



Ohio Administrative Code

Rule 901:11-3-04 Chemical, bacteriological, and temperature standards.

Effective: [October 31, 2024](#)

(A) Raw milk or milk products intended for use in the manufacturing of frozen desserts shall not be accepted by the manufacturer of frozen desserts unless the milk and milk products meet the following standards at the time of delivery and are maintained by the manufacturer of frozen desserts through pasteurization:

(1) Temperature at forty-five degrees Fahrenheit (seven degrees Celsius) or less;

(2) Bacterial limits not to exceed three-hundred thousand parts per milliliter and tested in conjunction with the drug residue inhibitory substance test; and

(3) No positive results on a drug residue inhibitory substance test using methods that are analyzed at an officially designated laboratory using examinations in substantial compliance with the "Appendix N of the "PMO."

(B) Bulk loads of raw milk and milk products shall be pasteurized in accordance with rule 901:11-3-05 of the Administrative Code at the receiving plant prior to use in the manufacturing of finished products.

(C) Bulk loads of pasteurized milk or milk products shall be re-pasteurized in accordance with rule 901:11-3-05 of the Administrative Code at the receiving plant prior to use in the manufacturing of finished products.

(D) Frozen desserts made from pasteurized milk or milk products shall meet the following standards after pasteurization:

(1) Temperature at forty-five degrees Fahrenheit (seven degrees Celsius) or less;

(2) Bacterial limits not to exceed thirty thousand parts per milliliter; and



(3) Coliform not to exceed ten parts per milliliter.

(E) During at least four separate months within any consecutive six-month period, samples of each type of product produced will be collected for examination to determine the bacterial and/or coliform counts of the samples, in addition to determining the presence of drug residues.

(1) Whenever two of the last four bacteria or coliform counts exceed the standards established in paragraphs (A)(2), (D)(2) and (D)(3) of this rule, the director will send a written warning notice to the processor. The notice will be in effect so long as two of the last four consecutive samples exceed the bacterial or coliform standard.

(2) An additional sample will be taken no sooner than three days and no later than twenty-one days after sending of the warning notice required in paragraph (E)(1) of this rule. If this sample also exceeds the bacteria or coliform standards established in paragraphs (A)(2), (D)(2) and (D)(3) of this rule, the processor license shall be suspended until satisfactory compliance is obtained. The license may be reinstated by the director when an additional sample of the product(s) in violation is tested and found satisfactory.

(3) Whenever a drug residue test is positive following the standards established in paragraph (A)(3) of this rule, the procedures of the "Appendix N of the PMO" will be followed to identify the source of the positive result.