

Milk and Dairy Food Safety Branch History

Year	History
1878	California's first dairy law was passed. It was an act to prevent the sale of oleomargarine under the name and pretense that the said commodity was butter. However, apparently no provision was made for the enforcement of this law.
1895	The Legislature created the State Dairy Bureau as the enforcement agency for other dairy laws passed the same year. These laws included legislation to prevent deception and fraud in the manufacture and sale of butter and cheese.
1899	Legislation included an act regulating the sale and manufacture of renovated butter, the cheese grading law, and the dairy inspection law. The dairy inspection law required the Bureau to inspect all dairies in the State for sanitation and health. Inspections were made only upon complaint.
1900	In addition to the embryonic State Dairy Bureau, local governments sought to assure their constituents of a wholesome and sanitary milk supply. The local health department usually carried out milk inspection. Milk was produced, processed, and consumed locally. Therefore, laws, ordinances, rules and regulations were established to coincide with local problems, political pressures, and local philosophies. Nationally, a split was developing on the decision as to which agency should regulate market milk and dairy products. If a state were a producer, manufacturer, and exporter of dairy products, the tendency was to place the inspection system under agriculture. In other states, control was usually placed under the State Department of Public Health.
1905	The Sanitary Dairy Law was passed, prohibiting the sale of milk produced by unhealthy animals or under unsanitary conditions. It was about this time that the first official scored card for dairies and creameries was used.
1911	The Legislature added to previous definitions for milk, skim milk, cream, condensed milk, and butter, further definitions for evaporated and condensed milk, ice cream and ice milk. Licenses for the manufacture and sale of oleomargarine were required as was the registration of dairies and creameries.

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1915	<p>The Pure Milk Act was passed. Under this comprehensive law, margarine and pasteurization were defined, and repasteurization was prohibited. Probably the most important portion of the Pure Milk Act was the provision for uniform grading of milk in the State. Market Milk was graded as certified, guaranteed Grade A and Grade B.</p> <p>Counties and cities were authorized to maintain milk inspection services and laboratories, which conformed to the requirements set forth by the State Dairy Bureau.</p>
1917	<p>Milk inspection services which operated under a local health department were defined by law and the grading of milk was made mandatory where an inspection service approved by the State Dairy Bureau was maintained.</p> <p>At this point, 23 cities had applied for approval of their milk inspection services.</p>
1919	<p>The Department of Agriculture was organized and the duties of the State Dairy Bureau were assigned to the Division of Animal Industry.</p>
1927	<p>The Dairy Containers Service Act added a new function to the Bureau of Dairy Control. This legislation provided for milk container brand registration and for the return of containers to their rightful owner.</p> <p>A small fee was levied against the industry to provide for enforcement of this legislation.</p> <p>Other legislations provided for an ice cream control service which set new bacteriological and compositional standards.</p> <p>Additionally, the Director was petitioned to provide services for the inspection of manufacturing milk. The inspection was voluntary and the fees collected were placed in a trust fund and expended solely for this activity.</p>
1930	<p>Ten industry bottle exchanges were operated under the supervision of the Bureau of Dairy Service according to provisions of the Containers Act.</p> <p>At this time, there were 74 Approved Services. These agencies supervised the production and handling of over 95% of all market milk produced in the State.</p>

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1930
(Cont) In a statewide conference of department representatives, industry members, and local health officials, a plan to eliminate unnecessary duplication of inspections of dairies and dairy products was created. Under the plan, wherever municipal inspection services overlapped, the service was to be maintained by city using the larger portion of the plant's output.

1933 At this point in time, 84 local services held State approval.

1937 As cities and counties were inspecting the source of their milk supply, it was not unusual that a dairy or processor be required to hold up to six permits. Legislation was passed which attempted to eliminate duplication among approved Milk Inspection Services. At this time, some groups expressed the feeling the Department of Agriculture was seeking to take over the entire inspection process.

Also, the Agricultural Code was amended to create established Inspection Areas (under State Inspection) when application for permits to sell graded market milk were filed by 51%, or more, of the producers and distributors in the area. This legislation also established a producer and distributor fee to pay for this service.

Areas which were not covered by either Established or Local inspection services were still the responsibility of the Bureau of Dairy Service. However, the level of inspection in these areas was lower than that for established or Approved service inspection areas, and no grading service was provided.

1943 Due to the consolidation of health work in some counties, the number of local inspection services dropped to 58.

A subvention of funds from Milk Stabilization to the Bureau of Dairy Service was authorized to support the enforcement of laws and regulations relating to weighing, sampling, and testing of market milk.

1947 The Agriculture Code was amended, authorizing the Director of Agriculture to designate the city or the county which should perform dairy farm inspection in a given area. The Milk and Milk Products Act was part of an overall reorganization of the Agricultural Coed.

Kings County organized an Approved Milk Inspection Service and contracted with the City of Los Angeles to do the inspection and laboratory work.

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1947 (Cont) A new program required operators of pasteurizing equipment to be examined and licensed.

At the close of the year, 56 cities, counties, or combinations thereof held certificates of approval of their respective Approved Milk Inspection Service.

1951 The Code was amended, authorizing the Director to withdraw from an Established Area when sums collected were inadequate to cover costs of performing inspections for a graded milk supply.

The City and County of San Francisco was designated to inspect portions of Lake and Mendocino counties.

At the end of the year, there were Established Inspection Services in 22 counties. Fifty-one Approved Milk Inspection Services operated in 26 counties and 25 cities.

1953 There were numerous revisions to the Agricultural Code's provisions regarding standards for dairy products.

There were 50 Approved Milk Inspection Services and 21 Established Services. Within the Stat system, 5 public or commercial laboratories were utilized to supplement the work done by the Dairy Service Lab.

1957 A radiological health program was initiated, with the Bureau of Dairy Service forwarding raw milk samples taken in designated areas to the appropriate Federal Authority.

1958 The City of Sacramento combined its public health activities with the county creating a single Approved Milk Inspection Service the county.

The cities of Oakland and Alameda consolidated their public health activities with the county; however, the City of Berkeley retained its autonomy.

An ad hoc Committee was appointed by the California Conference of Local Health Officers and was directed to recommend the changes necessary to provide for an efficient, equitable, and economical milk inspection program. One of the recommendations of this committee was that an advisory committee be established.

At this time, there were 34 local health departments with Approved Milk Inspection Services, plus one municipality that did not operate under a health department. Eight of these services made inspections outside of

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their local jurisdiction.

1959 New laboratory procedures were developed and implemented to conduct tests for pesticide residue, which involved testing unpasteurized milk. California was the only State performing such tests.

By this time, tests were also made to detect adulteration of milk by antibiotics.

1960 Hearings held by the Directory led to the consolidation of areas to minimize overlapping jurisdiction. As a result, Grad A dairy farm inspections in 14 counties were reassigned.

1961 Legislation was passed requiring milk processor to pay producers for marked milk based on its fat and solids-not-fat content. Testers for these components were to be licensed by the Dairy Inspection Service which was also responsible for compliance.

Senate Bill 906 would have streamlined enforcement activities, transferred the full cost of market milk dairy and plant inspection to the State general fund. It was passed by both houses with only one dissenting vote, but was pocket vetoed by Governor Edmund G. Brown, Sr.

1962 At this point, there were 8,076 dairy farms in the State; 3,551 of these were market milk producers, the remaining 4,525 were manufacturing milk or Grade B dairies. There was a total of 563 market milk processing plants and 3,453 plants processing ice cream, butter, cheese, etc.

The Director appointed the California Milk Quality Committee, an advisory body of five milk producers, and three processors; plus eleven technical consultants (consumers, educators, public health officers, and veterinarians). Its primary objective was to make recommendations on the control of mastitis and the coordination of all milk inspection activities.

Simultaneously, legislation was proposed to the Assembly Interim Committee on Livestock and Dairies to correct the following:

1. Overlapping inspection.
2. Inspection services operating far from their political jurisdiction.
3. A lack of uniformity in fees.

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1963 (Cont) It was noted these problems had developed over a twenty-year period, and the inspection problems per se had been under study since about 1958.

The proposed legislation was very similar to SB906, presented in 1961. The proposal included putting all milk inspection under the administration of the State Department of Agriculture and would have provided for payment from the State General Fund for the reasonable cost of this service.

Apparently, this proposed legislation failed to find a sponsor.

1965 AB 1698, pocket vetoed by Governor Brown, would have transferred the full cost of market milk inspection to the State General Fund.

Also, AB2003 was introduced to provide for total industry financing. This bill was defeated,

1967 Laws were passed and regulations adopted regarding deceptive merchandizing and purity standards of products resembling milk products. The law was immediately challenged in court cases in Los Angeles and Oakland. The Department was finally given jurisdiction in this matter, making California the first State in the Nation to have such laws.

The Bureau negotiated a contract with the USDA to do Federal dairy product grading and plant inspection in the Los Angeles area on a reimbursable basis. It was expected this work would expand to other parts of the State.

AB 887 would have changed the method of financing milk inspection by providing that cost of dairy farm and milk product plant inspection would be borne by the State General Fund; unless it were paid by local general funds. Approved Milk Services would be required to submit their budgets to the Director for approval. This bill was defeated.

AB 2529 was also proposed to change the method of financing, by having the cost borne by the Agriculture Fund unless paid by local general funds. Again, budgets were to be submitted to the Director for approval. This bill did not pass either.

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1969 Of 32 Approved Services, 15 agencies utilized processor assessments to partially support their milk inspection activities. The other 17 used only general fund revenue.

Twenty-seven of these were operated by county health departments, 2 by city health departments, and 3 operated under contracts with other counties.

AB 1153 again attempted to change the financing. This bill would have eliminated duplication of inspection and would have lowered the overall inspection costs. This bill was also defeated.

1970 A program was implemented to provide that recording thermometers be installed on all tanks used for holding market milk. California was the first state to adopt this type of legislation.

Santa Barbara County gave up its Approved Milk Inspection Service.

1971 The County of Sacramento requested that it be relieved of all market milk inspection in the counties of Tehama, Glenn, and Colusa.

1972 Industry representative and regulatory personnel met in Sacramento and concurred that there was a need for new milk inspection legislation. As a result, a seven member Ad Hoc Committee was appointed (Consisting of the Chief of the Bureau of Dairy Services as Chairman, two processors, two producers, and two Approved Milk Inspection Services representatives).

The objective of this committee was to explore, in depth, alternatives to the present system of milk inspection jurisdiction and financing, and other needed changes relating to milk and milk products. Following are some of the recommendations offered by this committee:

1. Amend the statutes to allow the segment of industry inspected to be assessed.
2. Analyze existing responsibilities to determine possible areas for consolidation within a jurisdiction.
3. Analyze existing Approved Services to determine possible consolidation in a manner which would reduce overlap and increase efficiency.
4. Provide a uniform assessment applicable to both the Department of Food and Agriculture and Approved Milk Inspection Services.
5. Encourage the consolidation of adjacent county milk inspection services to minimize laboratory and other costs.

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The Committee made several other recommendations. A draft of proposed legislation was prepared; however, legislation was not introduced.

AB 1227 increased the subvented funds from Milk Stabilization and provided for IRMA standardization and control.

1974 The San Francisco area was removed from the list of Approved Interstate Milk Shippers. A Milk Quality Committee was established to avoid the recurrence of such problems. This committee was disbanded in March of the following year.

1976 SB 1772 increased the State's minimum score for market milk dairy farms from 80% to 85%.

SCR 88 requested the Department of Food and Agriculture to study the desirability of a statewide dairy inspection system, and alternatives thereto, and to report the findings to the Legislature by February, 1977