

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

**PRODUCERS QUALITY RECORDS FOR MILK**

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## **PRODUCERS QUALITY RECORDS FOR MILK**

### **1525.1470 MAINTENANCE OF QUALITY RECORDS.**

Subpart 1. **Record and contents.** Every licensed purchaser of milk shall maintain a record of all the quality tests made of milk as required by Minnesota Statutes 2012, section 32.411 and the rules adopted by the commissioner of agriculture, for a period of at least one year from the date of the test. The record must show the name and address of the producer and the patron's number assigned to the producer. The semimonthly record must show at least the day, month, and year the test was made.

Subp. 2. **Monthly records for milk.** Tests used to analyze milk samples must comply with the current edition of Standard Methods for the Examination of Dairy Products of the American Public Health Association and the current edition of Official Methods of Analysis of the Association of Official Analytical Chemists. These tests must be conducted in a certified laboratory approved by the department.

Subp. 3. [Repealed, 13 SR 980]

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 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.

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#### **TESTING OF MILK ON THE BASIS OF PROTEIN**

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#### **1525.2600 WHOLE MILK RICOTTA CHEESE.**

Ricotta cheese is the food prepared from heated milk and other ingredients specified in parts 1525.2600 to 1525.2640, by the procedure in part 1525.2610 or by another procedure which produces a finished cheese having the same physical and chemical properties as the cheese produced when the procedure in part 1525.2610 is used. It contains not more than 80 percent of moisture and not less than 11 percent of milk fat.

**Statutory Authority:** *MS s 32.484*

**History:** *25 SR 1464*

**Published Electronically:** *September 26, 2007*

#### **1525.2610 PROCEDURE.**

Milk, which may be warmed or pasteurized or both and which may be clarified or homogenized or both, is mixed with an acidifying agent prescribed by part 1525.2640. Salt may also be added. Sufficient rennet (with or without purified calcium chloride in a quantity of not more than 0.02 percent, calculated as anhydrous calcium chloride, of the weight of the milk) may be added to set the milk. The mixture is heated until a temperature of about 180 degrees Fahrenheit is reached and it is held near that temperature until the curd separates. The curd is removed by skimming or the whey is drained or siphoned off. The curd is placed in perforated containers to permit further drainage. The containers may be placed in cold water for cooling. They are then removed from the water for further drainage. Additional curd may be obtained from the whey by the further addition of an acidifying agent prescribed by part 1525.2640 or by further heating or both. The curd may be whipped or beaten to obtain a finer texture.

**Statutory Authority:** *MS s 32.484*

**History:** *25 SR 1464*

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**1525.2620** [Repealed, 43 SR 917]

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#### **1525.2630 MILK USED IN CHEESE LABELED "PASTEURIZED."**

All milk used for the manufacture of cheese which is labeled "pasteurized" must be pasteurized according to the method prescribed in this part.

Every particle of milk or milk product must be heated to one of the temperatures given in the following chart and held continuously at or above that temperature for at least the corresponding specified time:

Temperature	Time
*63°C (145°F)	30 minutes
*72°C (161°F)	15 seconds
89°C (191°F)	1.0 seconds
90°C (194°F)	0.5 seconds
94°C (201°F)	0.1 seconds
96°C (204°F)	0.05 seconds
100°C (212°F)	0.01 seconds

\* If the fat content of the milk product is ten percent or more or it contains added sweeteners, the specified temperature must be increased by 3°C (5°F).

Ricotta cheese must be deemed not to have been prepared from properly pasteurized milk if 0.25 gram shows a phenol equivalent of more than three micrograms.

**Statutory Authority:** *MS s 32.484*

**History:** *25 SR 1464*

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#### **1525.2640 ACIDIFYING AGENTS.**

The acidifying agents prescribed in part 1525.2610 are one or a mixture of two or more of the following: culture of harmless lactic-acid-producing bacteria, a vinegar, fermented whey, lactic acid, and citric acid.

**Statutory Authority:** *MS s 32.484*

**History:** *25 SR 1464*

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#### **1525.2650 PART-SKIM RICOTTA CHEESE.**

Part-skim ricotta cheese conforms to the definition and standard of identity prescribed by parts 1525.2600 to 1525.2640 for ricotta cheese, except that it contains less than 11 percent of milk fat, but not less than six percent.

**Statutory Authority:** *MS s 32.484*

**History:** 25 SR 1464

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**1525.2700 WHEY CHEESE.**

Whey cheese (so-called) is produced by various processes from the constituents of whey. There are a number of varieties, each of which bears a distinctive name, according to the nature of the process by which it has been produced, as for example, "Ricotta," "Zieger," "Primost," "Mysost." (Note: not defined by federal.)

**Statutory Authority:** MS s 32.484

**History:** 25 SR 1464

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**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 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

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**1525.2960** [Repealed, 43 SR 917]

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**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*

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**1525.3010** [Repealed, 43 SR 917]

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**1525.3020** [Repealed, 43 SR 917]

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**1525.3030** [Repealed, 43 SR 917]

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**QUIESCENTLY FROZEN CONFECTIONS****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*

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#### **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*

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#### **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*

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**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*

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**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 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*

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**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*

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**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*

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**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*

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**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.

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*

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