

Chapter ATCP 77

REDUCED FAT DAIRY PRODUCTS: PRODUCT DESCRIPTION AND LABELING

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Note: Chapter Ag 95 was renumbered ch. ATCP 77 under s. 13.93 (2m) (b) 1, Stats., Register, April, 1993, No. 448.

**ATCP 77.01 Definitions.** As used in this chapter:

(1) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.

(2) "Milk" means milk as defined in s. 97.01(10), Stats., and includes the milk of cows or goats.

History: Cr. Register, May, 1989, No. 401, eff. 6-1-89.

**ATCP 77.02 Reduced fat cheese.** (1) **PRODUCT DESCRIPTION.** Reduced fat cheese is the food prepared from milk and other ingredients by the procedure required by sub. (2), or by an alternate procedure which produces a finished cheese having the same or substantially the same flavor, texture, and body characteristics as the standardized variety referenced on the product label of the reduced fat cheese. Reduced fat cheese shall comply with the following requirements:

(a) The maximum total milkfat content of reduced fat cheese shall be at least one-third less than the minimum total milkfat requirement of the referenced standardized variety, as measured in grams per one ounce serving.

(b) The maximum moisture content of reduced fat cheese shall not exceed 125% of the maximum allowable moisture of the referenced standardized cheese variety. Moisture content shall be determined by procedures in "Official Methods of Analysis of the Association of Official Analytical Chemists," 14th Edition (1984).

Note: The "Official Methods of Analysis of the Association of Official Analytical Chemists," 14th Edition (1984), is on file in the office of the department, the secretary of state, and the revisor of statutes. A copy may be purchased from the Association of Official Analytical Chemists, Inc., 1111 North Nineteenth Street, Suite 210, Arlington, VA 22209.

(2) **PREPARATION.** Reduced fat cheese shall be prepared from pasteurized milk and other ingredients under sub. (3) according to the manufacturing procedure set forth for the referenced standardized variety in 21 CFR 133, entitled "Cheeses and Related Cheese Products."

(3) **INGREDIENTS.** Dairy ingredients, including milk, nonfat milk or cream or the condensed or concentrated form of these dairy ingredients may be used in the manufacture of reduced fat cheese, provided the finished reduced fat cheese product complies with subs. (1) and (2). Vitamin A may be added as an optional ingredient in the manufacture of a reduced fat cheese.

(4) **LABEL REQUIREMENTS.** (a) *Nomenclature.* The principal display panel of a reduced fat cheese shall bear the name of the food. The name of the food described under sub. (1) shall be "Reduced Fat \_\_\_\_\_ Cheese" or

"Light \_\_\_\_\_ Cheese," the blank to be filled in with the varietal name of the referenced standardized cheese in the same type size as the words "reduced fat cheese" or "light cheese." The name of the food for the reduced fat version of a non-standard cheese shall appear on the principal display panel in bold type in a size reasonably related to the most prominent printed matter of the principal display panel.

(b) *Nutrition information.* The product label of a reduced fat cheese shall include comparative nutritional information per one-ounce serving for the reduced fat cheese and the standardized variety of the referenced cheese. The nutritional labeling shall meet the requirements of 21 CFR, s. 101.9 entitled "Nutrition labeling of food" and s. 101.25 entitled "Labeling of foods in relation to fat and fatty acid and cholesterol content."

(c) *Fat reduction statement.* The principal display panel of a reduced fat cheese shall clearly and concisely describe the amount of fat reduction from the fat content of the referenced cheese variety, expressed as a percentage or fraction (for example, "33% Less Fat than Cheddar Cheese"). The statement declaring the amount of fat reduction shall appear in close proximity to the name of the reduced fat cheese in type size not less than one-half the size or height of the tallest letters used in the name of the reduced fat cheese.

(5) **REDUCED FAT VERSIONS OF NON-STANDARD CHEESES.** A reduced fat cheese manufactured as an alternative to a non-standardized variety may not utilize the common or usual name of the non-standardized cheese or the terms "reduced fat" or "light," but shall have its own appropriate descriptive or fanciful name which is not false or misleading.

(6) **REVIEW.** The department shall hold an advisory hearing approximately 2 years after June 1, 1989 to solicit public comment on whether this chapter should be amended or repealed. At the hearing, the department shall solicit comments from manufacturers, distributors, and consumers of reduced fat cheese, and any other person who may have an interest in this chapter.

History: Cr. Register, May, 1989, No. 401, eff. 6-1-89; am. (2), (3) to (6) renum. from ATCP 77.03 to 95.06 and am. (3) and (4) (a), Register, June, 1992, No. 438, eff. 7-1-92.

**ATCP 77.03 Reduced fat sour cream.** (1) **PRODUCT DESCRIPTION.** Reduced fat sour cream is the food prepared from the souring of a pasteurized blend of milk and cream by lactic acid producing bacteria, or by using a safe and suitable acidifier with or without addition of lactic acid producing bacteria. Reduced fat sour cream shall comply with all of the following requirements:

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(a) *Milkfat content.* The milkfat content of reduced fat sour cream shall be approximately one-half of the minimum total milkfat requirement of standardized sour cream or acidified sour cream under 21 CFR 131.160 and 131.162, so that the total milkfat content of reduced fat sour cream is not less than 6%, but not more than 9%.

(b) *Vitamin A.* Vitamin A shall be present or added in sufficient quantity to fortify reduced fat sour cream so that a 30 gram serving contains not less than 4% of the U. S. recommended daily allowance, or 200 international units of Vitamin A.

(2) **INGREDIENTS.** A pasteurized blend of milk and cream shall be used in the manufacture of reduced fat sour cream. The product may also contain any of the optional ingredients under 21 CFR 131.160 (b). The milkfat requirements under sub. (1) (a) apply to reduced fat sour cream in which optional ingredients are used.

(3) **LABEL REQUIREMENTS.** (a) *Nomenclature.* The principal display panel of every container of reduced fat sour cream shall bear the name of the food. The name of the food described under sub. (1) shall be "Reduced Fat Sour Cream" or "Light Sour Cream". If the food described

under sub. (1) is made by the addition of a safe and suitable acidifier, the name of the food shall be "Acidified Reduced Fat Sour Cream" or "Acidified Light Sour Cream".

(b) *Fat reduction statement.* The principal display panel of every container of reduced fat sour cream shall clearly and concisely describe the amount of fat reduction from the fat content of standardized sour cream, expressed as a percentage or fraction (for example, "33% Less Fat than Sour Cream"). The statement declaring the amount of fat reduction shall appear in close proximity to the name of the reduced fat or light sour cream in type size not less than one-half the size or height of the tallest letters used in the name of the light sour cream.

(c) *Nutrition information.* The product label of a reduced fat or light sour cream shall include comparative nutritional information per one-ounce serving for the light sour cream and standardized sour cream. The nutritional labeling shall comply with 21 CFR 101.9 entitled "Nutrition labeling of food" and with 21 CFR 101.25 entitled "Labeling of foods in relation to fat and fatty acid and cholesterol content."

History: Cr. Register, June, 1992, No. 433, eff. 7-1-92.