



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Larry Hogan, Governor - Boyd Rutherford, Lt. Governor - Van Mitchell, Secretary

MEMORANDUM

DATE: April 28, 2015

TO: Hauling Companies Licensed in Maryland

FROM: Laurie Bucher, Chief, Center for Milk and Dairy Product Safety 

RE: Offload of Overweight Milk Tankers

During the last 3-4 years, the Center for Milk and Dairy Product Safety (CMDPS) has received numerous calls regarding milk tank trucks that are in violation of the state weight limit laws: (<http://mgaleg.maryland.gov/webmga/frmMain.aspx?pid=billpage&stab=02&id=hb1246&tab=subject3&ys=2014rs>). We receive notification from the Maryland State Police of an overweight tanker, then arrive on site to observe that the milk is offloaded in a safe and sanitary manner to a clean tanker. At present, all loads that have been divided (offloaded), have remained at Grade A status, with the exception of one.

When we began this process, it was with the understanding that offloading would not have to occur very often and that it would be done on an emergency basis, and only under favorable weather conditions. We have found that this has become a recurring issue, and due to staffing shortages and budgetary constraints, we will no longer be able to continue handling these calls in this manner.

Section 10 of the Grade "A" Pasteurized Milk Ordinance (PMO), 2013 Revision states "Except as permitted in this Section, no milk producer, bulk milk hauler/sampler or distributor shall transfer Grade A milk or milk products from one (1) container or milk tank truck to another on the street, in any vehicle, store or in any place except a milk plant, receiving station, transfer station or milk house, especially used for that purpose...". To date, all of the offloads that we have observed have been performed along a roadway, at a park & ride, or at a weigh station facility. None of these locations meet the requirements of the PMO, Section 10, listed above.

Effective May 15, 2015, the CMDPS will no longer be able to respond to observe the offload of overweight milk tank trucks. Instead, we will be implementing the following procedure regarding overweight milk tank trucks that are required to be offloaded:

1. Maryland State Police will notify CMDPS of an overweight milk tank truck that must be offloaded.
2. CMDPS will be in communication with the Hauling Company regarding the details of the load such as truck and driver information, farm pick up locations, Milk Marketing Co-Op, original load destination, new load destination, offload tanker information (both tanks), etc.
3. CMDPS will inform the Hauling Company that the divided load will be downgraded and will no longer be of Grade A status.
4. The Milk Hauling Company will be responsible for offload of the required amount of milk. Once the offload is complete, they must contact CMDPS staff with information as to where the divided load will be received. At a minimum, the following information will be required and must be provided to CMDPS:
 - a. the plant name and location,
 - b. contact person, and
 - c. phone number.
5. CMDPS will contact the plant scheduled to receive the divided load, in order to verify that both milk tank trucks are being received at that location.
6. The milk transportation company will inform CMDPS when the divided load is received at the Manufactured Grade Plant.
7. If the Hauling Company cannot locate a Manufactured Grade milk plant that will receive the milk, the Hauling Company must notify CMDPS about the disposition of the load. CMDPS will place a memo in the milk transportation company file.

Our Department strongly urges you to ensure that ALL of your milk tank trucks in Maryland are in compliance with all applicable Maryland Department of Transportation, State Highway Administration, and Maryland State Police requirements. It is our hope that the number of overweight loads requiring offload will be significantly reduced, if not eliminated.

Please feel free to contact Kirk Engle at 301.791.4779, or myself at 443.690.3075, if you have any questions regarding this update or the implementation of this procedure. Thank you in advance for your complete cooperation in this matter.

cc: Cliff Mitchell, Bureau Chief, PHPA
Alan Taylor, Chief, Office of Food Protection, PHPA
Dave Czorapinski, Chief, Motor Carrier Division, State Highway Admin.
Duane Pearce, Maryland State Highway
Joanna Kille, Maryland Department of Agriculture
Kirk Engle, Section Head, CMDPS
Stephanie Rowles, Section Head, CMDPS
Maryland Milk Cooperatives



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Center for Milk and Dairy Product Safety

Contacts for Overweight Off-Loads of Milk Tank Trucks

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