

Chapter ATCP 76

ARTIFICIAL DAIRY PRODUCTS

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Note: Chapter Ag 56 was renumbered ch. ATCP 76 under s. 13.93 (2m) (b) 1, Stats., Register, April, 1993, No. 448.

**ATCP 76.01 Definitions.** (1) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.

(2) "Dairy product" includes all of the following food or food products:

(a) Milk, acidified milk, cultured milk, concentrated milk, sweetened condensed milk, sweetened condensed skim milk, lowfat dry milk, nonfat dry milk, nonfat dry milk fortified with vitamins A and D, evaporated milk, evaporated skim milk, lowfat milk, acidified lowfat milk, cultured lowfat milk, skim milk, acidified skim milk, cultured skim milk, dry whole milk, dry cream, heavy cream, light cream, light whipping cream, sour cream, acidified sour cream, eggnog, half and half, sour half and half, acidified sour half and half, yogurt, lowfat yogurt and nonfat yogurt as described in 21 CFR, Part 131.

(b) All cheese varieties including asiago, blue, brick, caciocavallo, cheddar, colby, cook cheese, cottage cheese, cream cheese, washed curd, edam, gammelost, gorgonzola, gouda, granular and grated, gruyere, hard, limburger, monterey, monterey jack, mozzarella, scamorza, muenster, neufachatel, nuworld, parmesan, reggiano, pasteurized, blended and processed cheeses, pasteurized cheese spreads, provolone, pasta filata, romano, roquefort, samsoe, sap sago, semi-soft and skim milk, spiced, Swiss and emmentaler as described in 21 CFR, Part 133.

(c) Ice cream, frozen custard, ice milk and sherbet as described in 21 CFR, Part 135.

(d) Any manufactured food which:

1. Uses milk or a milk ingredient as the principal or characterizing constituent of the food product;
2. Does not contain ingredients added for the purpose of replacing milk or milk ingredients;
3. Does not contain milk derived ingredients at levels in excess of those permitted in similar standardized dairy products;
4. Does not contain any vegetable derived ingredients unless the ingredients are used as carriers or function as stabilizers or emulsifiers; and
5. Has no standard of identity.

(3) "Milk ingredient" includes milk, skim milk, milkfat, cream, lowfat milk and nonfat milk used in fluid, concentrated or dry form.

(4) "Milk-derived ingredient" includes buttermilk, whey, modified whey products, casein, caseinates, lactose, lactalbumins and lactoglobulins used in fluid, concentrated or dry form.

(5) "Artificial dairy product", means any food manufactured, packaged or labeled so as to purport to resemble the identity, intended use, composition, physical and sensory properties of a dairy product as defined in sub. (2).

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.

**ATCP 76.02 Labeling food products made to resemble dairy products.** (1) The statement "this is an artificial dairy product" or "an artificial dairy product" shall be placed in the upper 30% of the principal display panel of the package or container of all artificial dairy products as defined in s. ATCP 76.01 (5). The print size shall be not less than one-half the size of the product name, but in no case less than 18 point type, and the letters shall be of the same color and on the same contrasting background as the product name.

(2) The product name shall be in bold face type on the principal display panel and in lines generally parallel to the base of the container or package.

(3) The type size requirement of this chapter shall not apply to individual serving size packages of artificial dairy products of one ounce or less served with meals in restaurants, institutions or on passenger carriers provided all required information is on the label in type of at least 1/16 inch in height.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; reprinted to correct error in (3), Register, May, 1983, No. 329.

**ATCP 76.03 Ingredient and nutritional values.** (1) A food product made to resemble a dairy product as defined in s. ATCP 76.01 (2) shall include on the principal display panel a statement which will provide the major ingredient differences between the food product and the dairy product it resembles.

(a) The information shall state the difference in the basic ingredients used to replace any "milk ingredient" as defined in s. ATCP 76.01 (3).

(b) The information regarding major ingredient differences shall be in type size which is 25% of the name of the food product, but not less than 1/8 inch in height.

(2) A nutritional panel shall be provided and shall indicate in comparative columns the nutritional differences between the artificial dairy product and the dairy product it resembles.

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(a) The comparison shall include calories, protein, carbohydrates and fat in grams per serving and nutrients as a percent of the U.S. RDA for protein, Vitamin A, Vitamin C, thiamine, riboflavin, niacin, calcium and iron in that order. The following optional nutrients may also be declared: Vitamins D, B6 and B12, phosphorus, iodine, magnesium, zinc, biotin, and pantothenic acid. If any optional nutrients are declared, the comparison panel shall list all

of the optional nutrients and the amount present for each, expressed as a percent of the U.S. RDA.

(b) The nutritional panel is not required on individual serving size packages of artificial dairy products of one ounce or less served with meals in restaurants, institutions or on passenger carriers.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.