

## CHAPTER 62—H. F. No. 578

*An act relating to the manufacture and sale of ice cream mix and frozen foods; amending Mason's Supplement 1940, Section 3827-6.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Law amended.**—Mason's Supplement 1940, Section 3827-6, is hereby amended to read as follows:

“3827-6. **Definitions.** *Subdivision 1.* For the purpose and within the meaning of *Mason's Supplement 1940, Sections 3827-6 to 3827-19 inclusive*, the definitions set forth in *Subdivisions 2 to 14* shall obtain.

*Subdivision 2.* “Frozen Foods” means ice cream, frozen custards, ice milk, milk sherbet, fruit ice or ice sherbet, frozen malted milk, as defined in this act.

*Subdivision 3.* “Milk Products” means pure, clean and wholesome cream, pure milk fat, butter, milk, evaporated milk, skimmed milk, condensed milk, sweetened condensed skimmed milk, dried milk, dried skimmed milk.

*Subdivision 4.* “Mix” or “Ice Cream Mix” means the mixture from which ice cream is frozen, made from a combination of milk products and one or more of the following ingredients: eggs, sugar, dextrose, *corn syrup in liquid or dry form*, and honey, with or without flavoring and coloring, and with or without edible gelatin or vegetable stabilizer. It contains not more than one-half of one per cent by weight of edible gelatin or vegetable stabilizer, not less than 12 per cent by weight of milk fat, and not less than 20 per cent by weight of total milk solids. Ice cream mix in concentrated or condensed form shall contain such relative amounts of ingredients, that when diluted according to directions, it shall comply with the above definition of ice cream mix.

*Subdivision 5.* “Ice Cream Mix Base” means ice cream powder or dry ice cream mix and is the product resulting from the removal of water from ice cream mix and contains, all tolerances allowed for, not less than 30.5 per cent of milk fat and not less than 64.5 per cent of total solids and not more than five per cent of moisture.

*Subdivision 6.* “Ice Cream” means the pure, clean, frozen product made from a combination of milk products and one or more of the following ingredients: eggs, sugar, dextrose, *corn syrup in liquid or dry form*, and honey, with or without flavoring and coloring, and with or without edible gelatin or vegetable stabilizer; and in the manufacture of which, freezing has been accompanied by agitation of the ingredients. It contains not more than one-half of one per cent by weight of edible gelatin or vegetable stabilizer, not

less than 12 per cent by weight of milk fat, and not less than 20 per cent by weight of total milk solids; except when fruits, nuts, cocoa or chocolate, maple syrup, cakes or confections are used for the purpose of flavoring, then it shall contain not less than 12 per cent by weight of milk fat and not less than 20 per cent by weight of total milk solids, except for such reduction in milk fat and in total milk solids as is due to the addition of such flavoring, but in no such case shall it contain less than ten per cent by weight of milk fat or less than 16 per cent by weight of total milk solids. In no case shall any ice cream contain less than one and six-tenths pounds of total food solids per gallon or weigh less than four and one-half pounds per gallon.

*Subdivision 7.* "Frozen Custard" means French ice cream, French custard ice cream, ice custard, parfais, and similar frozen products. Frozen custard is a pure, clean, frozen product made from a combination of milk products and one or more of the following ingredients: egg yolk, sugar, dextrose, *corn syrup in liquid or dry form*, and honey, with or without flavoring and coloring, and with or without edible gelatin or vegetable stabilizer; and in the manufacture of which, freezing has been accompanied by agitation of the ingredients. It contains not more than one-half of one per cent by weight of edible gelatin or vegetable stabilizer, not less than 12 per cent by weight of milk fat, not less than 20 per cent by weight of total milk solids, not less than five egg yolks or their equivalent in egg powder or egg yolk powder in each gallon of finished product. In no case shall any frozen custard contain less than one and six-tenths pounds of total food solids per gallon or weigh less than four and one-half pounds per gallon.

*Subdivision 8.* "Ice Milk" means the pure, clean, frozen product made from a combination of milk products and one or more of the following ingredients: sugar, dextrose, *corn syrup in liquid or dry form*, and honey with flavoring, but without coloring, and with or without edible gelatin or vegetable stabilizer; and in the manufacture of which, freezing has been accompanied by agitation of the ingredients. It contains not more than one-half of one per cent by weight of edible gelatin or vegetable stabilizer, not less than two per cent and not more than 12 per cent by weight of milk fat, and not less than 14 per cent by weight of total milk solids. In no case shall any ice milk contain less than one and three-tenths pounds of total food solids per gallon or weigh less than five pounds per gallon.

*Subdivision 9.* "Milk Sherbet" means the pure, clean, frozen product made from a combination of milk products

and one or more of the following ingredients: eggs, sugar, dextrose, *corn syrup in liquid or dry form*, and honey with fruit or fruit juice flavoring and coloring, with not less than four-tenths of one per cent of acid (as determined by the Mann Acid Test) and with or without added edible gelatin or vegetable stabilizer; and in the manufacture of which, freezing has been accompanied by agitation of the ingredients. It contains not less than two per cent by weight of milk fat and not less than four per cent by weight of milk solids and weighs not less than five and one-half pounds per gallon.

*Subdivision 10.* "Fruit Ice or Ice Sherbet" means the pure, clean, frozen product made from water, sugar, dextrose, *corn syrup in liquid or dry form*, and honey with fruit or fruit juice flavoring and coloring, with not less than four-tenths of one per cent of acid (as determined by the Mann Acid Test) and with or without added edible gelatine or vegetable stabilizer; and in the manufacture of which, freezing has been accompanied by agitation of the ingredients. It contains no milk solids and weighs not less than five and one-half pounds per gallon.

*Subdivision 11.* "Frozen Malted Milk" means the pure, clean, semi-frozen product made from the combination of milk products, malted milk and one or more of the following ingredients: eggs, sugar, dextrose, *corn syrup in liquid or dry form*, and honey, with or without flavoring and coloring, and with or without edible gelatin or vegetable stabilizer; and in the manufacture of which, freezing has been accompanied by agitation of the ingredients. It contains not more than one-half of one per cent by weight of edible gelatin or vegetable stabilizer, not less than seven per cent by weight of milk fat, not less than 14 per cent by weight of total milk solids, and not less than three per cent by weight of malted milk. In no case shall frozen malted milk contain less than one and three-tenths pounds of total food solids per gallon or weigh less than four and one-half pounds per gallon.

*Subdivision 12.* "Imitation Ice Cream" means any frozen substance, mixture or compound, regardless of the name under which it is represented, which is made in imitation or semblance of ice cream, or is prepared or frozen as ice cream is customarily prepared or frozen, and which is not ice cream, frozen custard, ice milk, milk sherbet, fruit ice or ice sherbet, or frozen malted milk, as defined in this act.

*Subdivision 13.* "Person" means any individual, partnership, corporation, or association.

*Subdivision 14.* "Manufacture" means processing and/or freezing."

Approved March 13, 1941.