

ARIZONA DEPARTMENT OF AGRICULTURE

SUBSTANTIVE POLICY STATEMENT

ANIMAL SERVICES DIVISION

**Dairy and Dairy Products Processing and
Manufacturing at Restaurants**

A.R.S. § 3-601 et seq. and R3-2-801 et seq.

**DIVISION/
PROGRAM ASD**

SP 20-01


SIGNATURE/DATE 7/2/20

This Substantive Policy Statement is advisory only. A Substantive Policy Statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this Substantive Policy Statement does impose additional requirements or penalties on regulated parties, you may petition the agency under section 41-1033, Arizona Revised Statutes, for a review of the statement.

1. BACKGROUND

Milk distributing plants and Manufacturing milk processing plants are required to be licensed with the Department, follow the Grade A pasteurized milk ordinance and other state and federal regulations.

"Milk distributing plant" means a plant processing and distributing milk and milk products other than products made from manufacturing milk.

"Manufacturing milk processing plant" means any place, premises or establishment where manufacturing milk or manufactured milk products, or any combination of them, are collected, handled, processed, manufactured, stored, pasteurized, aseptically processed, bottled or prepared for distribution.

2. POLICY

Unless the Department receives a complaint of non-compliance, the Department will not enforce dairy regulations in restaurants that meet all of the following criteria.

- Licensed with the Health Department within their jurisdiction.
- Only Grade A pasteurized milk or pasteurized milk-based products used as an ingredient for the dairy product manufactured.
- Product is manufactured and sold at the same food establishment for consumption on the premises.

The product manufactured at a restaurant may not

- Be prepackaged.
- Be sold at any other location.

3. EFFECTIVE DATE

This Substantive Policy Statement is effective as of the date indicated above.