

**CHAPTER 1525**  
**DEPARTMENT OF AGRICULTURE**  
**DAIRY INDUSTRY**

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**1525.0470** [Repealed, 26 SR 627]

**1525.0480** [Repealed, 26 SR 627]

**1525.0490** [Repealed, 26 SR 627]

**1525.0500** [Repealed, 26 SR 627]

**1525.0530** [Repealed, 26 SR 627]

**1525.0540** [Repealed, 26 SR 627]

**1525.0570** [Repealed, 26 SR 627]

**1525.0580** [Repealed, 26 SR 627]

**1525.0590** [Repealed, 26 SR 627]

**1525.0620** [Repealed, 26 SR 627]

**1525.0630** [Repealed, 26 SR 627]

**1525.0640** [Repealed, 26 SR 627]

**1525.0650** [Repealed, 26 SR 627]

**1525.0661** [Repealed, 26 SR 627]

**1525.0700** [Repealed, 26 SR 627]

**1525.0710** [Repealed, 26 SR 627]

**1525.0720** [Repealed, 26 SR 627]

**1525.0730** [Repealed, 26 SR 627]

**1525.0740** [Repealed, 26 SR 627]

1525.0750 [Repealed, 26 SR 627]

1525.0760 [Repealed, 26 SR 627]

1525.0770 [Repealed, 26 SR 627]

1525.0780 [Repealed, 26 SR 627]

1525.0790 [Repealed, 26 SR 627]

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1525.0810 [Repealed, 26 SR 627]

1525.0820 [Repealed, 26 SR 627]

1525.0840 [Repealed, 26 SR 627]

1525.0850 [Repealed, 26 SR 627]

1525.0860 [Repealed, 26 SR 627]

1525.0870 [Repealed, 26 SR 627]

1525.0880 [Repealed, 26 SR 627]

1525.0890 [Repealed, 26 SR 627]

1525.0910 [Repealed, 26 SR 627]

**1525.0920 SANITARY PIPING.**

All sanitary piping, fittings, and connections that are used to conduct milk or milk products or are exposed to milk or milk products or from which liquids may drip, drain, or be drawn into milk or milk products must consist of smooth, impervious, corrosion-resistant, nontoxic, easily cleanable materials that are approved for food contact surfaces. Pasteurized milk and milk products must be conducted from one piece of equipment to another only through sanitary milk piping, in compliance with Minnesota Statutes, sections 31.101, subdivision 12, and 32.394, subdivision 4.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11; 32.394; 32.415*

**History:** *26 SR 627*

**1525.0930 CONSTRUCTION AND REPAIR OF CONTAINERS AND EQUIPMENT.**

All multiuse containers and equipment with which milk or milk products come in contact must be of smooth, impervious, corrosion-resistant, nontoxic material, must be constructed for ease of cleaning, and must be kept in good repair.

All single-use containers, closures, gaskets, and other articles with which milk or milk products come in contact must be nontoxic and must be manufactured, packaged, transported, and handled in a sanitary manner. Articles intended for single use must not be reused, in compliance with Minnesota Statutes, sections 31.101, subdivision 12, and 32.394, subdivision 4.

**Statutory Authority:** *MS s 31.10; 31.101, 31.11; 32.394, 32.415*

**History:** *26 SR 627*

**1525.0940 COMPLIANCE.**

All containers and equipment which are purchased after the adoption of parts 1525.0920 and 1525.0930 shall be considered to be in compliance with parts 1525.0690

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and 1525.0930 if they conform to the sanitary design and construction standards of Minnesota Statutes, sections 31 101, subdivision 12, and 32.394, subdivision 4

**Statutory Authority:** *MS s 31 10; 31 101; 31 11; 32.394, 32 415*

**History:** *26 SR 627*

1525.0950 [Repealed, 26 SR 627]

1525.0960 [Repealed, 26 SR 627]

1525.0980 [Repealed, 26 SR 627]

1525.0990 [Repealed, 26 SR 627]

1525.1000 [Repealed, 26 SR 627]

1525.1010 [Repealed, 26 SR 627]

1525.1030 [Repealed, 26 SR 627]

### 1525.1040 PASTEURIZATION.

Pasteurized milk and milk products must comply with all requirements of Minnesota Statutes, sections 31 101, subdivision 12, and 32 394, subdivision 4 Equipment must be constructed, installed, and operated in compliance with Minnesota Statutes, sections 31.101, subdivision 12, and 32.394, subdivision 4

**Statutory Authority:** *MS s 31.10; 31 101, 31 11; 32.394, 32 415*

**History:** *26 SR 627*

1525.1050 [Repealed, 26 SR 627]

1525.1060 [Repealed, 26 SR 627]

### 1525.1070 TRANSPORTING CONDENSED WHEY.

Whey that has been pasteurized in accordance with part 1525.1040 and that subsequently is condensed to contain more than 40 percent solids may be transported to another plant and dried without being repasteurized, provided, that approval first is granted by the commissioner; and, provided further, that the condensed whey is transported in sealed and tagged sanitary transport tanks and is handled at all times in a manner approved by the commissioner

**Statutory Authority:** *MS s 31 10, 31 101; 31.11, 32.394; 32 415*

**History:** *26 SR 627*

1525.1080 [Repealed, 26 SR 627]

1525.1090 [Repealed, 26 SR 627]

### 1525.1100 MILK PASTEURIZATION RECORDING CHARTS; TESTS AND EXAMINATIONS.

Milk pasteurization recording charts must be completed and equipment tests and examinations must be conducted in accordance with Minnesota Statutes, sections 31 101, subdivision 12, and 32 394, subdivision 4

**Statutory Authority:** *MS s 31 10, 31 101, 31 11, 32 394; 32 415*

**History:** *26 SR 627*

1525.1110 [Repealed, 26 SR 627]

1525.1120 [Repealed, 26 SR 627]

1525.1130 [Repealed, 26 SR 627]

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1525.1140 [Repealed, 26 SR 627]

1525.1150 [Repealed, 26 SR 627]

1525.1160 [Repealed, 26 SR 627]

1525.1170 [Repealed, 26 SR 627]

1525.1180 [Repealed, 26 SR 627]

1525.1190 [Repealed, 26 SR 627]

1525.1200 [Repealed, 26 SR 627]

1525.1210 [Repealed, 26 SR 627]

1525.1220 [Repealed, 26 SR 627]

1525.1230 [Repealed, 26 SR 627]

1525.1240 [Repealed, 26 SR 627]

1525.1250 [Repealed, 26 SR 627]

1525.1260 [Repealed, 26 SR 627]

1525.1270 [Repealed, 26 SR 627]

1525.1280 [Repealed, 26 SR 627]

1525.1290 [Repealed, 26 SR 627]

1525.1300 [Repealed, 26 SR 627]

1525.1320 [Repealed, 26 SR 627]

1525.1350 [Repealed, 26 SR 627]

1525.1360 [Repealed, 26 SR 627]

1525.1370 [Repealed, 26 SR 627]

1525.1380 [Repealed, 26 SR 627]

1525.1390 [Repealed, 26 SR 627]

1525.1400 [Repealed, 26 SR 627]

1525.1410 [Repealed, 26 SR 627]

1525.1420 [Repealed, 26 SR 627]

1525.1430 [Repealed, 26 SR 627]

1525.1440 [Repealed, 26 SR 627]

1525.1450 [Repealed, 26 SR 627]

1525.1460 [Repealed, 26 SR 627]

## 1525.1470 MAINTENANCE OF QUALITY RECORDS.

*[For text of subs 1 and 2, see MR]*

Subp 4 **Reporting of monthly test results.** Results of monthly tests must be reported back to the producer and to the regulatory agency within 21 days from the

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sample date to assure timely enforcement procedures Producers whose milk is found to be out of compliance on any quality tests must be notified by the licensed purchaser and enforcement action taken

Maintenance and delivery of records must comply with Minnesota Statutes, section 32 411, subdivisions 2, 3, 4, and 5

**Statutory Authority:** *MS s 31 10, 31 101, 31 11; 32 394; 32 415*

**History:** *26 SR 627*

1525.1510 [Repealed, 26 SR 627]

## 1525.2300 PURPOSE.

It is the purpose of parts 1525.2300 to 1525 2400 to carry out and enforce the provisions of Minnesota Statutes, section 32 394. The rules relate to certification of milk laboratories before such laboratories may conduct tests for the purpose of enforcement of requirements for the distribution of milk, milk products, or goat milk under the Grade A label and to the issuance to the laboratory of a permit to conduct such test

**Statutory Authority:** *MS s 31 10, 31 101; 31 11, 32 394, 32 415*

**History:** *26 SR 627*

## 1525.2310 DEFINITIONS.

*[For text of subps 1 to 4, see MR ]*

Subp 5 **Milk laboratory.** "Milk laboratory" is a facility which conducts tests for distribution of milk, milk products, or goat milk under the Grade A label

**Statutory Authority:** *MS s 31 10, 31 101; 31 11; 32 394, 32 415*

**History:** *26 SR 627*

## 1525.2320 REQUIREMENTS FOR CERTIFICATION.

A milk laboratory that desires to be certified to conduct tests for the purpose of enforcement of requirements for distribution of milk, milk products, or goat milk under the Grade A label must: use only analysts approved to conduct laboratory sampling procedures, bacterial counts, detection of inhibitory substances, coliform determinations, and/or phosphatase and temperature checks, employ sampling procedures and required laboratory examinations that are in substantial compliance with the 16th edition of Standard Methods for Examination of Dairy Products of the American Public Health Association and the 17th edition of Official Methods of Analyses of the Association of Analytical Chemists; and otherwise meet the requirements of Minnesota Statutes, section 32 394, subdivision 4

**Statutory Authority:** *MS s 31.10, 31.101, 31 11, 32 394; 32 415*

**History:** *26 SR 627*

## 1525.2330 EVALUATION OF LABORATORIES FOR CERTIFICATION.

The following apply to evaluation of milk laboratories for the purpose of certification

A An assessment of the milk laboratory's operation relative to the requirements of Minnesota Statutes, section 32 394, subdivision 4, must be made at the time of application for certification and not less frequently than once each two years afterwards In the case of a certified milk laboratory that moves to another building that uses another source of tap water, distilled water, or steam supply for the autoclave, a resurvey may be conducted even though no change in personnel or procedures is planned

*[For text of item B, see MR ]*

**Statutory Authority:** *MS s 31 10, 31 101, 31 11, 32 394, 32 415*

**History:** *26 SR 627*

**1525.2370 REVOCATION OR SUSPENSION OF PERMIT.**

The permit issued by the commissioner under the provisions of these rules shall remain valid for two years unless suspended or revoked by the commissioner for failure to comply with the requirements of these rules. In cases where the commissioner seeks to suspend or revoke a permit, the procedural and hearing requirements shall be the same as for disputes arising from failure to certify a milk laboratory or to approve an analyst.

**Statutory Authority:** *MS s 31 10, 31 101, 31 11, 32 394, 32 415*

**History:** *26 SR 627*

**1525.2390 FEES.**

An application for a permit must be accompanied by the fee established in Minnesota Statutes, section 32 394, subdivision 8a. The fee for each set of split samples required for evaluation of laboratories must be as established by Minnesota Statutes, section 32.394, subdivision 8a.

**Statutory Authority:** *MS s 31 10; 31 101, 31 11, 32 394; 32 415*

**History:** *26 SR 627*

**1525.2470 SAMPLE RETENTION AND HANDLING.**

All samples collected and used for protein testing pursuant to these rules shall be held at temperatures of 32 to 40 degrees Fahrenheit until tested. Duplicate samples must be retained and tested for protein accuracy if the producer does not fall under the federal Milk Marketing Order. All duplicate samples shall be retained at the place of testing until 3 00 p.m. of the day following the last testing date of the sample.

**Statutory Authority:** *MS s 31 10, 31 101, 31 11, 32 394; 32.415*

**History:** *26 SR 627*

**1525.2480 TEST RECORDS.**

Purchasers shall provide producers with a statement of the protein content of the milk with or in each settlement statement.

The purchaser shall disqualify abnormal milk for testing on a protein basis when whole milk is found to be abnormal pursuant to Minnesota Statutes, sections 31 101, subdivision 12, and 32 394, subdivision 4, and the purchaser's records shall indicate the results of the confirmatory tests. Only confirmatory tests approved pursuant to Minnesota Statutes, sections 31.101, subdivision 12, and 32 394, subdivision 4, shall be used in determining the ineligibility of whole milk tested on a protein basis.

**Statutory Authority:** *MS s 31 10, 31 101, 31 11, 32 394; 32 415*

**History:** *26 SR 627*

**1525.2500** [Repealed, 26 SR 627]

**1525.2510** [Repealed, 26 SR 627]

**1525.2520** [Repealed, 26 SR 627]

**1525.2530** [Repealed, 26 SR 627]

**1525.2890 MALTED MILK, POWDERED MALTED MILK.**

"Malted milk," "powdered malted milk" is the product made by combining whole milk with the liquid separated from a mash of ground barley malt and wheat flour, with or without the addition of sodium chloride, sodium bicarbonate, and potassium bicarbonate, in such a manner as to secure the full enzymic action of the malt extract.

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and by removing water. The resulting product contains not less than 7.5 percent of milk fat and not more than 3.5 percent of moisture.

**Statutory Authority:** *MS s 31.10, 31.101, 31.11, 32.021, 32.394, 32.401; 32.415*

**History:** 26 SR 627

## 1525.2900 QUALITY TESTING OF MILK FROM NEW PRODUCER.

Every purchaser of milk for manufacturing purposes or for resale to another for manufacturing purposes shall demand and receive with the first milk delivery received from a producer a copy of the record of quality tests of the producer's milk made by a former purchaser during three months immediately preceding such delivery, unless the producer has not delivered such products to any other purchaser during that period. If the previous purchaser, after receiving a written request for such record from the producers or from the new purchaser, refuses or is unable to comply with such request, the new purchaser shall immediately report such failure or refusal to the commissioner.

**Statutory Authority:** *MS s 31.10, 31.101; 31.11; 32.394, 32.415*

**History:** 26 SR 627

## 1525.2910 FIRST SHIPMENT OR SHIPMENT FOLLOWING EXTENDED PERIOD OF NONSHIPMENT.

An examination shall be made on the first shipment of milk from all producers shipping milk to a plant for the first time or following an extended period of nonshipment. The milk shall meet all applicable standards for acceptable milk as defined in Minnesota Statutes, section 32.415, paragraph (a). Thereafter, the milk shall be tested in accordance with procedures designated for regular producers.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11, 32.394; 32.415*

**History:** 26 SR 627

## 1525.2920 REJECTED MILK.

Whenever a sample of a producer's milk is classified as undergrade as defined in Minnesota Statutes, section 32.415, paragraph (a), milk from that producer may be accepted for a period not to exceed four weeks. The producer shall be notified immediately that the milk is classified "undergrade milk."

**Statutory Authority:** *MS s 31.10; 31.101; 31.11, 32.394; 32.415*

**History:** 26 SR 627

## 1525.2930 ADDITIONAL SAMPLES.

Additional samples shall be tested and classified at least weekly, and the producer shall be notified of these test results. If, at the end of the four week period, the producer's milk does not meet the bacterial standards as prescribed in Minnesota Statutes, section 32.415, paragraph (a), the milk shall be rejected for sale and no milk from such producer's premises shall be offered for sale thereafter for human consumption nor shall it be accepted by a dairy plant until such sale or acceptance is authorized by the commissioner.

**Statutory Authority:** *MS s 31.10, 31.101, 31.11, 32.394, 32.415*

**History:** 26 SR 627

## 1525.2940 CORRECTED CONDITIONS.

The commissioner may authorize such sale or acceptance of milk by a dairy plant only after the producer demonstrates that the conditions causing unsanitary milk have been corrected.

**Statutory Authority:** *MS s 31.10, 31.101; 31.11, 32.394, 32.415*

**History:** 26 SR 627

**1525.2950 REJECTION OF ILLEGAL MILK.**

Purchases of milk for manufacturing purchasers shall reject all illegal milk immediately. They shall denature it by the addition of a harmless blue coat tar dye approved by the commissioner, shall affix to all cans or containers containing illegal milk a rejection tag provided by the commissioner, and shall indicate on the tag the reason for rejection. Under no circumstances shall such tags be removed from the cans or containers by the trucker, handler, or any other person while such illegal milk is contained therein. Such illegal milk shall not be sold for human consumption.

**Statutory Authority:** *MS s 31 10, 31 101, 31 11; 32 394, 32 415*

**History:** *26 SR 627*

**1525.2960 PAYMENT BASIS.**

The grade of milk paid for shall be based upon the quality and condition of the milk at the time of delivery to the dairy plant and the grade shall be one of the established grades promulgated by the commissioner of agriculture. In the case of bulk pickup, the grade of milk paid for shall be one of the established grades and shall be based upon the quality and condition of the milk at the time of pickup.

**Statutory Authority:** *MS s 31 10; 31 101, 31.11; 32 394, 32 415*

**History:** *26 SR 627*

**1525.2970 REPORTS TO PRODUCERS.**

The purchaser shall notify the producer at the time of payment of the official grade of milk for which the producer has been compensated.

**Statutory Authority:** *MS s 31 10, 31.101; 31 11, 32 394; 32 415*

**History:** *26 SR 627*

**1525.2980 PROTECTION OF CANS OF MILK AND CREAM AND RETURNED CLEAN CANS WHEN PICKED UP AND DELIVERED AT ROADSIDE.**

If the operator of the truck or other vehicle does not pick up the cans containing milk or cream from the cooling tank or milk house, but picks them up at the roadside, a structure shall be provided by the producer for protecting said cans of milk or cream from dust or other extraneous substances and from extreme heat or cold until picked up by the truck or other vehicle for hauling to the receiving or processing plant as prescribed in Minnesota Statutes, section 31 101, subdivision 12.

When return cans are delivered to a roadside, the trucker shall place them in the structure provided therefor.

**Statutory Authority:** *MS s 31 10; 31 101, 31 11; 32 394, 32 415*

**History:** *26 SR 627*

**1525.2990 PURCHASE OF SKIM MILK AND BUTTERMILK.**

Purchases of skim milk and buttermilk by one dairy plant from another dairy plant for the purpose of resale as such or for manufacture into dairy products shall be made using the following procedures: the weight of each load of skim milk and buttermilk shall be accurately determined and the weight recorded, a representative sample of each load of skim milk and buttermilk shall be taken, the sample to be used for the determination of the percentage of total milk solids contained therein, and the percent of total milk solids of each such sample shall be determined by a method approved by the commissioner and a record of the test results shall be kept by the purchaser and shall be reported monthly and annually to the commissioner.

**Statutory Authority:** *MS s 31 10, 31 101, 31 11; 32.394, 32 395, 32 415*

**History:** *26 SR 627*



**1525.3000 REPORT OF WEIGHT AND TEST.**

A report of the weight and the test of each such load of skim milk and buttermilk shall be furnished to the plant from which the purchase was made, such report to be made not later than the day following delivery, except that reports for deliveries made on Saturday or Sunday may be made on Monday and for deliveries on holidays on the day following the holiday

**Statutory Authority:** *MS s 31 10; 31 101, 31 11, 32 394; 32 395; 32 415*

**History:** *26 SR 627*

**1525.3010 TEST PROCEDURES.**

The test procedure to be used shall be as follows, provided, that the commissioner may permit other procedures which the commissioner has determined will give equally satisfactory results

**Statutory Authority:** *MS s 31 10, 31 101; 31 11, 32 394, 32 395; 32 415*

**History:** *17 SR 1279; 26 SR 627*

**1525.3020 SAMPLING.**

A well mixed sample of skim milk or buttermilk of sufficient size for the test shall be taken. If not tested immediately, the sample shall be stored at 32 to 40 degrees Fahrenheit until tested. Preservatives shall not be added.

**Statutory Authority:** *MS s 31 10; 31 101, 31.11; 32 394; 32 395; 32 415*

**History:** *26 SR 627*

**1525.3030 UNIFORM INSIGNIA FOR MINNESOTA GRADE AA OR A.**

A uniform grade insignia may be used on the package label of butter which has been manufactured in Minnesota and which has been graded "Minnesota Grade AA" or "Minnesota Grade A." The insignia shall consist of the grade statement enclosed by an outline map of Minnesota. The lines forming the map shall be not less than three points in width. No other written, printed, or graphic matter shall appear within the outline map. No person shall use the grade insignia on the label of any butter except as herein provided, nor shall any person use any insignia in semblance thereof on the label of any butter

**Statutory Authority:** *MS s 31.10; 32 475*

**History:** *26 SR 627*

**1525.3040 DEFINITIONS.**

Subpart 1 **Applicability.** Two of the following three definitions are general in nature, setting out standards of identity for two groups of products. The first, "quiescently frozen confections," includes those confections in which dairy ingredients are not generally used but does cover those items in which dairy ingredients are sometimes used in amounts insufficient to characterize these products as dairy confections. The second, "quiescently frozen dairy confections," includes only those confections that are generally characterized by their dairy ingredients. The third definition is specific for milk products

Subp 2 **Quiescently frozen confection.** "Quiescently frozen confection" means a clean and wholesome frozen product made from a mixture of water, sugar, and flavoring, with or without coloring, in the manufacture of which freezing has not been accompanied by stirring or agitation (generally known as quiescent freezing) This confection may be acidulated with harmless organic acid, may contain milk solids, may be made with or without added harmless natural and/or imitation flavoring, with or without added harmless coloring. The finished product may contain not more than one-half of one percent by weight of stabilizer composed of wholesome, edible material. The finished product shall contain not less than 17 percent by weight of total food solids

Subp. 3 **Quiescently frozen dairy confection.** "Quiescently frozen dairy confection" means a clean and wholesome frozen product made from water, milk products, and sugar, with added harmless natural and/or imitation flavoring, with or without added harmless coloring, with or without added stabilizer, and with or without added emulsifier, and in the manufacture of which freezing has not been accompanied by stirring or agitation (generally known as quiescent freezing). It contains not less than 13 percent by weight of total milk solids, not less than 33 percent by weight of total food solids, not more than one-half of one percent by weight of stabilizer and not more than one-fifth of one percent by weight of emulsifier. The stabilizer and emulsifier must be composed of wholesome, edible material.

Subp. 4 **Milk products.** "Milk products" means pure, clean, and wholesome cream, dried cream, plastic cream, butter, butter oil, milk, concentrated milk from which some or all moisture is removed, sweetened condensed milk, dried milk, skim milk, concentrated skim milk from which some or all moisture is removed, sweetened condensed part skim milk, buttermilk, buttermilk product, whey, whey protein concentrate, and dry whey and shall include any of the foregoing products from which lactose or minerals have been wholly or partially removed and any other product made by the addition of any approved substance to any of these milk products and used for similar purposes and which, when designated as a milk product by the commissioner, is known by its common name.

**Statutory Authority:** *MS s 31 10, 31 101, 32 021*

**History:** *26 SR 627*

#### **1525.3050 MANUFACTURING LIMITATIONS.**

These quiescently frozen confections and quiescently frozen dairy confections must be manufactured in the form of servings, individually packaged, bagged, or otherwise wrapped, properly labeled, and purveyed to the consumer in the original factory-filled package.

**Statutory Authority:** *MS s 31 10, 31 101, 32 021*

**History:** *26 SR 627*

#### **1525.3060 PROCESSING OR MIXING PRIOR TO QUIESCENT FREEZING.**

In the production of these quiescently frozen confections and quiescently frozen dairy confections, no processing or mixing prior to quiescent freezing shall be used that develops in the finished confection mix any physical expansion in excess of ten percent.

**Statutory Authority:** *MS s 31 10, 31.101, 32 021*

**History:** *26 SR 627*

#### **1525.3070 PASTEURIZATION AND COOLING OF MIX.**

Mix for quiescently frozen dairy confections and for quiescently frozen confections containing milk products shall be pasteurized and cooled immediately after pasteurization in accordance with Minnesota Statutes, section 32 64, subdivisions 1 and 2, and records of such pasteurization and cooling shall be kept in accordance with Minnesota Statutes, section 32 64, subdivision 3.

**Statutory Authority:** *MS s 31.10; 31 101; 32 021*

**History:** *26 SR 627*

#### **1525.3080 BACTERIAL COUNTS, COLIFORM COUNTS.**

At no time after pasteurization shall quiescently frozen confections containing milk products, quiescently frozen dairy confections or the mixes therefor, or quiescently frozen confections not containing milk products or the mix therefor have bacterial counts exceeding 50,000 bacteria per gram or coliform counts exceeding 20 coliforms.

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per gram as determined in accordance with Minnesota Statutes, section 32.64, subdivision 4

**Statutory Authority:** *MS s 31 10, 31.101, 32 021*

**History:** *26 SR 627*

## 1525.3090 FROZEN MALTED MILK.

“Frozen malted milk” is the semifrozen food prepared from the same ingredients and in the same manner prescribed in Minnesota Statutes, section 31 101, subdivision 8, for ice cream and complies with the same provisions of Minnesota Statutes, section 31 101, subdivision 8 (including the requirements for label statement of optional ingredients), except that.

- A. it contains not less than seven percent by weight of milk fat,
- B. it contains not less than 14 percent by weight of total milk solids,
- C. it contains not less than three percent by weight of malted milk;
- D. it contains not less than 1-3/10 pounds of total food solids per gallon, and
- E. the name of the food is “frozen malted milk.”

**Statutory Authority:** *MS s 31 10, 31 101*

**History:** *26 SR 627*

## 1525.3100 FROZEN MILK SHAKE.

“Frozen milk shake” is the semifrozen food prepared from the same ingredients and in the same manner as prescribed in Minnesota Statutes, section 31.101, subdivision 8, for ice milk and complies with all the provisions of Minnesota Statutes, section 31 101, subdivision 8, except that.

- A. it shall be sold or served only to the consumer and only in a semifrozen state; and
- B. the name of the food is “frozen milk shake ”

**Statutory Authority:** *MS s 31.10; 31.101*

**History:** *26 SR 627*

## 1525.3110 FROZEN MALT.

“Frozen malt” is the semifrozen food prepared from the same ingredients and in the same manner as prescribed in Minnesota Statutes, section 31.101, subdivision 8, for ice milk and complies with all the provisions of Minnesota Statutes, section 31 101, subdivision 8, except that

- A. it shall be sold or served only to the consumer and only in a semifrozen state;
- B. it shall contain malt flavoring, and
- C. the name of the food is “frozen malt.”

**Statutory Authority:** *MS s 31 10, 31 101*

**History:** *26 SR 627*

## 1525.3120 IDENTIFICATION OF MANUFACTURER.

The number or code permitted by Minnesota Statutes, section 32 62, subdivision 1, clause (5), in lieu of the name and address of the manufacturer of mix, ice cream mix, mix base, ice cream mix base, or frozen foods when a distributor’s name and address appears on the label of the package or container in which such mix, ice cream mix, mix base, ice cream mix base, or frozen foods are prepackaged for sale, shall conform to the following

- A. The identification number or code shall consist of the number from the IBM Numerical Code of States representing the state of origin followed by a hyphen and the plant number corresponding to a permanent list of numbers assigned by the state regulatory agency having jurisdiction

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B Such number or code may be printed, embossed, or stamped on the package label.

C If the manufacturer of the mix, ice cream mix, mix base, ice cream mix base, or frozen food cannot be identified because of the failure to use or misuse of the identity code, the product shall be deemed to be misbranded

**Statutory Authority:** *MS s 31 10; 31 101*

**History:** *26 SR 627*