

ASSEMBLY CONSUMER AFFAIRS AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1056

STATE OF NEW JERSEY

DATED: AUGUST 14, 1997

The Assembly Consumer Affairs and Regulated Professions Committee reports favorably Senate Bill No. 1056 (1R).

This bill deletes the duplicate requirement that retail establishments that prepare frozen desserts for sale at the establishment obtain a State license, as well as a county or municipal retail establishment license. The bill revises the definition of "frozen desserts plant" to exclude retail stores and provides, instead, that the term shall apply to an establishment where frozen desserts are assembled, manufactured, processed, frozen or converted in form, for wholesale distribution or sale. The bill retains the State licensing requirement for mobile units, which are vehicles on which frozen desserts are manufactured, prepared, processed or converted in form and sold and dispensed to the consuming public.

The bill also deletes the dollar amounts specified in current law for licensing fees and provides, instead, that the Commissioner of Health and Senior Services shall adopt a reasonable fee schedule, by regulation, that will reflect the services performed in the licensing and inspection of a frozen desserts plant or mobile unit, but that the licensing fee shall not exceed \$500.

The term "frozen desserts" is defined in N.J.A.C.8:21-7.1 to include: ice cream, frozen custard, ice milk, sherbet, water ice, mellorine, goat's milk ice cream, goat's milk ice milk, frozen yogurt, frozen lowfat yogurt or lowfat frozen yogurt, frozen nonfat yogurt or nonfat frozen yogurt, quiescently frozen confection, quiescently frozen dairy confection, frozen dietary dairy dessert, dietary frozen dessert or lowfat frozen dairy dessert, whipped cream confection, bisque tortoni, nonfruit sherbet, nonfruit water ice, manufactured dessert mixes, lactose reduced ice cream, lactose reduced ice milk, frozen pudding, freezer made shake and freezer made milk shake, lowfat parevine, parevine, Lo-Mel, as all such products are commonly known, together with any such mix used in frozen desserts and any products which are similar in appearance, odor or taste to such products or are prepared or frozen as such products are customarily prepared or frozen whether made with dairy or nondairy products.