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STATE OF WISCONSIN)
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DEPARTMENT OF AGRICULTURE)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, Donald E. Wilkinson, Secretary of Agriculture, and custodian of the official records of the State of Wisconsin Department of Agriculture, do hereby certify that the annexed order repealing and recreating rules relating to poultry inspection, Wis. Adm. Code chapter Ag 44, was duly adopted by this department on April 10, 1969.

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 WITNESS WHEREOF, I have hereunto set my hand at Madison, Wisconsin, this 10th day of April, 1969.


Secretary of Agriculture

Docket No. 826.

ORDER OF THE DEPARTMENT OF AGRICULTURE
REPEALING AND RECREATING RULES

Pursuant to authority vested in the Department of Agriculture by sections 93.07 (1) and (14) and 97.20 (4), Wis. Stats., the Department of Agriculture hereby repeals and recreates rules as follows:

Chapter Ag 44 of the Wisconsin administrative code is repealed and recreated to read:

Chapter Ag 44

POULTRY INSPECTION

Ag 44.01 Definitions. (1) "Plant" means an establishment as defined by section 97.20 (1) (d), Wis. Stats., comprised of one or more buildings or parts thereof with facilities, equipment and methods of operation therein having been approved by the department as being suitable and adequate for processing poultry, ready-to-cook poultry and poultry products under inspection for wholesomeness in accordance with section 97.20, Wis. Stats., and the rules pertaining thereto.

(2) "Poultry processor" means any person engaged in the business of slaughtering, eviscerating, packing, cutting up, repackaging, boning, or manufacturing food products from poultry.

(3) "Ante-mortem" means the inspection of live poultry prior to slaughter.

(4) "Post-mortem" means the inspection of slaughtered poultry, to include examination of carcass and viscera.

(5) "Department" means the State of Wisconsin Department of Agriculture.

Ag 44.02 Responsibility of processor. (1) Every poultry processor shall maintain and operate a plant in conformity with the requirements for sanitation and operation as set forth in these rules and chapter 97, Wis. Stats.

(2) Failure to maintain an establishment which complies with the requirements of this chapter shall be grounds for immediate suspension, denial or revocation of license.

Ag 44.03 Facilities; sanitation. (1) Buildings. (a) Buildings shall be of sound construction and kept in good repair. The doors, windows, skylights and other outside openings of the plant, except in receiving rooms and feeding rooms, shall be protected by properly fitted screens or other suitable devices against the entrance of flies and other insects.

(b) Rooms or compartments used for edible products shall be separate and distinct from inedible products departments and from rooms where live poultry is held or slaughtered. Separate rooms shall be provided when required for conducting processing operations in a sanitary manner; and all rooms shall be of sufficient size to permit the installation of the necessary equipment for processing operations and the conduct of such operations in a sanitary manner.

(c) A separate refuse room or other equally adequate facilities are required. They shall have tight-fitting doors, be properly ventilated, and have adequate drainage of the floors. Walls to a height of six feet above the floor shall be impervious to moisture, and walls above that height and ceilings shall be moisture-resistant.

(d) Rooms or other acceptable facilities in which carcasses or parts thereof are held for further inspection shall be in such numbers and such locations as required by the department. They shall be equipped with hasps for locking.

(e) Coolers and freezers shall be of adequate size. Freezing rooms shall have forced air circulation and freezers and coolers shall be equipped with floor racks and pallets unless other means are used which will assure that products will be maintained in a wholesome condition.

(f) The storage and supply rooms shall be kept in good repair, dry and sanitary.

(g) Boiler rooms shall be so constructed as to prevent dirt and objectionable odors entering from them into any room where poultry or poultry products are prepared, handled or stored. Boiler rooms shall comply fully with applicable state statutes and rules.

(h) Locked storage space shall be provided for stamps, brands and other inspection supplies. Desk or suitable table space shall be provided for writing and other clerical duties associated with inspection at the establishment. Each inspector shall be provided with a suitable place to change clothes and a metal locker at least 15 x 18 x 60 inches for storing clothing and personal effects.

(i) Toilet rooms opening directly into rooms where poultry products are exposed shall have self-closing doors and shall be ventilated to the outside of the building.

(j) Lunches and snacks shall not be eaten in processing, packing or supply rooms. If needed, separate rooms or areas shall be provided in establishments where employees eat their lunches.

(2) Floors, walls and ceilings. (a) All floors in rooms where exposed products are prepared or handled shall be constructed of or finished with materials impervious to moisture, so they can be readily and thoroughly cleaned. The floors in killing, ice cooling, ice packing, eviscerating, cooking, boning and canning rooms shall be graded for complete runoff with no standing water.

(b) Walls, posts, partitions and doors in rooms where exposed products are prepared or handled shall be smooth and constructed of materials impervious to moisture to a height of 6 feet above the floor to enable thorough cleaning. All surfaces above this height shall be smooth and finished with moisture-resistant material.

(c) Ceilings shall be moisture-resistant in rooms where exposed products are prepared or handled, and shall be finished and sealed to prevent collection of dirt or dust that might sift through floor above or fall from collecting surfaces on equipment or exposed product.

(3) Draining and plumbing. (a) There shall be an efficient draining and plumbing system for the plant and premises. All drains and gutters shall be properly installed with approved traps and vents. The drainage and plumbing system must permit the quick runoff of all water from plant buildings, and of surface

water around the plant and on the premises; and all such water shall be disposed of in such a manner as to prevent a nuisance or health hazard.

(b) Sewage systems shall have adequate slope and capacity to remove readily all waste from the various processing operations to prevent stoppage and surcharging of the system. Grease traps which are connected with the sewage system shall be suitably located away from edible products departments or in any area where products are unloaded or loaded into vehicles. To facilitate cleaning, such traps shall have inclined bottoms and be provided with suitable covers. Floor drains shall be equipped with traps, constructed so as to minimize clogging. All plumbing shall be installed so as to prevent sewage from backing up and flooding the floor. Toilet soil lines on all new construction shall be separate from house drainage lines to a point outside the buildings unless an automatic backwater check valve is installed to prevent backflow.

(c) Drainage from toilet bowls and urinals shall not be discharged into a grease catch basin.

(4) Water supply. (a) Except as provided in paragraph (e) of this subsection, the water supply shall be ample, clean and potable with adequate pressure and facilities for its distribution in the plant, and its protection against contamination and pollution. Private water supplies shall be tested at least annually. Suitable sanitary drinking water facilities shall be provided.

(b) Ample supplies of hot and cold running water shall be available for all purposes in the slaughter room and in all processing rooms. Hot water for sanitizing purposes shall be not less

than 180° F. at point of usage.

(c) Hose connections with steam and water mixing valves or hot water hose connections shall be provided at convenient locations throughout the plant for cleaning purposes.

(d) The refuse rooms shall be provided with adequate facilities for washing refuse cans and other equipment in the rooms.

(e) Nonpotable water is permitted only in those parts of plants where no product is handled or prepared, and then only for limited purposes such as on condensers not connected with the potable water supply, in vapor lines serving inedible product rendering tanks, and in sewer lines for moving heavy solids in the sewage. Nonpotable water is not permitted for washing floors, areas or equipment, nor is it permitted in boilers, scalders, chill vats or ice-making machines. In all cases, nonpotable water lines shall be clearly identified and shall not be cross-connected with the potable water supply unless this is necessary for fire protection. Any such connection shall have an adequate break to assure against accidental contamination and shall be approved by local authorities and by the department. Any untested water supply in an establishment shall be treated as a nonpotable supply.

(5) Lavatories and other sanitary facilities. (a) Adequate lavatory and toilet accommodations, including but not being limited to running hot and cold water, soap or other acceptable agents (in sanitary dispensers), toilet tissue and single service towels or other acceptable facilities for drying hands, shall be provided. Lavatories shall be in or near toilet and locker rooms and also at other places in the plant as may be essential to the cleanliness of all personnel handling products. All toilets, lavatories and

other sanitary facilities shall be kept clean and in good repair.

(b) Adequate lockers or other facilities shall be provided for employees' wearing apparel, and for the storing and changing of clothing. Wearing apparel shall not be stored in rooms where processing operations are conducted.

(c) Suitable containers shall be provided for the temporary storage of soiled linen coats, aprons and other items of employees' uniforms or work clothing.

(d) Sufficient metal containers shall be provided for used towels and other wastes.

(e) An adequate number of hand-washing facilities serving areas where dressed poultry and poultry products are prepared shall be operated by other than hand-operated controls, or shall be of a continuous flow type which provides an adequate flow of water for washing hands.

(f) Durable signs shall be posted conspicuously in each toilet room and locker room directing employees to wash their hands before returning to work.

(6) Lighting. All rooms in which poultry is killed, eviscerated or otherwise processed shall have at least 30 foot-candles of light intensity on all working surfaces, except that at the inspection stations such light intensity shall be of 50 foot-candles. In all other rooms there shall be provided at least 5 foot-candles of light intensity when measured at a distance of 30 inches from the floor.

(7) Ventilation. All rooms shall be provided with sufficient ventilation system, including mechanical exhaust fans, to remove all objectionable odors, vapors and moisture condensation.

(8) Plant alterations; time limit. If in the opinion of the department it is necessary that alterations, additions or changes be made in an establishment or equipment, a written notice shall be given or mailed to the operator of such plant, requiring such alterations, additions or changes to be made within 60 days; provided, however, that if the required alterations cannot be made with reasonable diligence within 60 days, the department may extend the time not to exceed 180 days from receipt of the initial notice. Failure to comply with such department directive shall be grounds for license revocation or suspension.

Ag 44.04 Equipment and utensils. (1) General. (a) Equipment and utensils used for preparing, processing or otherwise handling any product in the plant shall be suitable for the purpose intended and shall be of such material and construction as will facilitate thorough cleaning. Trucks and receptacles used for handling inedible products shall be of similar construction, shall be conspicuously and distinctly marked, and shall not be used for handling any edible poultry products.

(b) Leak-proof refuse containers with cover shall be provided, except that perforated containers may be used for the temporary collection of feathers and such containers need not be covered.

(c) Scalding tanks shall be constructed and installed so as to prevent contamination of potable water lines and to permit water to enter continuously at a rate which will result in a satisfactory scalding operation. The rate of flow necessary to maintain a sanitary scalding operation will be determined by the class of poultry and the number of birds per minute going into the

scalding tank. It shall be the responsibility of the plant inspector to establish a minimum rate of flow for each scalding tank. The overflow outlets in scalding equipment shall be of sufficient size to permit feathers and water to be carried off.

(d) Ice shovels shall be smooth surfaced and entirely constructed of rust-proof impervious material.

(2) Conveyors. (a) Conveyors used in the preparation of ready-to-cook poultry shall be of metal or other acceptable material.

(b) Overhead conveyors shall be so constructed and maintained that they will not allow grease, oil or dirt to accumulate on the drop chain or shackle which shall be of noncorrosive metal.

(c) When individual trays are not used during eviscerating operations, each carcass shall be suspended and a metal trough or a trough constructed of other acceptable impervious material shall be provided beneath the conveyor to extend from the point where the carcass is opened to the point where the viscera has been completely removed, and such troughs shall be flushed continuously by a water spray.

(3) Chilling and defrosting tanks. Chilling and defrosting tanks shall be constructed of metal or other suitable impervious material and shall be of seamless construction with edges rolled outward. Where mechanical devices are not used for removing carcasses from the chilling or defrosting tanks, the tanks shall be of a size that will enable employees to remove poultry without getting inside the tanks.

(4) Tables. Inspection, eviscerating and cutting tables shall be made of metal or other acceptable material and be constructed and placed so as to permit thorough cleaning.

(5) Carcass washing equipment. Water spray washing equipment with sufficient water pressure to thoroughly and efficiently wash carcasses shall be used for washing carcasses inside and out.

(6) Offal receptacles. Watertight receptacles shall be used for entrails and other waste resulting from preparation of eviscerated poultry.

(7) Trucks and receptacles for diseased carcasses. Watertight trucks and receptacles for holding or handling diseased parts of carcasses shall be so constructed as to be readily and thoroughly cleanable. Such trucks and receptacles shall be marked in a conspicuous manner with the word "Condemned" in letters not less than 2 inches high and when required by the inspector in charge, shall be equipped with facilities for locking and sealing.

(8) Rejected equipment. When in the opinion of the department, use of any equipment which is unclean or insanitary or improperly constructed could lead to contamination of product, the department may attach a "rejected" tag to it. No equipment, utensil or container so tagged shall be used until made acceptable and is released by a department representative.

Ag 44.05 Accessibility. All equipment shall be placed so as to be readily accessible for all processing and cleaning operations. When mechanical pickers are used they shall be installed so as to be accessible for thorough cleaning and removal of feathers.

Ag 44.06 Precautions against contamination. (1) The premises shall be kept free from refuse, waste materials and all other sources of objectionable odors and conditions.

(2) Rooms, compartments and other parts of the plant shall be

kept clean and in a sanitary condition.

(3) Equipment and utensils used for preparing or otherwise handling poultry shall be kept clean, sanitary and in good repair.

(4) Chilling and freezing of poultry in official plants shall be done in a sanitary manner and in accordance with best commercial practices. Poultry carcasses shall be 40° F. or lower within times specified, as follows:

(a) Under 4 pounds - 4 hours.

(b) 4 to 8 pounds - 6 hours.

(c) Over 8 pounds - 8 hours.

Ag 44.07 Use of chemical compounds. Only germicides, insecticides, rodenticides, detergents or wetting agents or other similar compounds which will not deleteriously affect the product, and which have been approved by the department, shall be used. The department may require a listing of compounds used by trade name, chemical name, manufacturer, and directions for use of such compounds.

Ag 44.08 Ante-mortem inspection. Ante-mortem inspection, when required, shall be performed on all poultry processed in plants as prescribed by section 97.20, Wis. Stats.

Ag 44.09 Post-mortem inspection. Post-mortem inspection, when required, shall be done following evisceration and as prescribed by section 97.20, Wis. Stats. Any poultry slaughtered and processed

without post-mortem inspection at the time of slaughter is subject to inspection as an end item or finished product, and is subject to seizure, holding action and condemnation if found unwholesome.

Ag 44.10 Condemnation of diseased carcasses and parts. All poultry and parts thereof which show evidence of disease condition or contamination shall be condemned. The following general rules shall apply in the condemnation of poultry carcasses and/or parts:

(1) Carcasses may be condemned entirely when showing evidence of any of the following:

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| (a) Tuberculosis. | (g) Tumors, malignant. |
| (b) Leukosis complex. | (h) Bruises, extreme. |
| (c) Septicemia. | (i) Mutilation, extreme. |
| (d) Inflammatory process. | (j) Overscald. |
| (e) Botulism. | (k) Contamination. |
| (f) Decomposition. | (m) Cadavers. |

(2) Affected portions of carcasses may be condemned when showing evidence of the following:

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| (a) Bruises, slight. | (c) Mutilation, slight. |
| (b) Broken bones. | (d) Parasites. |

Ag 44.11 Disposal of condemned product. (1) Condemned carcasses, parts or viscera shall be disposed of by rendering for inedible use, incineration, or chemical denaturing with a substance approved by the department.

(2) Poultry carcasses and parts thereof which are condemned for reasons other than infectious disease conditions, botulism or any other condition which might render such carcasses or parts

unsuitable for animal food, may be released for animal food provided that they are thoroughly decharacterized and all containers in which they are transported are conspicuously labeled: "INEDIBLE--FOR ANIMAL FOOD".

Ag 44.12 Reinspection. (1) Poultry products may be brought into a plant only if the container of such product is marked for identification. Such product may be reinspected by a department inspector. If upon reinspection it is found to be unwholesome, adulterated or otherwise unfit for human food, it shall be condemned and disposed of in compliance with these rules.

(2) Any product which is prepared under inspection in any plant shall be inspected in such plant as often as the inspector deems it necessary to assure that such product is sound, wholesome and fit for human food at the time it leaves the plant. Any product found, upon reinspection, to be unsound, unwholesome or adulterated shall be condemned and disposed of in compliance with these rules.

(3) All substances or ingredients used in the processing of poultry or poultry food products shall be inspected as often as deemed necessary to assure that they are clean, wholesome and fit for human food. Samples may be collected as deemed necessary for laboratory analysis.

Ag 44.13 Appeals. Any person receiving inspection service may if dissatisfied with any decision of an inspector, file an appeal from such decision to the department. Appeals from any decision of a division employee shall be made to the Meat Inspection Division.

Ag 44.14 Custom and farm slaughter; game birds. (1) Custom slaughter. (a) Establishments doing custom slaughter or custom processing shall do so on designated hours or days apart from the regular inspection schedule.

(b) The operator of any plant or premises doing custom slaughter or custom processing of poultry shall keep records and submit reports as required by the department.

(c) When inspection is requested for custom slaughter, a request in writing by the owner shall be submitted to the establishment. When inspection is furnished for custom slaughter, it shall be done at regularly scheduled times. Any other inspection shall be done at the overtime rate and shall be charged to the establishment. Custom poultry inspected shall be subject to all other regulations in this chapter.

(2) Farm slaughter and game birds. Poultry slaughtered on the farm and game birds or other birds used for meat, may be processed at establishments under the same provisions as custom slaughter, provided they are clean, apparently wholesome, and are handled, stored and prepared so as to prevent the contamination of other food products handled, stored or prepared at the establishment.

Ag 44.15 Establishment numbers and inspection marks. (1) Establishment numbers. A number shall be assigned to each establishment where state poultry inspection is conducted. Such numbers shall be used to identify all poultry and poultry products inspected and passed. Two or more establishments under the same ownership may be granted the same official numbers, provided a serial letter is added in each case to identify each establishment and the products thereof.

(2) Inspection marks. (a) All poultry that has been inspected and found to be sound, healthful, wholesome and fit for human food shall be marked "Wis. Inspected and Passed".



Such marking shall be accomplished through use of giblet wrapper and box tag, bearing the official inspection legend and the name and address of the plant. Other types of containers, such as pliofilm wrappers, plastic or pliofilm bags, cartons, cans, jars, etc., shall bear the inspection legend and the plant name and address or shall have an appropriate tag or label bearing such information affixed thereto.

(b) All processed products shall plainly bear a legible inspection mark and the establishment number on the label.



Labels within the meaning of this subsection shall include any

printing, lithographing, embossing or other marking on labels, tags, stickers, seals, wrappers or receptacles.

(c) Only poultry or poultry products that have actually been processed under inspection, including ante-mortem and post-mortem inspection, may be marked with the official "WIS INSP'D & P'S'D" inspection legend.

(d) Any poultry or poultry products processed for sale to other than the ultimate consumer, whether or not it is inspected at the time of processing, shall be identified and marked with the name and address of the processor. This identification marking is required on, but is not limited to, the shipping containers.

(e) Poultry carcasses, parts and poultry products that have been inspected and found to be unfit for human food shall be decharacterized. Containers used for such product shall be conspicuously marked "INEDIBLE".

(3) Use of brands and marking devices. All brands and devices furnished by the department for marking articles with the inspection legend shall be used only under the supervision of a department employee, and when not in use for marking, shall be kept in properly equipped lockers or compartments, the keys of which shall not leave the possession of a department employee.

(4) Inspection marks; simulating and improper use. No person shall forge, counterfeit, simulate or falsely represent, or without proper authority use, detach, or knowingly or wrongfully alter, deface or destroy, any of the marks, stamps, tags, labels or other identification devices provided for herein.

Ag 44.16 Time of inspection. (1) Days and hours. Each establishment shall notify the department in writing of the days

and hours of the week that slaughter is conducted. After due consideration the department may assign such slaughter hours as will be in the best interests of the state and the establishment. There shall be no deviation from the schedule without prior approval from the department.

(2) Overtime inspection. (a) Each establishment requiring inspection on hours that are considered overtime shall reimburse the department at the rate to be determined by the department.

(b) "Overtime" for the purposes of this rule means any time when poultry inspection personnel are requested to work in an establishment, as follows:

1. Each Saturday or Sunday.
2. New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day. If any such holiday falls on Sunday, the succeeding Monday shall be a holiday.
3. The afternoons before Christmas and New Year's Day.
4. Good Friday--1/2 day.
5. Before 6 a.m. or after 6 p.m.
6. In excess of 40 hours of "straight time" in any calendar week.
7. At any time other than a regularly scheduled slaughter period.

Ag 44.17 County and municipal inspection. Counties and municipalities desiring to enter into a cooperative agreement pursuant to section 97.20 (5), Wis. Stats., for approved county or municipal inspection shall make application to the department in writing. The department shall investigate and evaluate the county or municipal poultry inspection and enforcement program. If in

the opinion of the department the county or municipal inspection and enforcement programs are in substantial accord with inspection carried on by the department, a cooperative agreement may be approved.

The rules contained herein shall take effect on June 1, 1969.

Dated: April 10, 1969.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE

By /s/ Donald E. Wilkinson
Secretary of Agriculture