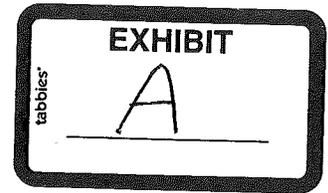


IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut
REGULATION
of



NAME OF AGENCY

The Department of Consumer Protection

Concerning

SUBJECT MATTER OF REGULATION

Frozen Desserts

(NEW) **Section 1.** The Regulations of Connecticut State Agencies are hereby amended by adding Sections 21a-58-38 as follows:

Sec. 21a-58-38. Exceptions to pasteurization of frozen dairy dessert mix

- a. Frozen desserts whose additives meet the requirements of the latest revision of the Pasteurized Milk Ordinance (PMO), as adopted by reference in Section 22-133-115 of the Regulations of Connecticut State Agencies, shall be permitted, provided that:
 1. Such products shall be made with milk and milk products that have been pasteurized and have been obtained from an approved source, and all added ingredients shall meet the requirements of the PMO;
 2. Pasteurized milk and milk products used in production shall only come from single-use packaging, and said products shall be completely used in a single day's production; and
 3. Added powdered ingredients, other than flavorings, shall only come from aseptically packaged single-batch containers.
- b. Frozen desserts that are produced from ingredients in accordance with section 21a-58-38(a) of the Regulations of Connecticut State Agencies are exempt from the need to pasteurize the frozen dessert mix prior to flavoring and freezing, provided that the production process and resulting mix complies with the following specifications:
 1. The frozen dessert is being manufactured to be served directly to the consumer in single serving containers designed for consumption at the time of delivery, such as being scooped or spooned into cones or cups for immediate consumption;
 2. The frozen dessert being manufactured shall be made with pasteurized dairy and pasteurized egg products obtained from single-use packaging, and said products are completely used in a single day's production;
 3. Sweeteners and flavorings approved for use for the particular types of frozen desserts as specified in Section 1 shall be stored in a manner that would prevent contamination, and may be blended into the mix;
 4. In addition to sweeteners and flavorings, other ingredients allowed for frozen desserts as specified within section 21a-58-38 of the Regulations of Connecticut State Agencies may

be added provided they are packaged in aseptic packaging and are used completely within a single day's production;

5. Make sheets shall be maintained for each base batch with a tracking system that allows easy traceability of all the ingredients used in each batch;
6. Dairy, egg and other perishable ingredients, and the prepared mix, shall be held at or below 38° F at all times. If the mix is to be "heat treated," the target temperature shall be reached within 60 minutes of starting the heating process, and after heat treatment is concluded, it shall not take longer than 60 minutes for the mix to be cooled to 38° F or below;
7. The mix shall be frozen within 144 hours of preparation;
8. Unfrozen mix shall be date marked in a manner acceptable to the Commissioner. The dates of preparation and disposal shall be indicated on any prepared product; and
9. All other applicable regulations shall be complied with.

(Statement of Purpose page)

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation."

PURPOSE

The purpose of these regulations is provide an alternate means of production for the manufacture and retail sale of frozen desserts. To ensure an unadulterated product, the regulations allow the mixing of previously pasteurized products, require the use of specific refrigeration temperatures for such derived mixtures, and also require date marking.

SUMMARY

With these regulations, retail manufacturers of frozen desserts will be allowed to employ an alternate production process which makes use of previously pasteurized ingredients.

LEGAL EFFECTS

The legal effect of this proposal would be to add an alternate new set of standards for the preparation of frozen desserts.