



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY

28 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0028

AMANDA BEAL
COMMISSIONER

State of Maine Dairy Licensing

Whether you're selling bottled milk, making cheese, producing yogurt, or considering adding a dairy product to your farm business, understanding Maine's dairy licensing requirements is an important first step. This guide explains the different types of dairy licenses, inspections, and the resources available to help you. It also includes a simple flow chart to help you determine which permit or license applies to your operation. The Maine Dairy Program is committed to helping producers succeed while ensuring that milk and dairy products sold in Maine are safe, high-quality, and meet state and federal standards.

Benefits of a Maine Milk License

1. The ability to sell your product in multiple places including retail stores, farmer's markets, and straight from the farm
2. Regular product testing for consumer safety
 - a. Standard Plate Count - Aerobic bacteria (bacteria that needs oxygen to survive) count. Provides a picture of overall sanitation.
 - b. Total Coliform Count - Coliform bacteria count provides evidence of environmental contamination. Coliform bacteria acts as an indicator organism for potential pathogens.
 - c. Antibiotic Testing - Ensure product is free from antibiotics which could lead to quality problems for cultured products and promote resistance in bacteria populations. In addition, some consumers may be hypersensitive to antibiotics.
 - d. Alkaline Phosphatase - A test to check for proper pasteurization
 - e. Somatic Cell Count - Measures white blood cells and epithelial cells. Acts as a primary indicator of udder health and milk quality
3. Quality testing for aiding in farm management and profit
 - a. Container testing
 - b. Butterfat/Protein Levels - Components that are good to know for product manufacturing and animal cull decisions
 - c. Freezing Point - Measures added water
 - d. Free FYI testing for troubleshooting problem areas
 - e. Free well water tests
4. Resources
 - a. Advice from the dairy inspectors
 - b. Contacts for the University of Maine Cooperative Extension for milk quality troubleshooting and sample culture
 - c. Contacts for the University of Maine Cooperative Extension within the food science department for process control
 - d. Contacts in the Maine Cheese Guild
 - e. The ability to connect you to other producers for things like equipment sales, networking, advice, and mentoring with people in your area



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Contact information

Maine Dairy Program:

28 SHS, Augusta, ME 04333

MilkQuality.DACF@maine.gov

207-287-7623 or 207-287-7627

https://www.maine.gov/dacf/qar/inspection_programs/dairy_inspection.shtml

For questions about getting started, please contact the dairy program to speak with the inspector for your area.

Regulation

The production and processing of milk and milk products in Maine is regulated by the Department of Agriculture, Conservation, and Forestry, Quality Assurance & Regulations.

State Law: The Maine Milk Rule, 01-001 C.M.R. ch. 329 § VII (A) & (B) (2021)

Federal Regulation: Grade "A" Pasteurized Milk Ordinance (PMO)

Licensing/Permitting

Permits and/or licenses are issued to processors, allowing for the production and sale of dairy products in the state of Maine. The flow chart on page 2 can aid in determining what permit/license is needed.

- There is no exemption for licensing/permitting based on volume of milk sold in Maine.
- Licensed milk and milk products include: fluid milk, cultured fluid milk, flavored milk, cream, yogurt, kefir, butter, cheese, sour cream, eggnog, ice cream, gelato, and frozen yogurt.
- Some products made from milk or cream, such as puddings, candies, etc., are not regulated by the Dairy Program, but may still require additional licenses. More information is available at https://www.maine.gov/dacf/qar/permits_and_licenses/index.shtml or (207) 287-3841.
- Scoop shops/retail ice cream sales are regulated by DHHS:
<https://www.maine.gov/dhhs/mecdc/services/business-services/health-inspections>



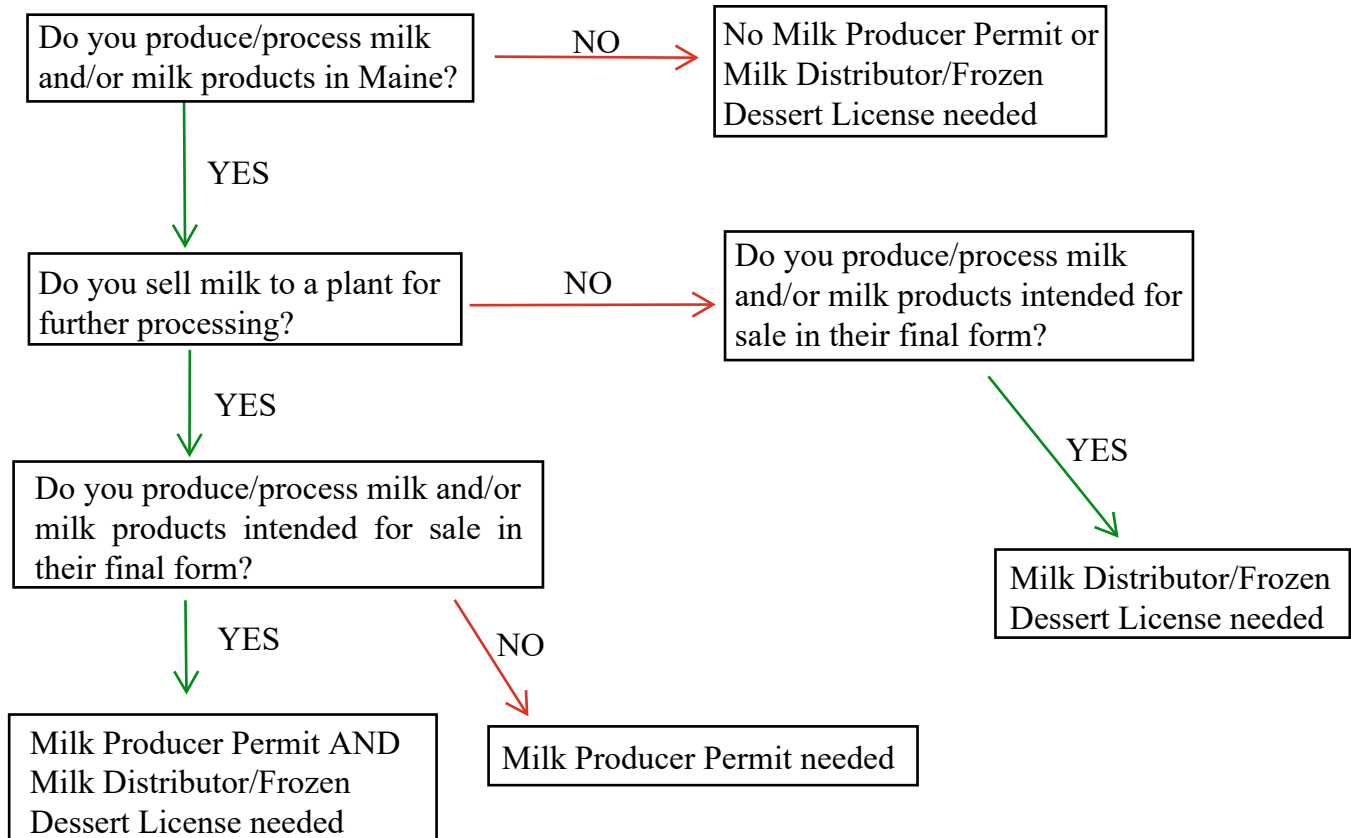
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Maine Dairy Program Licensing Flow Chart



Licenses

Milk Distributor License: Issued to facilities which process milk and/or milk products intended for sale in their final form. Milk Distributor licenses expire on December 31 of the year of issuance and are renewed annually.

Frozen Dessert License: Issued to facilities which manufacture frozen desserts for wholesale. Frozen Dessert licenses expire on June 30 of the year of issuance and are renewed annually. Scoop shops/retail ice cream sales are regulated by DHHS:

<https://www.maine.gov/dhhs/mecdc/services/business-services/health-inspections>

Milk Producer Permit

Issued to facilities which produce milk for further processing at a licensed facility. This permit is issued by the dairy inspector and is valid for 6 months or until the next completed inspection.



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What you'll need for an initial Milk Distributor / Frozen Dessert Manufacturer License

1. The application is returned with the appropriate fee (see chart on application)
2. A satisfactory water test performed by the state dairy inspector
3. A passing milk plant inspection from the state dairy inspector
4. Passing product tests for each product available for sale
5. Approved product labels
6. Tuberculosis & brucellosis test on whole herd (dependent on products/herd type)

FYI: to be considered an approved legal pasteurizer the equipment requires: an indicating thermometer, an air temperature thermometer, a recording thermometer, a chart recorder that creates a legal pasteurization record using circular paper charts, and the milk/milk product must be under continuous agitation throughout the 30 minute holding period.

How to maintain a Milk Distributor / Frozen Dessert Manufacturer License

1. Availability for annual / in season inspection (renewed annual licensing not available unless inspections are current).
2. Heat treatment, batch pasteurization or general production logs available for inspection.
3. Satisfactory water test annually (some types of water sources and systems require more frequent testing).
4. Copy of annual water report issued by the Dairy Program posted in processing room.
5. Retail samples of dairy products provided to inspector upon sampling events (each product must be sampled 4 times in a 6 month period of time).
6. New products being introduced must be first tested and cleared prior to adding to license. Labels must be approved prior to adding to license
7. Tuberculosis and/or Brucellosis testing every three years by an accredited veterinarian (dependent on products/herd type)

To connect with the dairy inspector for your region, please contact the Maine Dairy Program.



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What you'll need for an initial Milk Producer Permit

1. A satisfactory water test performed by the state dairy inspector
2. A passing milk plant inspection from the state dairy inspector
3. Tuberculosis & brucellosis test on whole herd (dependent on herd type)

How to maintain a Milk Producer Permit

1. Availability for semi-annual / in season inspections (renewed permit not available unless inspections are current).
2. General production logs available for inspection.
3. Satisfactory water test annually (some types of water sources and systems require more frequent testing).
4. Copy of annual water report issued by the Dairy Program posted in processing room.
5. Milk sample provided to inspector upon sampling events (must be sampled 4 times in a 6 month period of time).
6. Tuberculosis and/or Brucellosis testing every three years by an accredited veterinarian (dependent on herd type)

To connect with the dairy inspector for your region, please contact the Maine Dairy Program.