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Secs. 22-195-10—22-195-11.

Repealed, October 1, 2005.

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Grade A, Ultra High Temperature Processed and Aseptically Packaged and Grade A, Ultra-Pasteurized Milk and Milk Products, Goat Milk and Goat Milk Products

Sec. 22-195-10. Grade A, ultra high temperature processed and aseptically packaged milk and milk products, goat milk and goat milk products

(a) Definitions.

(1) Ultra High Temperature Processed and Aseptically Packaged Milk and Milk Product means a product which is hermetically sealed in a container and thermally processed in conformance with the Code of Federal Regulations so as to render the product free of (a) microorganisms capable of reproducing in the product under normal unrefrigerated conditions of storage and distribution and (b) viable microorganisms which are significant to public health.

(2) The Code of Federal Regulations for purposes of these regulations means the Code of Federal Regulations, Title 21, Section 113, and item 16pc aseptic processing systems Grade-A, Pasteurized Milk Ordinance 1989, Revision U.S. Department of Health and Human Services Public Health Service Food and Drug Administration.

(3) Milk. For the purpose of this regulation the term milk or milk products shall mean milk or milk products processed from cow or goat milk as defined in Section 22-127 C.G.S.

(4) Commercial Sterility. Commercial sterility is the condition achieved by the application of heat which renders the milk free of microorganisms that either are capable of reproducing in the milk under normal non-refrigerated conditions of storage and distribution or are viable microorganisms (including spores) of public health significance.

(5) Equipment Sterilization. Equipment and containers used for UHT processing and aseptic packaging of milk shall be rendered commercially sterile by the application of heat, chemical sterilants or other appropriate equipment treatment that renders the containers and equipment free of viable microorganisms having public health significance, as well as microorganisms of non-health significance, capable of reproducing under non-refrigerated conditions of storage and distribution.

(6) Hermetically Sealed. Hermetically sealed container means a container that is designed and intended to be secure against the entry of microorganisms and thereby capable of maintaining the commercial sterility of its' contents after processing.

(b) **Aseptic Milk Processors' Permit:** Each processing facility supplying UHT processed and aseptically packaged milk for sale in Connecticut must obtain a permit issued by the Commissioner of Agriculture. Said permit shall be termed 'Aseptic Milk Processor's Permit' and shall be valid for the period of July 1 to June 30th of the following year and must be renewed annually.

(c) Application for Permit.

(1) Each person, firm, corporation or cooperative who processes Grade-A UHT processed and aseptically packaged milk or milk products, in whole or in part, for sale or distribution within the State of Connecticut shall make application to the Commissioner on forms provided by him.

(2) Each application shall be accompanied with information as to projected sales volume, product types, names and addresses of distributors handling or selling the product within the state and all other information required by the Commissioner.

Each processing plant supplying the milk must be identified by the firm's name and address. Each applicant shall agree to provide any additional information that the Commissioner deems necessary.

(d) **Fees.** An annual fee of two hundred and fifty dollars (\$250.00) shall be paid the Commissioner of Agriculture for each Aseptic Milk Processors' Permit issued. Milk Dealer licensing fees, as provided for by Sections 22-235a, and 22-236 of Chapter 431 of the Connecticut General Statutes shall apply to all sales of aseptic milk and milk products sold or distributed in Connecticut.

(e) **Criteria for Permit Approval.** Each person, firm, corporation or cooperative who processes Grade A UHT processed and aseptically packaged milk and milk products for sale or distribution within the State of Connecticut must have a current Interstate Milk Shippers' Sanitation Compliance and Enforcement Rating of not less than ninety (90) for aseptic milk and be regularly inspected by a state Regulatory Agency for compliance with the applicable provisions of the Grade-A Pasteurized Milk Ordinance.

(f) **Inspection.** (1) Any UHT processing and aseptically packaging facility granted a permit under the procedures of this section shall be exempt from routine inspections conducted by the Department of Agriculture. The Commissioner may require copies of the plant inspection report conducted by that state's regulatory authority be submitted to him at his request.

(2) Nothing contained herein precludes the right of the commissioner to conduct inspections of the processing facility or farms delivering milk to the plant, if such action is deemed necessary to protect public health and ensure a safe and wholesome product.

(g) **Labeling.** The label declaration for UHT processed and aseptically packaged milk and milk products must comply with the provisions of Section 22-133-106, Section 22-133-107, and Section 22-133-112 and all other applicable regulations as required by the Milk Regulation Board. For the purpose of this regulation, a pull or expiration date and the statement 'Refrigerate After Opening' must appear on the top portion of the container. In addition, the terms 'UHT Long Shelf Life,' 'Grade A,' and 'Homogenized' must appear on the information panel.

(Effective August 10, 1992)

Sec. 22-195-11. Grade A, ultra-pasteurized milk and milk products, goat milk and goat milk products

(a) Definitions.

(1) **Ultra-Pasteurization.** Ultra-Pasteurized means a milk product which has been thermally processed at or above two hundred eighty degrees fahrenheit for two or more seconds, either before or after packaging, in order to produce a product which has an extended shelf life when refrigerated.

(2) **Milk.** For the purpose of this regulation the term milk or milk products shall mean milk or milk products processed from cow or goat milk as defined in Section 22-127 C.G.S.

(b) **Ultra-Pasteurized Plant Permit.** Each processing facility selling or whose product is sold or distributed in the State must obtain a Permit from the Commissioner. Said Permit shall be termed 'Ultra-Pasteurization Plant Permit' and shall be valid for the period from July 1st to June 30th of the following year, and must be renewed during the month of June.

(c) Application for Permit.

(1) Each person, firm or corporation who processes Grade A ultra-pasteurized milk or milk products, in whole or in part, for sale or distribution within the State

of Connecticut, shall make application to the Commissioner on forms provided by him.

(2) Each application must be accompanied with data relating to estimate of sales volume, and names and addresses of distributors handling or selling the milk product and all information required by the Commissioner. Each applicant shall agree to provide any additional information that the Commissioner deems necessary.

(d) **Fees.** The annual fee for an Ultra-Pasteurized Plant Permit is established at two hundred and fifty dollars (\$250.00) per licensing year and shall be valid from the period of July 1 through June 30 of the following year. Milk Dealer Licensing fees, as provided for by Sections 22-229, 22-235, and 22-236 of Chapter 431 of the Connecticut General Statutes shall apply to all sales of ultra-pasteurized milk and milk products sold or distributed in Connecticut.

(e) **Criteria for Permit Approval.** Each person, firm, or corporation who processes Grade A ultra-pasteurized milk or milk products for sale or distribution within the State of Connecticut must have a current Inter-State Milk Shippers' Sanitation and Enforcement Rating of not less than ninety (90) for Ultra-Pasteurized Milk and milk products and be regularly inspected by a State Regulatory Agency responsible for ensuring compliance with the applicable provisions of the Grade-A Pasteurized Milk Ordinance 1989, Revision U.S. Department of Health and Human Services Public Health Service Food and Drug Administration.

(f) **Inspection.**

(1) Any processing facility granted an Ultra-Pasteurized Plant Permit, as provided for by this section shall be exempt from routine inspection, as well as those farms comprising the milk supply dedicated to Ultra-Pasteurized Milk and Milk Products.

(2) Nothing contained herein precludes the right of the Commissioner to conduct inspections of the processing facility or farms delivering milk to the facility, or to suspend or revoke the processing plant's permit, if such action is necessary to protect public health.

(g) **Labeling.** The label declaration for ultra-pasteurized milk and milk products must comply with the provisions of Section 22-133-106, Section 22-133-107 and Section 22-133-112 and with all other applicable regulations as required by the Milk Regulation Board. For the purpose of this regulation the terms 'Grade A,' 'Ultra-Pasteurized' and 'Homogenized' must appear on the information panel.

(Effective August 10, 1992)