

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 measurable and testable;
- Products must be returned to, and/or assembled at, a reporting handler’s plant facility (not at a branch or warehouse facility) 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 maintained.
- 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.

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.

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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 measurable and testable;
- Products must be returned to, and/or assembled at, a reporting handler’s plant facility (not at a branch or warehouse facility) 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; and
- Reporting will be similar to dumped milk in terms of inclusion on the market report.