02 NCAC 09K .0202 DEFINITIONS

(a) "Wholesale Frozen Dessert Manufacturer" means any owner or operator of an establishment where frozen desserts are made or stored for disposal at wholesale to retail dealers for resale in this State.

(b) "Retail Frozen Dessert Manufacturer" means any owner, operator, or proprietor of a retail frozen dessert dispenser or a mobile frozen dessert manufacturing unit.

(c) "Retail Frozen Dessert Dispenser" means any device that dispenses a frozen dessert at retail.

Retail Frozen Dessert Dispenser shall not include the conventional spindle-type milkshake mixers, but shall include other dispenser milkshake machines.

(d) "Mobile Frozen Dessert Manufacturing Unit" means a retail frozen dessert dispenser that is mounted on or connected to any vehicle from which frozen desserts are sold.

(e) "Wholesale Cheese Manufacturer" means any owner or operator of an establishment where cheese is produced for disposal at wholesale to retail dealers for resale in this State.

(f) "Retail Cheese Manufacturer" means any owner or operator of an establishment where cheese is produced for disposal at retail only in this State.

(g) "Wholesale Butter Processing Manufacturer" means any owner or operator of an establishment where butter is manufactured or processed for disposal at wholesale to retail dealers for resale in this State.

(h) "Frozen Dessert" means ice cream, ice milk, milkshake, milkshake base, milkshake mix, milk sherbet, sherbet, water ices, and other similar frozen or semi-frozen food products including yogurt, ice milk, and frozen custard.

(i) "Frozen Dessert Mix" means any mixture or compound in liquid or dry form from which a frozen dessert is made.

(j) "Rerun" means frozen dessert mix which has been drawn through a retail frozen dessert dispenser.

(k) "Dispenser Milkshake Machine" means any fountain type or similar type machine dispensing a semi-frozen milkshake or imitation milkshake with a minimum temperature of 25 degrees F. in a retail establishment.

(l) "Imitation Frozen Dessert" means any substance, mixture, or compound which is made in imitation of, or does in fact imitate, any frozen dessert or frozen dessert mix for which a standard of identity has been established in 21 CFR 135 or these Rules, and which does not conform to said standard of identity.

(m) "Milk Products" includes cream, dried cream, plastic cream (sometimes known as concentrated milk fat), butter, butter oil, milk, concentrated milk, evaporated milk, sweetened condensed milk, superheated condensed milk, dried milk, skim milk, concentrated skim milk, evaporated skim milk, condensed skim milk, sweetened condensed part-skim milk, nonfat dry milk, sweet cream buttermilk, condensed sweet cream buttermilk, dried sweet cream buttermilk, skim milk that has been concentrated and from which part of the lactose has been removed by crystallization, skim milk in concentrated or dried form which has been modified by treating the concentrated skim milk with calcium hydroxide and disodium phosphate, lactose (pure milk sugar), concentrated cheese whey, and dried cheese whey.

History Note: Authority G.S. 106-253; 106-267;
Eff. February 1, 1982;
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