

Commissioner's Memo  
10/1/2019

## Re-Service of Milk

### Memo Information

Memo Number **CNU-20-013**

Memo Date 10/1/2019

Memo Type Regulatory

Unit Child Nutrition

Regulatory Authority Arkansas State Board of Health Rules and Regulations Pertaining to Food Establishments

Response Required NO

Attention Superintendents; Child Nutrition Directors/Managers

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### Memo Text

#### CURRENT REGULATIONS:

Milk is considered a "Time/Temperature Control for Safety Food," based on the Rules and Regulations pertaining to Retail Food Establishments as set forth by the Arkansas Department of Health, Environmental Health Protection in 2012 (the Food Code) which states in the definitions of Section 1-201.10 (68)(a).

"Time/Temperature Control for Safety Foods" means a food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.

Section 3-306.14 (Returned Food and Re-service of Food) of the Food Code states:

"(A) Food (i.e., time/temperature control for safety food) that is unused or returned by the consumer may not be offered as food for human consumption."

The following procedure about milk cartons will be under the strict supervision of food service personnel at all times.

If a student receives milk in the school cafeteria and that student does not want the milk, the student may place the unopened carton of milk in an ice-filled container (i.e., ice chest) located at the end of the meal service line or cashier's stand. The milk carton must be placed down in the ice and fully covered. Water cannot be standing in the ice. Another student may then pick up the milk carton at no charge to consume with a meal, in addition to the milk already received with a reimbursable meal.

Only milk in a carton that has not been opened and that has been fully covered by clean ice may be consumed by another student. Milk in a carton that has been opened, or not kept under ice, must be discarded and not given to another student.

Any milk carton that is still in the ice at the end of the meal service must be discarded and not served to another student. To discard milk in cartons, the cartons must be opened and milk poured out of the carton. No milk handled in this manner can be used for food preparation or held for another meal period, for example, milk from breakfast cannot be held for lunch.