

**From the Ministry of Food, Agriculture and Livestock:**

**Turkish Food Codex Notification on Ice-cream  
(Draft: 2017/....)**

**FIRST CHAPTER**

**Aim, Scope, Legal Base and Definitions**

**Aim**

**Article 1** - (1) The aim of this notification shall be to determine the features in order to provide for ice-cream to be produced, transported, stored and submitted to market in a way to be hygienic and compatible with its technique.

**Scope**

**Article 2** - (1) This notification shall cover ice-cream.

**Legal Base**

**Article 3** - (1) This notification has been prepared based on the Turkish Food Codex Regulation published in the Official Journal of third iterated number of 28157 on 29/12/2011.

**Definitions**

**Article 4** - (1) In this Notification;

a) Ice cream mixture: means emulsified liquid mixture product which has not yet been frosted and contains food ingredients having the feature to flavor, flavorings and ingredients such as garnish substances and also which contains milk and/or milk products, drinking water, sugar and permitted additives,

b) Ice-cream: means the product which is submitted to market in soft way or after hardened and which is obtained from processed ice-cream in a compatible way with its technique after heat treatment,

c) Garnished Ice-cream: means the product obtained after adding garnished substances into ice-cream mixture,

ç) Plain ice-cream: means the product obtained from the ice-cream mixture which does not contain garnished substances and flavorings and ingredients with flavoring properties apart from vanilla, vanillin and ethyl vanillin,

d) Garnished substance: means eatable products such as fruits and vegetables and their juices, their concentrated drinks, purée, dip sauce, shelled fruits such as hazelnut, peanut, almond, walnut, herbs such as cereals and herb preparations, sugary products and honey, coffee, cacao, chocolate, condiments,

e) Ice-cream with yoghurt: means the product which is frozen of the mixture containing yoghurt, sugar and additives, if required, by adding garnished substances and which contains at least 50% yoghurt in final product,

f) Sugar: means the products defined in the Turkish Food Codex Notification on Sugar published in the Official Journal of 26268 on 23/08/2006,

g) Egg and egg products: mean the products defined in the Turkish Food Codex Notification on Egg and Egg Products published in the Official Journal of 262911 on 20/12/2014,

ğ) Drinking water: means water intended for human consumption which is compatible with the features stated in the Regulation on Water Intended for Human Consumption published in the Official Journal of 25730 on 17/2/2005,

h) Tropical and/or special fruits: mean fruits which have high and/or intensive density such as pineapple, banana, kiwi, mango, guava, passion fruit, soursop fruit, corossol, cherimoya.

## SECOND CHAPTER

### General Provisions

#### Characteristics of Product

**Article 5** - (1) The characteristics of the products within this Notification are given below.

a) Milk used in the production of ice-cream shall meet the conditions stated in the Regulation on Special Hygiene Rules for Foods of Animal Origin published in the Official Journal of 28155 on 27/12/2011.

b) Drinking water shall be used in the production of the products.

c) The products shall have a unique taste, smell and composition.

ç) The values for ingredients of ice-cream shall correspond to Annex-1.

d) Volume expansion in ice-cream shall be maximum 100%.

e) Fruit rate in garnished ice-creams produced by using fruit shall be at least 15% in weight. However, fruit rate shall be at least 10% in weight in the ice-creams which contain fruits having at least 2.5% titratable acidity in terms of citric acid in weight, and contain citrus fruits, tropical and/or special fruits and fruit juice mixtures.

f) Total rate shall be at least 5% in the event that one or a few of the garnishes such as hazelnut, peanut, walnut, almond are used together in the garnished ice-creams produced by adding such garnishes.

g) The ice-creams registered as geographical indication shall be submitted to market in accordance with the characteristics stated in geographical indication registry providing that they are not contrary to the Turkish Food Codex horizontal legislation.

ğ) The products within this Notification cannot be submitted to market in the same package with the products within the Turkish Food Codex Notification on Edible Icy Products published in the Official Journal of ... on ... .

h) Fat ingredient apart from milk fat cannot be added to the products. However; regarding the ice-creams in which garnish substance is used in production, there may be vegetable fat which is arisen from the used garnish substance and which will be in such an amount to be proportionate to the used garnish substance in addition to milk fat contained naturally in the ingredient.

ı) Ready-powder mixtures which will be used for production of ice-cream have to comply with the provisions of this notification.

i) Ice-cream mixtures shall be subject to heat treatment which includes long-time low temperature applied for 30 minutes at least at 69 °C or short-time high temperature for 25 seconds at least at 80°C or any other time-temperature combination providing equivalent effect.

j) Maximum 0,1% salt (NaCl) can be added to plain ice-creams in weight.

k) In the production of the products within this notification, ethyl alcohol or alcoholic drink or alcoholic compound cannot be added as compound.

#### Additives

**ARTICLE 6** - (1) The additives used in the products stated within this Notification shall comply with the provisions stated in the Turkish Food Codex Regulation on Additives published in the Official Journal of 28693 on 30/6/2013. In addition to these general rules, colorants cannot be used in the ice-creams in which garnish substance is not used in production.

#### Flavorings and ingredients with flavoring properties

**ARTICLE 7** - (1) Flavorings and ingredients with flavoring properties used in the products stated in this Notification shall comply with the provisions stated in the Turkish

Food Codex on Flavorings and Ingredients with Flavoring Properties published in the Official Journal of third iterated number of 28157 on 29/12/2011.

(2) In plain ice-creams produced within this Notification, only vanilla, vanillin, ethyl vanillin and natural flavorings can be used as flavoring and ingredients with flavoring properties.

(3) Milk and milk productions' flavorings cannot be used in the products within this notification.

#### **Contaminants**

**ARTICLE 8** - (1) Amounts of the contaminants in the products stated within this Notification shall comply with the provisions stated in the Turkish Food Codex Regulation on Contaminants published in the Official Journal of third iterated number of 28157 on 29/12/2011.

#### **Pesticide residues**

**ARTICLE 9** - (1) Amounts of the pesticide residues in the products stated within this Notification shall comply with the provisions stated the Turkish Food Codex Regulation on Maximum Residue Limits of Pesticides shall comply with published in the Official Journal of iterated number of 29899 on 25/11/2016.

#### **Tolerance levels of veterinary drugs**

**ARTICLE 10** - (1) Residue levels of veterinary drugs which can be found in the products within this Notification shall comply with the provisions stated in the Turkish Food Codex Regulation on Classification and Maximum Residue Limits of Pharmacologically Active Substances in Foodstuffs of Animal Origin published in the Official Journal of 30000 on 07/03/2017.

#### **Hygiene**

**ARTICLE 11** - (1) The products included within this Notification shall comply with the provisions stated in the Regulation on Food Hygiene published in the Official Journal of 28145 on 17/12/2011 and Turkish Food Codex Regulation on Microbiological Criteria published in the Official Journal of third iterated number of 28157 on 29/12/2011.

a) For the ice-creams submitted to market as pre-packaged food for direct sale, additional hygiene requirements stated in the Annex-3 shall be required.

b) Number of aerobic mesophilic bacteria shall not be assessed in the ice-creams having fermented milk products.

#### **Packaging**

**ARTICLE 12** - (1) The packages of the products stated within this Notification shall comply with the provisions stated in the Turkish Food Codex Regulation on Materials and Articles in Contact with Food published in the Official Journal of third iterated number of 28157 on 29/12/2011.

#### **Labelling**

**ARTICLE 13** - (1) The products within this Notification shall comply with the provisions stated in the Turkish Food Codex Regulation on Labelling Food and Informing Consumers published in the Official Journal of iterated number of 29960 on 26/01/2017. Additional rules apart from these general rules have been given below:

a) On the labels of the products stated within this Notification, name of food shall be used together with brand.

b) The products stated within this Notification shall not be classified as frozen yoghurt, fried ice-cream, ice-cream pan, ice pan etc.

c) Group name and milk fat content in terms of % determined in the Annex-1 shall be stated.

ç) Garnish substance and flavoring used in garnished ice-creams shall be used together with product name. Exceptional rules have been stated below in addition to this rule.

1) In the event that amount of garnish used in garnished products is at the least value or above the least value determined in this notification, garnish substance shall be used together with product name.

2) In the event that any value related to garnish substance used in garnished products has not been determined in this notification, garnish substance or flavoring shall be used together with product name.

3) In the event that garnish amount is below the least amount determined in this notification in the products in which garnish substance and flavoring are used together, name of flavoring used shall be used together with product name.

d) Total sugar amount included in the compound of the products stated within this Notification shall be stated as “this product contains ...% sugar” by using in each side that product name is written at least 3 mm point size characters of x-height defined in the annex-2.

#### **Nourishment and Health Declaration**

**ARTICLE 14** - (1) Nourishment and health declarations stated within this Notification shall comply with the provisions stated in the Turkish Food Codex Regulation on Nourishment and Health Declarations published in the Official Journal of iterated number of 29960 on 26/1/2017.

#### **Transporting and storing**

**ARTICLE 15** - (1) Transporting and storing the products stated within this Notification shall comply with the provisions related to transporting and storing foods stated in the Turkish Food Codex Regulation. Additional rules apart from these general rules have been given below:

a) Temperature shall be at the highest -18 C during transporting, storing and submitting to final consumer the products.

#### **Sampling and analysis methods**

**ARTICLE 16** - (1) Sampling from the products stated within this Notification and their analyses shall comply with Turkish Food Codex Regulation.

#### **Vitamins, Minerals and Certain Other Substances**

**ARTICLE 17** - (1) Regarding addition of vitamins, minerals and certain other substances which will be used in the production of the products included within this Notification, it shall comply with the provisions stated in the Turkish Food Codex Regulation on Addition of Vitamins, Minerals and Certain Other Substances to Foods published in the Official Journal of 30000 on 07/3/2017.

#### **Plants, Mushrooms, Algae, Lichens and Their Preparations Which will be used in Foods**

**Article 18** - (1) Plants, mushrooms, algae, lichens and their preparations which will be used in the products stated within this notification shall comply with the Turkish Food Regulation on Plants, Mushrooms, Algae, Lichens and Their Preparations Used in Foods published in the Official Journal of ... on ....

#### **Coccidiostats and Histomonostats Residues**

**ARTICLE 19** - (1) Amounts of coccidiostats and histomonostats in the products stated within this Notification shall comply with the provisions stated in the Turkish Food Codex Regulation on Maximum Levels of Coccidiostats and Histomonostats in Foodstuffs of Animal Origin Resulting From the Unavoidable Carry-Over of These Substances in Non-Target Feed published in the Official Journal of 29261 on 8/2/2015.

#### **Notification to European Union**

**ARTICLE 20** - (1) This Notification has been notified to the European Union in accordance with the provisions of the Regulation on the Notification of the Technical Legislation and Standards Between Turkey and the European Union published in the Official Journal of 24714 on 3/4/2002.

### **THIRD CHAPTER**

#### **Miscellaneous and Final Provisions**

##### **Administrative Sanction**

**ARTICLE 21** - (1) Administrative sanction shall be applied for those who act against this Notification in accordance with the related articles of the Law on Veterinary Services, Plant Health, Food and Feed of 5996 on 11/6/2010.

##### **Annulled notification**

**ARTICLE 22** - (1) Turkish Food Codex Notification on Ice-Cream (Notification No: 2004/45) published in the Official Journal of 25699 on 13/1/2005 has been annulled.

##### **Compulsory Compliance**

**PROVISIONAL ARTICLE 1** - (1) Food operators who have carried on business before the publication of this Notification have to comply with the provisions of this notification until 31/12/2019. The foods which have been labelled or submitted to market before 31/12/2019 can be available in the market till the end of shelf life.

(2) Food operators who carry on business within the scope of this Notification have to comply with the provisions of the Turkish Food Codex Notification on Ice-Cream (Notification No: 2004/45) published in the Official Journal of 25699 on 13/1/2005.

##### **Entry into force**

**ARTICLE 23** - (1) This Notification shall enter into force on its publication date.

##### **Conduct**

**ARTICLE 24** - (1) Minister of Food, Agriculture and Livestock shall conduct the provisions of this Notification.

#### **ANNEX -1: Compound of Ice-Cream**

Product Groups	Total Dry Matter (In Weight %), (At least)	Milk Fat (In Weight %)	<sup>1</sup> Fat-Free Milk Dry Matter (In Weight %), (At least)
Fat-Free Ice-Cream	31	Milk Fat < 0,5	8
Low-Fat Ice-Cream	31	0,5 ≤ Milk Fat < 3	8
Semi-Fat Ice-Cream	31	3 ≤ Milk Fat < 8	8
Fat Ice-Cream	36	8 ≤ Milk Fat < 12	8
Full-Fat Ice-Cream	40	Milk Fat ≥ 12	8

1- Total dry matter shall not be required in the ice-creams into which sweetener is put.

## Annex-2 Product name and type size in mixed ice-creams

Product name 

**‘X’ height:** shall be  $x \geq 3$  mm.

### **ANNEX-3 Rules to Be Observed in the Production, Storing, Distributing and Sale Phases of the Products Submitted to Market as non-prepackaged**

1 - The tools and equipment used with the item and material contacting with the products sold in the selling enterprise by packaging in line with the demand of consumer shall be made up from item and materials which are suitable for contacting and allow enough cleaning and disinfection within the scope of this Notification. Product shall be produced in such a way to prevent contamination risk and shall be kept as ready for use and in well-kept and good conditions.

2 - The products which are sold as non-prepackaged within the scope of this Notification shall be submitted to final sale point without damaging the integrity of unit packaging.

3 - In the event that tablespoon is not used while serving the products submitted to market as non-prepackaged to final consumer, the products within the scope of this Notification shall be kept in such an environment to prevent contaminating risk.

4 - The products submitted to market as non-prepackaged within the scope of this Notification shall be kept in such a closed environment to prevent hand contact of consumer and shall be sold under the control of seller in sale points. The products submitted to market as non-prepackaged within the scope of this Notification shall be submitted to consumer during sale by being put into a packaging material compatible with the provisions stated in the Turkish Food Codex Regulation on Items and Materials in Contact With Food.

5 - Within the scope of this Notification, in the places where these products which are submitted to market as pre-packaged are kept, there has to be an appropriate label which can be easily seen by consumers and which is in accordance with the third, fourth and fifth paragraphs of the Article 15 of the Regulation on Turkish Food Codex Regulation on Labelling Food and Informing Consumers. In addition to these information, there have to be enterprise approval/registry number, party number of product in the counter labels.

6 - Within the scope of this Notification, all the personnel who work in transporting and sale of these products submitted to market as prepackaged have to show great care to their personal cleaning and have to wear appropriate and clean cloths.

7 - The above-mentioned provisions are valid in all sale points in which ice-cream is sold, including market places and suchlike open sale places.