

## Chapter Ag 71

**GRADE A MILK AND MILK PRODUCTS;  
STANDARDS OF IDENTITY AND LABELING**

Ag 71.01	Definitions	Ag 71.03	Product definitions; standards
Ag 71.02	Vitamin and mineral supplements; permits	Ag 71.04	of identity Labeling

**History:** Chapter Ag 71 as it existed on July 31, 1975 was repealed and a new chapter Ag 71 was created effective August 1, 1975.

**Ag 71.01 Definitions.** In addition to definitions under sections 97.01 and 97.24, Wis. Stats., the following shall apply in the interpretation and enforcement of this chapter:

(1) "Department" is the state of Wisconsin department of agriculture.

(2) "Federal act" means the federal food, drug, and cosmetic act of 1938, as amended (21 USC 301 et. seq.) and includes definitions and standards of identity for milk and cream adopted thereunder (21 CFR, Part 18).

(3) "Milk and milk products" are grade A milk and milk products as defined under section 97.24, Wis. Stats., and includes cream, light whipping cream, heavy whipping cream, sour cream, cultured sour cream, half-and-half, sour half-and-half, cultured half-and-half, concentrated milk, concentrated milk products, skim milk, nonfat milk, lowfat milk, milk and milk products with vitamins and minerals added, homogenized milk, flavored milk or milk products, cultured buttermilk, cultured milk and milk products, yogurt, egg nog, non dairy drinks, and acidified milk and milk products. The term does not apply to such products as sterilized milk or milk products hermetically sealed in a container and so processed, either before or after sealing, as to prevent microbial spoilage, or evaporated milk, condensed milk, ice cream and other frozen desserts, butter, dry milk products (except as defined under section Ag 71.03(8)), or cheese, except when such products are used in the manufacturing and processing of any pasteurized milk or milk products.

(4) "Homogenized milk" is milk which has been treated to insure breakup of the fat globules to such an extent that, after 48 hours of quiescent storage at 45° F., no visible cream separation occurs on the milk, and the fat percentage of the top 100 milliliters of milk in a quart, or of proportionate volumes in containers of other sizes, does not differ by more than 10% from the fat percentage of the remaining milk as determined after thorough mixing. The word "milk" shall be interpreted to include homogenized milk.

(5) "Pasteurized" means that every particle of milk or milk product has been heated to at least 145° F., and held continuously at or above this temperature for at least 30 minutes, or to at least 161° F., and held continuously at or above this temperature for at least 15 seconds, in equipment which is properly operated and approved by the department, except for milk products which have a higher milkfat content than milk or contain added sweeteners, in which case every

(3) "Yogurt" or "yoghurt" is a product resulting from the souring by lactic acid or other culture of pasteurized milk, pasteurized lowfat milk or pasteurized skim milk. It contains not less than 8.25% milk solids not fat. Flavoring, harmless stabilizer and emulsifier, nonfat dry milk may be added. If made with added fruit or flavoring the product may be labeled "\_\_\_\_\_Yogurt" filling in the name of the fruit or flavoring. If the product is artificially flavored, that fact shall be indicated in connection with the name of the product. Coliform standards of Wis. Adm. Code section Ag 80.06 shall only apply at the point of production prior to the addition of fruit or flavoring.

(4) "Acidified milk and milk products" are milk and milk products obtained by the addition of food grade acid to pasteurized cream, half-and-half, or skim milk resulting in a product where the acidity is not less than 0.20% expressed as lactic acid. Acidified milk and milk products shall conform to the definitions and standards of identity for milk and milk products prescribed in this chapter except that the name of the product shall be immediately preceded by the word "acidified".

(5) "Egg nog" is a milk product containing a minimum of 6% milkfat and at least 1% total egg yolk solids. It may be sweetened and may also contain flavorings, spices, salt, nonfat dry milk, and a harmless stabilizer and emulsifier.

(6) "Nog dairy drink" is a product made with milk, lowfat milk or skim milk, and contains at least .5% total egg yolk solids. It may be sweetened and may also contain flavorings, spices, nonfat dry milk, and harmless stabilizers. All ingredients shall be included in the ingredient statement. The word "nog" may not be used to identify the product unless the minimum of .5% egg solids is contained therein.

(7) "Concentrated milk products" are homogenized concentrated milk, fortified milk, concentrated skim milk, concentrated flavored milk, concentrated flavored drink, and similar concentrated products made from concentrated milk or concentrated skim milk. When recombined with water in accordance with instructions printed on the container, such products shall conform to definitions and standards of identity for corresponding milk products.

(8) "Grade A dry and condensed milk products" are milk products which have been processed for use in grade A pasteurized milk products under Wis. Adm. Code chapter Ag 86.

**Note:** Definitions and standards of identity of lowfat milk, skim milk or nonfat milk, half-and-half, light cream or coffee or table cream, light whipping cream or whipping cream, heavy cream or heavy whipping cream, concentrated milk or condensed milk, sour cream or cultured sour cream, acidified sour cream, sour half-and-half or cultured sour half-and-half, acidified sour half-and-half, sour cream dressing, and sour half-and-half dressing are as set forth under federal definitions and standards of identity for milk and cream (21 CFR, Part 18).

**History:** Cr. Register, July, 1975, No. 235, eff. 8-1-75.

**Ag 71.04 Labeling.** Milk and milk products for which definitions and standards of identity have been established shall be labeled with the name of the food as specified in such definitions and standards of identity, and in addition thereto shall conform to the following labeling requirements:

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(1) Optional ingredients, as permitted in the definitions and standards of identity shall, when added, be set forth in the ingredient declaration of the label.

(2) The addition of vitamins or minerals shall be set forth on the label as prescribed in definitions and standards of identity for milk and cream under the federal act (21 CFR, Part 18), and for dietary products as prescribed under Wis. Adm. Code chapter Ag 55.

(3) Where the products have been pasteurized or ultra-pasteurized, the words "pasteurized" or "ultra-pasteurized" shall be declared on the labels. Where the products have been homogenized, the word "homogenized" may be declared on the label.

(4) Where the principal ingredient of a product is lowfat milk, the milk fat percentage shall be declared immediately preceding the words "lowfat milk" in the ingredient declaration on the label.

(5) Where stabilizers, emulsifiers and nutritive sweeteners are added as optional ingredients under a definition or standard of identity, they shall be set forth in the ingredient declaration by their common or usual name.

(6) The term "Grade A" shall appear on the label of the product.

**History:** Cr. Register, July, 1975, No. 235, eff. 8-1-75.