

Chapter Ag 70

FROZEN DESSERTS

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Ag 70.01 Ice cream, optional ingredients. (1) Ice cream is the food prepared by freezing, while stirring, a pasteurized mix composed of one or more of the optional dairy ingredients specified in subsection (2) sweetened with one or more of the optional saccharine ingredients specified in subsection (3) One or more of the optional ingredients indicated under paragraphs (a) to (g), inclusive, of this subsection may be used, subject to the conditions hereinafter set forth:

(a) Ground spice, ground vanilla beans, infusion of coffee or tea, methyl vaillin, any natural food flavoring.

(b) Chocolate or cocoa, which may be added as such or as a suspension in sirup, and which may contain disodium phosphate in such quantity that the finished ice cream contains not more than 0.2 per cent thereof by weight. For the purpose of this section the term "cocoa" means one or any combination of two or more of the following: Cocoa, breakfast cocoa, low-fat cocoa, the unpulverized residual material prepared by removing part of the fat from ground cacao nibs.

(c) Mature fruit, the juice of mature fruit, maraschino cherries. The fruit used may be fresh, frozen, canned, or dried, and may be sweetened, thickened with pectin, and acidulated with citric, tartaric, malic, ascorbic, or lactic acid. The fruit is prepared by the removal of pits, seeds, skins, and cores, where such removal is usual in preparing that kind of fruit for consumption as fresh fruit; except that in the case of citrus fruits the whole fruit, including the peel but excluding the seeds, may be used. The fruit juice used may be fresh, frozen, canned, or concentrated. The fruit may be comminuted.

(d) Nut meats, which may be roasted, cooked in butter, or preserved in sirup.

(e) Malted milk.

(f) Confectionery. For the purpose of this section the term "confectionery" means candy, cakes, cookies, or glazed fruits.

(g) Properly prepared and cooked cereal. One or more of the optional ingredients designated under paragraphs (h) and (j) of this subsection may be used:

(h) Liquid eggs, frozen eggs, dried eggs, egg yolks, frozen yolks, dried yolks; but the total weight of egg yolk solids in any such ingredient used singly, or in any combination of two or more such ingredients used, is less than 1.4% of the weight of the finished ice cream.

(j) Gelatin, monoglycerides or diglycerides or both of fat-forming fatty acids derived from edible animal or vegetable sources, algin,

extract of Irish moss, psyllium seed husk, agar-agar; gum acacia, gum karaya, locust bean gum, gum tragacanth, sodium carboxymethylcellulose; but the total weight of the solids of any such ingredient used singly, or of any combination of two or more such ingredients used, is not more than 0.5% of the weight of the finished ice cream. Such ingredients may be added in admixture with dextrin.

Coloring may be added except in vanilla and vanillin flavored ice cream. The mix may be seasoned with salt and may be homogenized. Powdered lactose may be added to inhibit crystallization. The kind and quantity of optional dairy ingredients used, and the content of milk and nonfat milk solids therein, are such that the weights of milk fat and nonfat milk solids are not less than 13% and 8%, respectively, of the weight of the finished ice cream; except that when one or more of the optional ingredients indicated in paragraphs (b) to (g), inclusive, of this subsection are used the weight of milk fat (exclusive of such fat in any malted milk used) is not less than 11%. For the purposes of determining compliance, nonfat milk solids shall be considered as containing not less than 36% protein. The finished ice cream contains not less than 1.6 pounds of total solids to the gallon and weighs not less than 4.5 pounds to the gallon.

(2) The optional dairy ingredients referred to in subsection (1) are cream, butter, milk and the following milk products: concentrated milk, evaporated milk, sweetened condensed milk, dried milk, skim milk, concentrated (evaporated or condensed) skim milk, superheated condensed skim milk, sweetened condensed skim milk, nonfat milk solids, sweet cream buttermilk, condensed sweet cream buttermilk, dried sweet cream buttermilk, and sweetened skim milk. Milk protein may be added to or lactose may be removed from any of the milk products referred to in this subsection. Water may be added.

(3) The optional saccharine ingredients referred to in subsection (1) are:

- (a) Sugar.
- (b) Dextrose.
- (c) Invert sugar (pasté or sirup).
- (d) Corn sirup, dried corn sirup.
- (e) Maple sirup, maple sugar.
- (f) Honey.
- (g) Brown sugar.
- (h) Malt sirup.
- (j) Dried malt extract.
- (k) Molasses (other than blackstrap).

Ag 70.02 Frozen custard, custard ice cream, French ice cream, French custard ice cream, New York ice cream. Frozen custard, Custard ice cream, French ice cream, French custard ice cream, New York ice cream conforms to the definition and standard of identity prescribed for ice cream, except that one or more of the optional egg ingredients permitted by (1) (h) are used in such quantity that the total weight of egg yolk solids therein is not less than 1.4% of the weight of the finished product. Coloring may be added.

Ag 70.03 Ice milk. Ice milk conforms to the definition and standard of identity for ice cream except that the content of milk solids therein

is such that the weight of milk fat is less than that prescribed for ice cream, but not less than 3% of the weight of the finished ice milk, and the weight of nonfat milk solids is not less than 12% of the weight of the finished ice milk.

**Ag 70.04 Sherbets.** (1) Sherbets are the foods each of which is prepared by freezing, while stirring, a mix composed of one or more of the optional fruit ingredients specified in subsection (2) and one or more of the pasteurized optional dairy ingredients specified in subsection (3), sweetened with one or more of the optional saccharine ingredients sugar, dextrose, invert sugar (paste or sirup), corn sirup, and dried corn sirup, and with or without added water. Natural mint flavor may be used in lieu of the optional fruit ingredients. One or more of the optional ingredients indicated under paragraphs (a) to (c), inclusive, of this paragraph may be used, subject to the conditions hereinafter set forth:

(a) Liquid eggs, frozen eggs, dried eggs, egg yolks, frozen yolks, dried yolks; but the weight of egg yolk solids therein is less than  $\frac{1}{2}$  of 1% of the weight of the finished sherbet.

(b) Gelatin, monoglycerides or diglycerides or both of fat-forming fatty acids derived from edible animal or vegetable sources, egg white, algin, extract of Irish moss, psyllium seed husk, agar-agar, gum acacia, gum karaya, locust bean gum, gum tragacanth, pectin, sodium carboxymethylcellulose; but the total weight of the solids of any such ingredient used singly, or of any combination of two or more such ingredients used, is not more than 0.5% of the weight of the finished sherbet. Such ingredients may be added in admixture with dextrin.

(c) Citric acid, tartaric acid, malic acid, ascorbic acid, lactic acid, or any combination of two or more of these, in such quantity as seasons the finished food.

Coloring may be added. The mix may be seasoned with salt and may be homogenized. The kind and quantity of optional dairy ingredients used, and the content of milk fat and nonfat milk solids therein, are such that the weight of milk fat is not less than 1%, and the weight of total milk constituent solids is not less than 2% of the weight of the finished fruit sherbet. The titratable acidity of the finished sherbet, calculated as lactic acid, is not less than 0.35%. The finished sherbet weighs not less than 6 pounds to the gallon.

(2) The optional fruit ingredients referred to in subsection (1) of this section are any mature fruit or the juice of mature fruit. The fruit used may be fresh, frozen, or canned; and the fruit juice used may be fresh, frozen, canned or concentrated. The fruit is prepared by the removal of pits, seeds, skins, and cores, where such removal is usual in preparing that kind of fruit for consumption as fresh fruit, except that in the case of citrus fruits the whole fruit, including the peel but excluding the seeds, may be used. The fruit is screened, crushed, or otherwise comminuted.

(3) The optional dairy ingredients referred to in subsection (1) are those specified for ice cream in section Ag 70.01 (2) and in addition shall include un-neutralized whey (which may be concentrated or dried, and from which part of the lactose may be removed).

(4) The name of each such sherbet is "----- sherbet", the blank being filled in with the common name of the fruit or fruits

from which the fruit ingredient used is obtained. When two or more fruit names are filled in, such names are in the order of predominance, if any, by weight of the respective fruit ingredients used. If natural mint flavoring is used the name of such sherbet is "mint sherbet".

**Ag 70.05 Water ices.** (1) Water ices are the foods each of which is prepared by freezing, while stirring, a mix composed of one or more of the optional fruit ingredients specified in subsection (2) of this section, sweetened with one or more of the optional saccharine ingredients: Sugar, dextrose, invert sugar (paste or sirup), corn sirup, and dried corn sirup, and with or without added water. Natural mint flavoring may be used in lieu of optional fruit ingredients. One or more of the optional ingredients indicated under paragraphs (a) and (b) of this subsection may be used, subject to the conditions hereinafter set forth:

(a) Gelatin, monoglycerides or diglycerides or both of fat-forming fatty acids derived from edible animal or vegetable sources, egg white, algin, extract of Irish moss, psyllium seed husk, agar-agar, gum acacia, gum karaya, locust bean gum, gum tragacanth, pectin, sodium carboxymethylcellulose; but the total weight of the solids of any such ingredient used singly, or of any combination of two or more such ingredients used, is not more than 0.5% of the weight of the finished water ice. Such ingredients may be added in admixture with dextrin.

(b) Citric acid, tartaric acid, malic acid, ascorbic acid, lactic acid, or any combination of two or more of these, in such quantity as seasons the finished food.

Coloring may be added. The mix may be seasoned with salt and may be homogenized. The titratable acidity of the finished water ice, calculated as lactic acid, is not less than 0.35%. The finished water ice weighs not less than 6 pounds to the gallon.

(2) The optional fruit ingredients referred to in subsection (1) of this section are any mature fruit or the juice of mature fruit. The fruit used may be fresh, frozen, or canned; and the fruit juice used may be fresh, frozen, canned, or concentrated. The fruit is prepared by the removal of pits, seeds, skins, and cores, where such removal is usual in preparing that kind of fruit for consumption as fresh fruit, except that in the case of citrus fruits the whole fruit, including the peel but excluding the seeds, may be used. The fruit is screened, crushed, or otherwise comminuted.

(3) The name of each such water ice is "\_\_\_\_\_ ice", the blank being filled in with the common name of the fruit or fruits from which the fruit ingredient used is obtained. When two or more fruit names are filled in, such names are in the order of predominance, if any, by weight of the respective fruit ingredients used. If natural mint flavoring is used the name of such water ice is "mint ice".