



Frozen Dessert - Alternative Pasteurization Process

Requirements:

The Maricopa County Environmental Services Department (MCESD) Food Code, regulation 3-202.14 requires that frozen milk products such as ice cream, gelato, frozen custard, and frozen yogurt be pasteurized. The Arizona Revised Statutes (A.R.S.), § 3-601 (10) also has regulations for pasteurization of these frozen products. Retail food facilities have three options to achieve compliance with Arizona Department of Agriculture (AZDA) and MCESD Food Code regulations.

1. Purchase a 3-A compliant Non-Coiled Batch Pasteurizer (Arizona Administrative Code Regulation 3-2-807).
2. Apply for a variance with the Maricopa County Environmental Health Division for an alternative pasteurization process approval. There is an application and fee for the variance process.
3. Purchase a pasteurized mix from a third party provider.

Safety Concerns:

1. Unpasteurized frozen desserts or improper pasteurization leads to increased risk of foodborne illness from pathogens such as: *Clostridium botulinum*, *Staphylococcus aureus*, *Salmonella*, *Listeria monocytogenes*, *Shigella*, *Brucella*, *Campylobacter* and pathogenic *Escherichia coli* O157:H7.
2. Cross-contamination or improper sanitization during production.

Things to Know:

1. Retail food establishments seeking to wholesale, conduct offsite sales, or package dairy products such as frozen dessert products, must contact AZDA for requirements (Office: 602.542.4373).
2. AZDA is responsible for the regulation of all aspects of the dairy industry in the State and therefore, additional licensing may be required by AZDA.
3. When combining pasteurized dairy ingredients or time/temperature-control-for-safety food items, the new "base" must go through pasteurization again.

HACCP/Variance Program

602.506.6824

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Definitions:

Frozen Dessert Products:

Frozen milk products such as ice cream, gelato, frozen custard, frozen yogurt, sherbet, etc.

Pasteurization: Heating the product to a specific temperature and holding the product continuously at or above that temperature for a certain time period.

2017 FDA Code References:

3-202.14 Eggs and Milk Products, Pasteurized

3-502.11 Variance Requirement



Frozen Dessert - Alternative Pasteurization Process (Continued)

Establishments seeking approval for a variance to conduct an alternative pasteurization process shall complete and provide the following:

1. Complete the application:

PDF: <https://www.maricopa.gov/DocumentCenter/View/5805/HACCPVariance-Application-PDF>

Online: <https://www.maricopa.gov/FormCenter/Environmental-Services-16/VarianceHACCP-Application-Web-Form-238>

2. Application Fees

3. A detailed food preparation process with recipes

4. Submit standard operating procedures (SOPs):

- Calibration of thermometers
- Cold holding
- Pasteurization
- Cooling

5. Sample log sheets for SOPs (e.g. thermometer calibration, cold holding, pasteurization, etc.)

6. Records must be retained for at least 180 days

7. How is the product to be sold /provided to the customer

Incomplete paperwork may delay the review process.

Additional Resources:

<https://www.maricopa.gov/3978/Food-Variations>

<https://agriculture.az.gov/animals/animal-services-inspections/dairy-inspections/frozen-dessert-safety>

<https://www.maricopa.gov/4125/Food-SafetyOperator-Resources>

<https://www.maricopa.gov/4533/English-AMC-Toolbox>



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