Weckel, University of Wisconsin, and many others.

The Chairmen of the Conferences are listed elsewhere, although they may also be listed above, and it goes without saying they were persons who made outstanding contributions, otherwise they would not have been Chairmen.

There are people we've not named and they are important. Those who should be added to the list will be added in the update of the history. At this time we are dedicated mostly to the founders and early participants. It may not be an entirely fair acknowledgement but it is meant to give credit where early contributions were made.

THE COMMITTEE ON THE HISTORY AND ACCOMPLISHMENTS OF THE NATIONAL  
CONFERENCE ON INTERSTATE MILK SHIPMENTS

May, 1983

C. K. Luchterhand

S. Noles

M. W. Jefferson

B. D. Rowley

H. E. Thompson

Harold J. Barnum\*

Robert Stevens - Consultant

Jay Boosinger - Ex-officio

Donald Race, Chairman

\*Deceased