

Ag 46

STATE OF WISCONSIN)
STATE DEPARTMENT OF AGRICULTURE) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, D. N. McDowell, Director of the State Department of Agriculture, and custodian of the official records of said department, do hereby certify that the annexed order renumbering, amending and adopting rules relating to smoked fish processing plants (Wis. Adm. Code ch. Ag 46) was duly adopted by this department on July 12, 1965.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed the official seal
of the department at Madison,
Wisconsin, this 12th
day of July, A. D. 1965.

D. N. McDowell
Director

ORDER OF THE STATE DEPARTMENT OF AGRICULTURE
RENUMBERING, AMENDING AND ADOPTING RULES

Pursuant to authority vested in the State Department of Agriculture by sections 93.07 (1) and 97.06, Wis. Stats., the State Department of Agriculture hereby renumbers, amends and adopts rules as follows:

✓ 1. Sections Ag 46.01 (3), (4) and (5) of the Wisconsin administrative code are renumbered Ag 46.01 (4), (5) and (7), respectively.

✓ 2. Sections Ag 46.01 (3) and (6) of the Wisconsin administrative code are adopted to read:

Ag 46.01 (3) "Smoked fish" means any product obtained by subjecting fresh fish, frozen fish, dried fish, or cured fish to the direct action of smoke or smoke flavor, either from the burning of wood, wood sawdust, or similar burning material, or the immersion or spraying with a smoke-flavored solution, for the prime purpose of imparting the flavor and the color of smoke to fish. Smoked fish containing 10% or more of salt (sodium chloride) in the water phase, or which have been canned and properly heat treated in the hermetically sealed container, are exempt from the provisions of sections

Ag 46.08, Ag 46.09 (4) and (5) and Ag 46.10.

✓ (6) "Sale container" means the immediate container in which smoked fish is delivered to wholesale accounts or sold at retail by the processor and includes any bulk or retail-sized box or package into which finished smoked fish are placed at the plant.

✓ 3. Section Ag 46.08 (1) of the Wisconsin administrative code is amended by deleting the word "product" in the second line.

✓ 4. Sections Ag 46.08 (2) and (4) of the Wisconsin administrative code are amended to read:

Ag 46.08 (2) A temperature recording device shall be provided and shall have its detector probe so located as to make continuous record of internal temperatures of fish located in the coldest area of the smoke house. The temperature so recorded shall be the internal temperature of flesh (not body cavity) of fish located in the coldest area of the smoke house. Temperature recording charts from every smoking operation conducted in a plant shall be properly dated and kept on file in the plant for a minimum of 3 months.

(4) Upon removal from the smoke house, smoked fish shall be promptly cooled and inserted directly from smoking sticks, racks, rods, or screens into the sale container. Packing shall be done in an area separate and apart from any area where raw fish are handled. No wooden counter boxes or other holding containers shall be used, and no repackaging from one sale container to another shall be permitted at the processing plant. The packing shall be done in such manner as to avoid recontamination. There shall be no direct or indirect contact between raw fish or raw fish surfaces and finished product.

5. Section Ag 46.08 (5) of the Wisconsin administrative code is amended by deleting the word "product" in the first line.

6. Section Ag 46.08 (6) of the Wisconsin administrative code is amended to read:

Ag 46.08 (6) Smoked fish which is removed from the sale container and repackaged by a retailer or distributor shall be labeled as required by sections Ag 46.09 (1) through (5).

7. Section Ag 46.08 (7) of the Wisconsin administrative code is renumbered Ag 46.10 (5) and amended to read:

Ag 46.10 (5) No person shall sell smoked fish at retail from a bulk container unless a sign or counter placard is displayed at the point of sale bearing the words "Perishable -- Keep Refrigerated" and bearing all other label information required to be shown on the sale container, except that net weight is not required on the counter placard if net weight is determined at time of sale.

8. Sections Ag 46.08 (8) and (9) of the Wisconsin administrative code are renumbered Ag 46.08 (7) and (8) and amended to read:

Ag 46.08 (7) Sale of smoked fish packed in vacuum pliofilm of any sort is prohibited unless such smoked fish is thoroughly heat treated after packing to kill all microorganisms and their spores.

(8) As an alternative to the above outlined smoke house procedure, finished smoked fish may be frozen immediately after smoking and held in continuous frozen state until delivered to the consumer.

9. Section Ag 46.09 of the Wisconsin administrative code is renumbered Ag 46.11.

10. Section Ag 46.09 of the Wisconsin administrative code is

adopted to read:

Ag 46.09 Labeling. All sale containers, whether consumer-sized or bulk, shall be labeled to show:

- (1) Name and address of processor or distributor.
- (2) Name of product, including common species name of fish from which product is derived.
- (3) Net weight of contents.
- (4) The words "Perishable -- Keep Refrigerated" in conspicuous letters.
- (5) Date of processing (day and month).

11. Sections Ag 46.10 (1), (2), (3) and (4) of the Wisconsin administrative code are adopted to read:

Ag 46.10 Restrictions. (1) Smoked fish may not be sold subsequent to 14 days after date of processing.

(2) Smoked fish shall have a salt (sodium chloride) content of not less than 5% in the water phase. Salt content shall be determined on the edible portion of back muscle (loin), excluding bones and skin.

(3) No smoked fish shall be sold under any processing date other than the original processing date assigned by the processor. Smoked fish held beyond 14 days subsequent to processing date shall be immediately removed from sale and immediately destroyed or treated so as to render it unfit for human consumption.

(4) No smoked fish may be sold or offered or exposed for sale in this state unless such product has been processed, refrigerated and labeled in accordance with the requirements of this chapter.

The rules contained herein shall take effect on September 1, 1965.

Dated: July 12, 1965.

STATE DEPARTMENT OF AGRICULTURE

By /s/ D. N. McDowell
Director