

Agriculture Rec. amendment - passage 2/4

January 19, 1953.
Passed on File.

Senate File 30
By ANDERSON, MOLISON
and LUCAS.

Passed Senate, Date *2-18-53*
Vote: Ayes *41* Nays *6*
Passed House, Date *3-19-53*
Vote: Ayes *100* Nays *1*
Approved *3-26-53*

*House - Dairy and Food
2/19
Rec. Passage 7/23
Senate re-passed 3/23
50-0*

*House reconsidered - 3/20
House passed amended - 3/20 - 95-0*

A BILL FOR

An Act to amend section one hundred ninety point one (190.1), Code 1950, relating to the regulation of the manufacture and sale of ice milk.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 Section 1. Section one hundred ninety point one (190.1),
- 2 subsection thirty-six (86), Code 1950, is hereby repealed.
- 1 Sec. 2. Section one hundred ninety point one (190.1),
- 2 Code 1950, is hereby amended by adding thereto the following
- 3 new sub-section:
- 4 a. Ice Milk.
- 5 (1.) Minimum standad. Ice Milk is a pure, clean
- 6 frozen or semi-frozen product made from a combination of milk
- 7 products and one or more of the following ingredients: sugar,
- 8 dextrose, glucose, corn syrup in liquid or dry form, with
- 9 harmless flavoring and/or coloring, either natural or
- 10 artificial, and with or without wholesome stabilizer; and in
- 11 the manufacture of which freezing has been accompanied by
- 12 agitation of the ingredients. It contains not more than
- 13 one-half of one percent (0.5%) by weight of wholesome

14 stabilizer, and shall in no case contain less than two
15 percent (2%) or more than five percent (5%) by weight of milk
16 fat; and not less than eleven percent (11%) by weight of
17 total milk solids. In no case shall any ice milk contain
18 less than one and three-tenths (1.3) pounds of total food
19 solids per gallon or weigh less than four and five-tenths
20 (4.5) pounds per gallon. It shall not contain fats other
21 than milk fat. Every particle of mix shall be pasteurized at
22 temperature of not less than 155° F. for not less than
23 30 minutes or to a temperature of not less than 175° F.
24 for not less than 25 seconds in approved and properly
25 operated equipment. Provided, that nothing contained in
26 this definition shall be construed as disbarring any
27 other process which has been demonstrated to be equally
28 efficient and is approved by the State Department of
29 Agriculture. It shall contain not more than 50,000
30 bacteria per c.c. in the manufacturer's package.

31 (2). Labeling and Posting. Ice milk sold at
32 retail in the manufacturer's package or wrapper shall be
33 labeled on a contrasting background in plain legible eight
34 point type with the words "Ice Milk", provided that: When
35 flavored exclusively with fruit it shall be labeled "Fruit
36 Ice Milk", preceded by the name of the fruit. When flavored
37 with fruit and fruit juice, or with fruit juice, it shall be
38 labeled "Ice Milk", preceded by the name of the fruit. When
39 bearing the name of a fruit or nut flavor but flavored with

40 artificial flavor, it shall be labeled "Ice Milk" preceded
41 by the name of the nut or fruit and followed by the words
42 "artificially flavored" in the same size type. When flavored
43 with cocoa or chocolate, or cocoa and chocolate syrup, maple
44 syrup, or confections, it shall be labeled "Ice Milk",
45 preceded by the name of the product imparting the flavor.

46 Notwithstanding any other provision of the Code, Ice
47 Milk of any flavor may be dispensed into and sold at retail
48 in edible containers subject to the single labeling requirement
49 that such edible container shall have embossed on the outside
50 thereof the words "Ice Milk" in letters not less than five-
51 sixteenths of an inch high.

52 Notwithstanding any other provision of the Code, Ice
53 Milk of any flavor may be dispensed into and sold at retail
54 as a part of malted milks and milk shakes, subject only to
55 the labeling requirement that the sales container, package
56 or wrapper be labeled on a contrasting background in plain
57 legible eight point type with the words "Ice Milk".

58 Ice Milk shall not be dispensed and sold at retail in
59 any form or manner other than as provided herein, unless it
60 is neither flavored with any of the optional ingredients
61 listed herein, nor colored.

62 A sign shall be posted in every retail establishment
63 where ice milk is sold, on a white card not less than twelve
64 by twenty-two inches in dimensions with letters not less
65 than three inches in height and two inches in width containing

66 the words. "Ice Milk Sold Here"; such a sign shall at all
67 times be within plain view of, and at an easily readable
68 distance from the customer.

69 The provisions of Section 189.11 of the Code shall not
70 be applicable to ice milk.

71 b. Imitation Ice Cream.

72 (1) The minimum standard for imitation
73 ice cream shall be the same as that of ice milk, except that
74 the milk fat content thereof shall not be less than five per-
75 cent, nor more than ten percent.

76 (2) Imitation ice cream shall be sold only
77 in the manufacturer's package or wrapper and shall be labeled
78 on a contrasting background in plain legible eight point
79 type with the words "Imitation Ice Cream".

80 (3) The posting provisions as to ice milk
81 shall apply in the case of imitation ice cream, except that
82 the sign to be posted shall contain the words: "Imitation Ice
83 Cream Sold Here".

84 c. Imitation Ice Milk.

85 (1) The minimum standard for imitation
86 ice milk shall be the same as that of ice milk, except that
87 the milk fat content thereof shall not be more than two per-
88 cent.

89 (2) Imitation ice milk shall be sold only
90 in the manufacturer's package or wrapper and shall be labeled
91 on a contrasting background in plain legible eight point type

92 with the words "Imitation Ice Milk".

93 (3) The posting provisions as to ice milk

94 shall apply in the case of imitation ice milk, except that

95 the sign to be posted shall contain the words: "Imitation

96 Ice Milk Sold Here".

1 Amend the committee amendment to Senate File 30 as follows:

- 2 1. By striking from line 16 the word "two" and from line 17
- 3 the words "per cent (2%) or more than five per cent (5%)" and
- 4 inserting in lieu thereof the words "less than ten per cent (10%)
- 5 but not less than three and one-fourth per cent (3.25%)".
- 6 2 By striking everything following line 70.

*withdrawn
2/18*

Filed
February 12, 1953.

By LYNES.

1 Amend the committee amendment to Senate File 30 as follows:

- 2
- 3 Strike the words "imitation ice cream" wherever they
- 4 appear in lines 71 through and including 81 and substitute
- 5 in lieu thereof the words "sub-standard frozen dessert".
- 6 Strike the word "imitation" wherever it appears in
- 7 lines 82 through and including 91 and substitute in lieu
- 8 thereof the word "sub-standard".
- 9 Strike the word "five" in line 73 and insert in lieu
- 10 thereof the words "five point one (5.1)" and strike the
- 11 word "ten" in line 74 and insert in lieu thereof the words
- 12 "nine point nine (9.9)".
- 13 Strike the word "two" in line 84 and insert in lieu
- 14 thereof the words "one point nine (1.9)".

*withdrawn
2/18*

Filed
February 16, 1953.

By ANDERSON.

1 Amend the committee amendment to Senate File 30 as follows:

- 2 1. By striking from lines 16 and 17 the words "in no case
- 3 contain less than two per cent (2%) or more than five per cent
- 4 and inserting in lieu thereof the words "contain not less than
- 5 three and one-fourth per cent (3.25%) and not more than six per
- 6 cent (6%)".
- 7 2. Strike the words "imitation ice cream" wherever they
- 8 appear in lines 71 through and including 81 and substitute
- 9 in lieu thereof the words "sub-standard frozen dessert".
- 10 Strike the word "imitation" wherever it appears in
- 11 lines 82 through and including 91 and substitute in lieu
- 12 thereof the word "sub-standard".
- 13 Strike all after the word "shall" in line 73 and substitute
- 14 in lieu thereof the following "be more than six per cent (6%)
- 15 and less than ten per cent (10%)."
- 16 Strike all after the word "shall" in line 84 and substitute
- 17 in lieu thereof the following "be less than three point two five
- 18 per cent (3.25%)."

*withdrawn
2/18*

Filed
February 17, 1953.

By ANDERSON AND LYNES.

1 Amend Senate File 30 by striking all after the enacting
2 clause and inserting in lieu thereof the following:

3 Section 1. Section one hundred ninety point one (190.1),
4 Code 1950, is amended by striking all of subsection (1) and
5 (2) thereof.

6 Sec. 190.1. Section one hundred ninety point one
7 Code 1950, is amended by adding the following:

8 **Ice Milk.** Ice milk is a pure, clean, frozen or semifrozen
9 product made from a combination of milk products and one or more
10 of the following ingredients: sugar, dextrose, glucose, corn
11 syrup in liquid or dry form, with harmless flavoring or coloring
12 or both, either natural or artificial, and with or without whole-
13 some stabilizer; and in the manufacture of which freezing has
14 been accompanied by agitation of the ingredients. It contains
15 not more than one-half of one per cent (0.5%) by weight of whole-
16 some stabilizer, and shall in no case contain less than two
17 per cent (2%) or more than five per cent (5%) by weight of milk
18 fat; and not less than eleven per cent (11%) by weight of total
19 milk solids. In no case shall any ice milk contain less than
20 one and three-tenths (1.3) pounds of total food solids per gallon
21 or weigh less than four and five-tenths (4.5) pounds per gallon.
22 It shall not contain fats other than milk fat. Every particle
23 of mix shall be pasteurized at temperature of not less than
24 one hundred fifty-five degrees F. for not less than thirty minutes
25 or to a temperature of not less than one hundred seventy-five
26 degrees F. for not less than twenty-five seconds in approved and
27 properly operated equipment. Provided, that nothing contained in
28 this definition shall be construed as barring any other process
29 which has been demonstrated to be equally efficient and is approved
30 by the state department of agriculture. It shall contain not
31 more than fifty thousand bacteria per c.c. in the manufacturer's
32 package.

33 "Ice milk sold at retail in the manufacturer's package or
34 wrapper shall be labeled on a contrasting background in plain
35 legible eight point type with the words 'Ice Milk', provided
36 that: When flavored exclusively with fruit it shall be labeled,
37 'Fruit Ice Milk', preceded by the name of the fruit. When
38 flavored with fruit and fruit juice, or with fruit juice, it
39 shall be labeled, 'Ice Milk', preceded by the name of the fruit.
40 When bearing the name of a fruit or nut flavor but flavored with
41 artificial flavor, it shall be labeled, 'Ice Milk', preceded by
42 the name of the nut or fruit and followed by the words 'artifi-
43 cially flavored' in the same size type. When flavored with cocoa
44 or chocolate, or cocoa and chocolate syrup, maple syrup, or
45 confections, it shall be labeled, 'Ice Milk', preceded by the
46 name of the product imparting the flavor.

47 "Notwithstanding any other provision of the Code, ice milk
48 of any flavor may be dispensed into and sold at retail in edible
49 containers subject to the single labeling requirement that such
50 edible container shall have embossed on the outside thereof
51 the words, 'Ice Milk', in letters not less than five-sixteenths
52 of an inch high.

53 "Notwithstanding any other provision of the Code, ice milk
54 of any flavor may be dispensed into and sold at retail in any
55 part of malted milks and milk shakes, subject only to the labeling

58 type with the words, 'Ice Milk'.
59 "Ice milk shall not be dispensed and sold at retail in any
60 form or manner other than as provided herein, unless it is neither
61 flavored with any of the optional ingredients listed herein, nor
62 colored.

63 "A sign shall be posted in every retail establishment where
64 ice milk is sold, on a white card not less than twelve by twenty-
65 two inches in dimensions with letters not less than three inches
66 in height and two inches in width containing the words, 'Ice Milk
67 Sold Here'; such a sign shall at all times be within plain view
68 of, and at an easily readable distance from the customer.

69 "The provisions of section 189.11 of the Code shall not be
70 applicable to ice milk.

71 "Imitation ice cream. The minimum standard for imitation
72 ice cream shall be the same as that of ice milk, except that the
73 milk fat content thereof shall not be less than five per cent, nor
74 more than ten per cent.

75 "Imitation ice cream shall be sold only in the manufacturer's
76 package or wrapper and shall be labeled on a contrasting back-
77 ground in plain legible eight point type with the words, 'Imitation
78 Ice Cream'.

79 "The posting provisions as to ice milk shall apply in the
80 case of imitation ice cream, except that the sign to be posted
81 shall contain the words, 'Imitation Ice Cream Sold Here'.

82 "Imitation ice milk. The minimum standard for imitation ice
83 milk shall be the same as that of ice milk, except that the milk
84 fat content thereof shall not be more than two per cent.

85 "Imitation ice milk shall be sold only in the manufacturer's
86 package or wrapper and shall be labeled on a contrasting back-
87 ground in plain legible eight point type with the words, 'Imitation
88 Ice Milk'.

89 "The posting provisions as to ice milk shall apply in
90 the case of imitation ice milk, except that the sign to be
91 posted shall contain the words, 'Imitation Ice Milk Sold Here'."

Filed

February 4, 1953.

By COMMITTEE ON AGRICULTURE.

1 Amend the committee amendment to Senate File 30 as follows:

2 1. By striking from lines 16 and 17 the words "in no case
3 contain less than two per cent (2%) or more than five per cent (5%)"
4 and inserting in lieu thereof the words "contain not less than three
5 and one-fourth per cent (3.25%) and not more than six per cent
(6%)".

6 2. Strike the words "imitation ice cream" wherever they appear
7 in lines 71 through and including 81 and substitute in lieu thereof the
8 words "sub-standard frozen dessert".

9 Strike the word "imitation" wherever it appears in lines 82
10 through and including 91 and substitute in lieu thereof the word
11 "low fat content".

12 Strike all after the word "shall" in line 73 and all of line 74 and
13 substitute in lieu thereof the following: "be more than six per cent
(6%)

14 and less than ten per cent (10%)."

15 Strike from line 84 all after the word "shall" and substitute in
16 lieu thereof the following: "be less than three point two five per
17 cent (3.25%)."

Filed and adopted

February 18, 1953.

By LYNES and ANDERSON.

1 Amend Senate File 30, section two (2), line forty-four
2 (44), by inserting immediately after the word "other" the word
3 "labeling".

4 Further amend section two (2), line fifty (50), by
5 inserting immediately after the word "other" the word "labeling".

Filed

March 19, 1953

GOODE of Davis.

Adopted
2/8

Adopted
2/8

Adopted
3/20
Senate concurred
3/23