



STATE OF NEW YORK DEPARTMENT OF
AGRICULTURE & MARKETS
10 B AIRLINE DRIVE
ALBANY, NEW YORK 12235

Division of Milk Control and Dairy Services
518-457-5731
Fax 518-485-8730

To: All NYS Dairy Equipment Installers and NYS Part 2 Permit Holders

Attached is our attempt to refresh everyone on the requirements related to equipment installations on Dairy Farms and in Processing Facilities.

Recently we have had a few issues where plans at the plant level were not properly forwarded and on the farm side, plans were not submitted or the plans were not sent to the Regional DPS due to the installer not being sure what company the farmer was going to ship their milk with.

Bottom line and in either case, plans must be submitted, and when in doubt on who to send it to, please do your best based upon the attached contact information and get it to someone within our Division. We are a small Division and we can channel the plans to the proper personnel on our end.

Should anyone have any questions pertaining to the submission of plans, please feel free to contact this Division to get an answer. Simply doing nothing to rectify an issue with plan submission will not be accepted.

Sincerely,

A handwritten signature in cursive script that reads "Casey M. McCue".

Casey M. McCue
Dairy Products Specialist III

CMM:lb

enclosures

TO: DAIRY EQUIPMENT INSTALLERS & 1 NYCRR PART 2 PERMIT HOLDERS

1 NYCRR Part 2, Section 2.64(a) (Associated Applications) in part, states “Any person who commercially constructs, reconstructs or extensively renovates a milk house . . . , milk plant . . . , or modifies milk handling equipment on Dairy Farms or in Milk Plants . . . , shall file an application for a permit . . .

The Total Part 2 with Section 2.64 (Associated Applications) can be obtained by contacting the Department of Agriculture & Markets, Division of Milk Control, or your local Dairy Products Specialist. It can also be reviewed and downloaded by going to the Departments website, www.agmkt.state.ny.us. and following these steps

- ¾ On left side of screen click on Divisions
- ¾ Click on Milk Control & Dairy Services
- ¾ Click on Regulations at top of page
- ¾ Part 2 is under both producer and plant operator.
- ¾ For contact information of DPS Supervisors
 - 9 Click on Directory
 - 9 Click on Field Staff.

1 NYCRR Part 2, Section 2.64(b) states in part “Every Equipment Installer shall submit plans for the Construction. . . , of a milkhouse . . . , or milk plant, or installation or modification of milk handling equipment on Dairy Farms or in Milk Plants. No work shall be done unless the plans there for are submitted . . . If the Commissioner approves plans, all work shall substantially conform to the approved plans.”

Section 2.64(c) states “Failure to comply with the requirements of this section shall subject such persons to the penalties authorized in Section 40 of the Agriculture & Markets Law and/or registration suspension or revocation.”

Dairy Farm Applications and Plans

Prior to the installation or modification of any milking or milk handling equipment on the farm, the equipment dealer must submit adequate plans in triplicate using either form DMC-1517, "Application to Install a Pipeline Milking or Transfer System on a Dairy Farm", or form DMC-1569, "Application to Install Milk Related Equipment". The dealer must send one (1) copy of all such plans to the CMI assigned to the producer where the equipment is being installed. The two (2) remaining copies should be sent to the DPS II assigned to the county in which the producer resides. DMC-1570 (there is no title to this form) must be completed and returned to the dealer for all pipeline and equipment applications. The DMC-1570 is the official notice that the equipment can or cannot be installed. The CMI assigned to the dairy farm is responsible to comply with Part 2 Section 2.6(2) (vii).

When a new dairy producer has not yet been assigned to any one milk purchasing company or cooperative, the application(s) and plan(s) must go to the regional DPS II Supervisor assigned to that county. Once the Dairy Farm has been assigned to a milk plant, the CMI shall take responsibility of the initial approval.

If the Dairy Farm is doing the installation, the application(s) and plan(s) must be submitted to its assigned DPS II Supervisor and the CMI. The Dairy Farm shall comply with all of Part 2 Section 2.64(b) regulations.

If the Dairy Equipment Installer is only responsible for a part of the construction or installation, the application(s) and plan(s) shall clearly indicate the items being submitted for approval. The Dairy Farm will be inspected by CMI.

Milk Plants and Transfer Stations

The Dairy Equipment installer shall submit application(s) and plan(s) to the assigned milk plant DPS II and the Division of Milk Controls Dairy Equipment Specialist II. A letter of intent should accompany the applications and plans to help explain the installation or modifications being done. Also, any part of the installation and/or construction that is to be completed by the milk plant shall be included in the letter.

If the Milk Plant is to conduct the construction and/or installation, the application(s) and plan(s) must be submitted to the assigned DPS II. The milk plant shall comply with all of Part 2 Section 2.64. The PPS shall comply with NYCRR Part 2, section 2.6(b)(2).

Contact Information

NYS Dept. of Agriculture & Markets
Division of MC/DS
10 B Airline Drive
Albany, NY 12235

Christopher Hylkema, DPS II
Dairy Equipment Specialist
cell – 716-725-5080
email – christopher.hylkema@agriculture.ny.gov

518-457-1772

Website Information – Contact the Dept of Agri. & Mkts, Division of MC/DS