

1550.1040 DEFINITIONS.

Subpart 1. **Applicability.** The following terms have the meanings given to them.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of agriculture or designee.

Subp. 3. [Repealed, L 2012 c 244 art 2 s 36]

Subp. 4. [Repealed, L 2012 c 244 art 2 s 36]

Subp. 5. [Repealed, L 2012 c 244 art 2 s 36]

Subp. 6. [Repealed, L 2012 c 244 art 2 s 36]

Subp. 7. **Open date.** "Open date" means a date consisting of the name or abbreviation or numerical designation for the month, the numerical designation for the day of the month, and the name or abbreviation for the day of the week as provided herein, and if appropriate, the year. An open date may be one of the following:

A. Date of manufacture: the date the product was manufactured or processed. This date would be used with a statement such as "Use within 40 days of date shown" or other similar phrasing.

B. Date of packaging: the date the product was placed in the retail package in advance of sale. This date would be used with a statement such as "Use within 30 days of date shown" or other similar phrasing.

C. Pull date: the recommended last date for retail sale. With this date use a statement such as "Not to be sold after date shown" or "Do not sell after date shown" or "Last day of sale" or some equivalent phrasing.

D. Freshness date (quality assurance date): of the last date which the manufacturer or processor estimates the product will retain its original freshness or peak quality. With this date use a statement such as "For maximum freshness use before date shown" or other equivalent phrasing.

E. Expiration date: the last date the product can be expected to perform in a manner equal to consumer expectations. With this date use a statement such as "For best results use before the date shown" or other equivalent phrasing.

F. Shelf display date: the date used by a retailer to indicate when an item was put on display. The purpose of this date, if used, is to aid in the proper rotation of stock and it would be used by the retailer on those perishable foods which have short shelf life and which are exempt herein from open dating.

Subp. 8. **Quality assurance date.** "Quality assurance date" means any date after which the manufacturer or processor reasonably determines that the product may, by spoilage, wiltage, drying, or any other foreseeable and natural phenomenon, lose its

palatability or its desired or nutritive properties. As used in these parts, "quality assurance date" signifies a period of time beginning with the date of manufacture or the date when the food is packed for retail sale and ending with an open date as defined and explained in subpart 7.

Statutory Authority: *MS s 31.783*

History: *L 2012 c 244 art 2 s 36*

Published Electronically: *September 23, 2013*