

Market Administrator Guidelines for Application of §1000.40(e)

Dumped Milk

- Can include bulk or packaged products;
- Can include “used to produce” (UTP) products, but must not be double accounted for in both UTP and dumps;
- Products must be measured and tested;
- Products must be returned to, and/or assembled at a facility under the control of the reporting handler to create a complete accounting of product receipts and utilization, and financial credit has no bearing on allowing the product to be reported as dumped;
- Prior approval is not mandatory, but the next business day is required, with the exception of normal, ongoing packaged product dumps which may be allowed without notice if a monthly recap of volumes is submitted prior to filing the pool report;
- Line rinse is not typically allowed, however, uncontaminated line rinse (milk washed from lines with only added water) may qualify if it meets the Market Administrator’s requirements for measurement and testing, and
- Dumps that have been requested by a handler, and not disapproved prior to pool, must be shown as utilization on the market report.

Animal Feed

- Can include bulk or packaged products;
- Can include “used to produce” (UTP) products, but must not be double accounted for in both UTP and dumps;
- Products must be measured and tested;
- Products must be returned to, and/or assembled at a facility under the control of the reporting handler to create a complete accounting of product receipts and utilization, and financial credit has no bearing on allowing the product to be reported as animal feed;
- There must be a signed form from the farmer and access to the farm location;
- Reporting will be similar to dumped milk in terms of inclusion on the market report.

Accidental Loss

- Product was lost and is therefore, not measurable, but documentation is still provided by the reporting handler;
- Notice of the loss must be received by the next business day after the event has occurred;
- Anything within the handler’s control is not an accidental loss;
- Should not include employee error;
- Should be limited to “acts of nature” and extraordinary situations or circumstances, and
- In these situations, volume or frequency or “outside the normal operations” can help define what is considered extraordinary.

1. These guidelines are intended as general guidelines that MA offices should follow when formulating product loss policies.
2. These guidelines cannot anticipate all future product loss scenarios. They are intended as an aid to decision makers when unanticipated scenarios occur.
3. It is unrealistic to believe these guidelines will guarantee that all product loss incidents will be handled identically across all orders due to local laws or regulations. The intention of these guidelines is that decision makers will draw upon the same basic criteria when making product loss decisions.

§1000.40(e)

Other uses. Other uses include skim milk and butterfat used in any product described in this section that is dumped, used for animal feed, destroyed, or lost by a handler in a vehicular accident, flood, fire, or similar occurrence beyond the handler's control. Such uses of skim milk and butterfat shall be assigned to the lowest priced class for the month to the extent that the quantities destroyed or lost can be verified from records satisfactory to the market administrator.



Federal Milk Market Administrator

Form Approved,
OMB No. 0581-0032

**United States
Department of Agriculture**

Agricultural Marketing Service
Dairy Programs

Marketing Area: Upper Midwest Federal Milk Order

Federal Order No: 30

Address: 1600 West 82nd Street, Suite 200
Minneapolis, MN 55431-1420

Website: www.fmma30.com
pool@fmma30.com

Email: dump@fmma30.com

Phone 1: (952) 831-5292

Phone 2: (630) 810-9999

Phone 3: (608) 242-1822

Fax 1: (952) 831-8249

Fax 2: (630) 810-1788

Fax 3: (608) 242-1846

REPORT OF MILK PRODUCTS DUMPED OR LOST

Instructions: To qualify for appropriate credit for dumped or lost product, notification must be made to the Market Administrator's office by telephone, fax, or email by the next business day. **Please report dump or loss to one of the phone numbers, fax numbers or email addresses listed above.**

HANDLER NAME _____ LOCATION _____ (CITY/STATE)

DATE OF DUMP/LOSS _____ TIME _____ Where and how was product disposed? _____

(Please check description, explain if necessary)

Product dumped from batch tank, vat, silo or other measurable method.

Explain: _____

Product loss was not contained (accidental loss, quantity estimated through other methods).

Explain: _____

Product Description	Units of Measure	Product Weight	Butterfat %	SNF %
Handler Comments:				

Handler Representative:

Name _____ Date _____

MA Representative Receiving Notification:

Name _____ Date _____

Comments: _____

MA Use Only	
Month	
Auditor	
Date	

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To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.