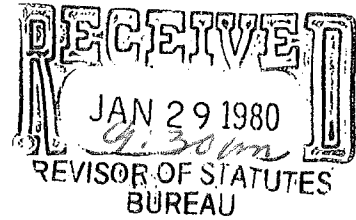


Ag 32



STATE OF WISCONSIN)
DEPARTMENT OF AGRICULTURE,) SS.
TRADE & CONSUMER PROTECTION)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Norman E. Kirschbaum, Administrator, Food Division, State of Wisconsin Department of Agriculture, Trade and Consumer Protection, and custodian of the official records of said Division, do hereby certify that the annexed order adopting rules relating to sanitary standards and requirements for the operation of retail food establishments engaged in the retail processing of foods, Wis. Adm. Code Chapter Ag 32, was duly adopted by the Department on January 25, 1980.

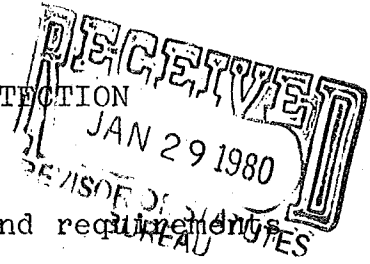
I further certify that said copy has been compared by me with the original on file in the Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Department offices in the City of Madison, this 25th day of January, 1980.

Norman E. Kirschbaum
Norman E. Kirschbaum, Administrator
Food Division

Rq 291
March 1980

ORDER OF THE STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
ADOPTING RULES



01 Relating to rules concerning sanitary standards and requirements
02 for the operation of retail food establishments engaged in the retail
03 processing of foods.

Analysis Prepared by the Department of Agriculture
Trade and Consumer Protection

The department's proposed rules on retail food establishments would apply to establishments required to be licensed under s. 97.28, Stats., at which food is processed and sold at retail. These establishments may include retail grocery stores, meat markets, poultry markets, fish markets, delicatessens and other establishments where food is processed and sold at retail. The rules would not apply to that portion of a retail food establishment holding a valid restaurant license and engaged in activity for which the license is issued; roadside markets handling only fresh fruits and vegetables and other non-potentially hazardous farm products; or food and beverage vending machines and vending machine commissaries licensed and inspected under subch. III, chapter 50, Stats. Nor would the rules apply to other retail food establishments specifically excluded from licensing under s. 97.28, Stats.

The rules, which are intended to conform with other state and federal requirements, would establish basic uniform standards for the sanitary processing and handling of food in retail establishments. Establishments would be required to maintain clean and sanitary structures and facilities for the processing, storage, display and handling of food. (Structural requirements which might entail major construction or design changes would apply only to establishments constructed or extensively remodeled after the effective date of the rules.) The rules would establish basic standards of cleanliness and hygiene for retail food establishment personnel, and basic sanitation requirements for equipment and utensils used in the processing or handling of food.

The rules would require that dairy products, meat and canned foods be obtained from licensed sources, and would establish general sanitation standards for the storage, display and handling of food. These would include standards related to safe temperatures, maintenance of display and storage facilities, sanitary storage procedures, disposition of damaged or contaminated food packages, control of insects and rodents, and the display and handling of hazardous substances to avoid food contamination. In addition to these general requirements, the rules would set forth more specific sanitation requirements related to meat, delicatessen and produce operations within a retail food establishment.

The rules would prescribe cleaning and sanitizing requirements for equipment and utensils used in processing or handling food, and would incorporate existing legal requirements related to food labeling.

01 Pursuant to authority vested in the State of Wisconsin Depart-
02 ment of Agriculture, Trade and Consumer Protection by sections
03 93.07(1) and 97.28, Wis. Stats., the State of Wisconsin Department
04 of Agriculture, Trade and Consumer Protection adopts rules as
05 follows:

06 Chapter Ag 32, Wis. Adm. Code, is adopted to read:

07
08 CHAPTER AG 32
09 RETAIL FOOD ESTABLISHMENTS

10 Ag 32.01 Definitions. (1) "Approved sanitizers" mean substances
11 or compounds approved by the department for the sanitizing of equipment
12 or utensils under section Ag 32.10(4), Wis. Adm. Code.

13 (2) "Department" means the state of Wisconsin department of
14 agriculture, trade and consumer protection.

15 (3) "Equipment" means items other than utensils used in the
16 processing, storage, handling, display or transportation of food,
17 such as stoves, ovens, hoods, slicers, grinders, mixers, meat
18 blocks, tables, food shelving, reach-in refrigerators and freezers,
19 sinks, ice makers, machines for washing food contact surfaces of
20 equipment and utensils, and similar items used in the operation
21 of a retail food establishment. It does not include fork lift
22 trucks or dollies.

23 (4) "Food" means food as defined in s. 97.01, Stats.

24 (5) "Food contact surfaces" means those surfaces of equipment
25 and utensils with which food normally comes in direct contact, and
26 those surfaces from which food may drain, drip or splash back onto
27 surfaces normally in contact with food.
28

01 (6) "Frozen food" means any food intended for sale in a frozen
02 state.

03 (7) "Potentially hazardous food" means any food which consists
04 in whole or in part of milk or milk products, eggs, meat, poultry,
05 fish, shellfish, edible crustacea or other ingredients, including
06 synthetic ingredients, and which is in a form capable of supporting
07 rapid and progressive growth of pathogenic or toxigenic microorganisms.

08 (8) "Processing" means the manufacture or preparation of food for
09 sale, and includes canning, extracting, fermenting, distilling, pickling,
10 freezing, drying, smoking, grinding, mixing, stuffing, packing, bottling,
11 cutting, packaging, blending, and cooking. It does not include the
12 trimming and wrapping of raw agricultural commodities.

13 (9) "Raw agricultural commodity" means any food in its raw or
14 natural state, including all fruits that are washed, colored or otherwise
15 treated in their unpeeled natural form prior to marketing.

16 (10) "Retail food establishment" means an establishment required to
17 be licensed under s. 97.28, Stats., at which food is processed and sold
18 or offered for sale at retail. It includes retail grocery stores, meat
19 markets, poultry markets, fish markets, delicatessens or other establish-
20 ments where food is processed and sold or offered for sale at retail.
21 The term does not include that part of an establishment holding a valid
22 restaurant license and engaged only in activity for which the license is
23 issued; roadside markets offering only fresh fruits and vegetables and
24 other non-potentially hazardous farm products, including honey, cider,
25 maple syrup and similar products for sale; or food and beverage vending
26 machines and vending machine commissaries licensed and inspected under
27 subch. III, ch. 50, Stats., and engaged only in activity for which the
28 license is issued.

01 (11) "Safe temperatures" as applied to refrigerated foods means
02 temperatures of 45° F (7° C) or below with respect to Grade A milk
03 or Grade A milk products, and 40° F (5° C) or below with respect to
04 heated foods, safe temperatures means temperatures of 150° F (65° C) or
05 above. As applied to frozen foods, safe temperatures means temperatures
06 of 0° F (-17° C) or below.

07 (12) "Sanitize" means to destroy pathogens and other organisms, to
08 the maximum extent practicable, by the application of an approved
09 sanitizer or sanitizing method to food contact surfaces of utensils or
10 equipment which are otherwise clean.

11 (13) "Single-service articles" means cups, containers, lids,
12 napkins, and packaging materials, including bags and similar articles,
13 that are designed for one-time use only.

14 (14) "Utensil" means any food contact implement such as a knife,
15 fork, spoon, tong, spatula, scoop, pot or pan used in the processing,
16 storage, handling, display, dispensing or transportation of unpackaged
17 food.

18 Ag 32.02 Retail Food Establishment; Construction, Facilities
19 and Maintenance. (1) BUILDINGS, FACILITIES AND EQUIPMENT; GENERAL.
20 (a) Buildings, facilities and equipment used in the operation of a
21 retail food establishment shall be of sound construction and capable of
22 being maintained in a clean and sanitary condition to prevent the adulter-
23 ation or contamination of food. Both interior and exterior portions of the
24 buildings, and the premises on which they are located shall be kept free
25 of unclean, unhealthful, or unsanitary conditions, and shall otherwise
26 be maintained in a manner prescribed by this chapter.

27 (b) All floors, walls and ceilings in retail food establishments
28 shall be kept clean and in good repair. Floors, walls and ceilings
29 in processing areas, toilet rooms, and areas used for the cleaning or
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01 storage of equipment or utensils shall be constructed of smooth
02 impervious and easily cleanable materials. This does not prohibit the
03 use of anti-slip floors which are otherwise easily cleanable in areas
04 where necessary for safety. Walls and ceilings in processing areas
05 shall be light colored.

06 (c) No food processing or handling operations may be conducted
07 in any room used as living or sleeping quarters. Retail food estab-
08 lishment operations shall be separated from adjacent living or sleeping
09 quarters by a tight-fitting, self-closing door.

10 (d) Doors, windows, skylights, transoms and other openings to the
11 outside shall be tight-fitting, free of breaks, and effectively screened
12 or otherwise protected against the entry of rodents, insects, birds and
13 other animals. Doors opening to the outside shall be kept closed when
14 not in use.

15 (e) Establishments constructed, substantially reconstructed or
16 extensively altered after the effective date of this chapter shall
17 conform to the following requirements:

18 1. The junctions of walls and floors in processing areas shall be
19 coved to facilitate cleaning.

20 2. Floors waterflushed for cleaning or on which water or fluid
21 wastes are discharged shall be provided with floor drains and be
22 sufficiently sloped to provide adequate drainage.

23 3. At least one service sink or curbed floor drain shall be
24 provided for use in the cleaning of mops or wet floor cleaning tools,
25 and for the disposal of mop water or similar wastes.

26 (2) LIGHTING. Lighting in every area of the retail food estab-
27 lishment, whether natural or artificial, shall be sufficient for the
28 purpose for which the area is used. Artificial lights in food
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01 processing areas shall be equipped with protective shields or
02 shatterproof bulbs. In processing and storage areas, the following
03 minimum light intensities shall be maintained:

04 (a) Not less than 20 foot candles on working surfaces including
05 produce handling surfaces, except that working surfaces used for mixing,
06 grinding, stuffing, packaging or other processing operations shall be
07 illuminated to an intensity of not less than 50 foot candles.

08 (b) Not less than 10 foot candles in frozen or refrigerated storage
09 facilities as measured at a point 3 feet from the floor.

10 (c) Not less than 5 foot candles in food storage areas as measured
11 at a point 3 feet from the floor.

12 (3) VENTILATION. All areas in which food is processed or handled,
13 or in which equipment or utensils are washed, and all dressing rooms,
14 locker rooms, toilet rooms, and garbage or rubbish storage areas shall
15 have sufficient ventilation to remove excessive heat, steam, condensation,
16 vapors, obnoxious odors, smoke and fumes. Intake fans shall be equipped
17 with filters that are readily removable for cleaning and replacement.
18 Exhaust and intake fans and ducts shall be kept clean and in good repair,
19 and be screened or louvered in such a manner as to prevent the entrance
20 of dust, dirt, insects and other contaminants.

21 (4) TOILET FACILITIES. (a) A sufficient number of sanitary
22 toilets to accommodate all employes, in accordance with applicable
23 state and local laws and regulations, shall be provided in convenient
24 locations. Toilet rooms shall be completely enclosed, well lighted,
25 and equipped with tight-fitting, self-closing doors. Doors shall not
26 open directly into processing areas. Toilet rooms and fixtures shall be
27 easily cleanable, and be kept clean and in good repair. A sign directing

01 employes to wash their hands before returning to work shall be posted
02 in all toilet rooms used by employes. Handwashing facilities,
03 including hot and cold running water, soap dispenser, and a sanitary
04 single-service means of drying the hands, shall be conveniently located
05 in toilet rooms. An easily cleanable trash receptacle and a supply of
06 toilet tissue shall be provided in each toilet room at all times.

07 (b) Toilet rooms constructed, substantially reconstructed or
08 extensively altered after the effective date of this chapter shall be
09 separately vented to the outside and equipped with an exhaust fan
10 capable of creating a negative pressure within the toilet facility.

11 (5) LOCKER AND LINEN FACILITIES. (a) Lockers or comparable
12 facilities shall be provided for the clothing and similar personal
13 belongings of employes. Clothing and personal belongings of employes
14 shall not be stored in food processing areas or in areas where equipment
15 or utensils are cleaned or stored. Small personal items, such as purses
16 and jewelry, may for security reasons be kept in processing or equipment
17 areas, provided they are kept covered or separately stored so as to
18 prevent the contamination of food.

19 (b) Damp or soiled linen and clothing shall be placed and kept in
20 non-absorbent containers or laundry bags until removed for laundering.
21 Damp or soiled linen and clothing shall be removed as often as necessary
22 to prevent the creation of insanitary conditions.

23 (6) HANDWASHING FACILITIES IN PROCESSING AREAS. (a) Handwashing
24 sinks with available hot and cold running water shall be provided for
25 the use of employes working in all food processing areas. The sinks
26 shall be conveniently located for the use of the employes and be kept in
27 a clean and sanitary condition. A supply of soap or detergents and
28 sanitary single-service towels shall be kept available at the sink for

01 the washing and drying of hands. If disposable towels are used, clean
02 waste receptacles shall be provided for their disposal. The use of
03 common towels is prohibited.

04 (b) In establishments constructed, substantially reconstructed or
05 extensively altered after the effective date of this chapter handwashing
06 sinks required under par. (a) shall be of a type which are not hand
07 operated, and be provided with hot and cold running water.

08 (7) WATER SUPPLY. An ample supply of potable hot and cold
09 water shall be available for lavatory facilities and for all pro-
10 cessing operations. Where a private water system is used as the
11 source of water, a sample of the water shall be obtained and tested
12 on an annual basis. Record of test results shall be kept on file on
13 the premises for a period of 3 years.

14 (8) EXTERIOR PREMISES. Premises on which retail food establish-
15 ments are located shall be well drained and kept in a clean and orderly
16 condition, free from accumulations of trash, garbage, and other sources
17 of contamination. Driveways and parking lots surrounding the retail
18 food establishment shall be surfaced or otherwise maintained so as to
19 minimize dust and dirt.

20 (9) SEWAGE AND WASTE DISPOSAL. (a) Sewage and waste materials
21 shall be disposed of in a sanitary manner, and in accordance with
22 applicable state and local laws and regulations.

23 (b) Garbage and other refuse shall not be allowed to accumulate
24 in and about the premises and shall be removed as often as necessary
25 to maintain the premises in a clean and sanitary condition. Garbage
26 storage areas shall be constructed and maintained in such a manner as

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01 to prevent the attraction or harborage of insects, rodents or other
02 animals. Garbage and refuse shall be held in durable, easily cleanable,
03 insect and rodent-resistant containers. Containers shall be kept covered
04 with tight-fitting lids, and be cleaned as necessary after being emptied
05 and before re-use.

06 (c) Garbage and other refuse shall not be burned on the
07 premises except in a manner which complies with state and local laws
08 and regulations, and presents no threat of contamination to food, or
09 areas used in the processing, handling or storage of food.

10 (10) CONSTRUCTION; PLAN REVIEW. When a retail food establish-
11 ment is constructed, substantially reconstructed or extensively al-
12 tered, or when an existing structure is converted for use as a
13 retail food establishment, plans and specifications for the construc-
14 tion, conversion or alteration may be submitted to the department for
15 review before the work is begun.

16 Ag 32.03 Personnel Standards. (1) CLEANLINESS. Retail food
17 establishment employes shall maintain a high degree of personal cleanli-
18 ness and observe good hygienic practices during all working periods.
19 Employes shall wash their hands before beginning work and upon returning
20 to work after using toilet facilities, eating, smoking, or engaging in
21 other activities which may soil or contaminate the hands. Employes
22 shall keep their fingernails clean and neatly trimmed.

23 (2) CLOTHING AND JEWELRY. (a) Clean, white or light colored
24 washable outer garments and effective hair restraints, including
25 effective hair restraints for beards longer than 1/2 inch, shall be
26 worn by all employes working in food processing areas. Hair restraints
27 may include hair nets, caps and snoods, but do not include hairsprays or
28 headbands.

01 (b) Employes shall remove all jewelry from their hands and fingers
02 before having any direct manual contact with food. Jewelry shall not be
03 worn in such a manner as to subject food to possible contamination.
04 This paragraph does not apply to plain band wedding rings.

05 (3) EMPLOYEE HEALTH. No person afflicted with a communicable
06 disease, or having a discharging or open wound, sore or lesion on the
07 hands, arms or other exposed portions of the body, may be permitted to
08 work in a retail food establishment in any capacity which may result in
09 the contamination of food, or equipment or utensils used in the processing
10 or handling of food. This prohibition shall also apply to persons reason-
11 ably suspected of being affected with any of these conditions.

12 (4) USE OR CONSUMPTION OF FOOD, BEVERAGES AND TOBACCO. The use or
13 consumption of food, beverages or tobacco by employes shall be restricted
14 to designated areas, away from food processing areas and areas in which
15 food processing equipment or utensils are cleaned or stored.

16 Ag 32.04 Equipment and Utensils; Design, Installation and Maintenance

17 (1) GENERAL REQUIREMENTS. Equipment and utensils shall be of sanitary
18 design and construction. They shall be readily accessible for cleaning
19 and inspection, and be kept clean and in good repair.

20 (2) FOOD CONTACT SURFACES. (a) Food contact surfaces shall be
21 smooth and free of breaks, open seams, cracks, chips, pits and similar
22 defects.

23 (b) Food contact surface materials, including materials used for
24 the repair of food contact surfaces, shall be smooth, impervious, and
25 non-absorbent. Materials shall be easily cleanable, durable under
26 normal conditions of use, and capable of withstanding repeated
27 scrubbing and scouring, and the corrosive action of detergents and
28 sanitizers. They shall not impart odors, color or taste, or contribute
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01 to the adulteration of food coming in contact with them. Hard maple or
02 other material which is relatively non-absorbent may be used for cutting
03 blocks, boards and bakers tables. Paint is prohibited on food contact
04 surfaces.

05 (3) NON-FOOD CONTACT SURFACES AND PARTS. (a) Equipment surfaces,
06 other than food contact surfaces, which are exposed to splash or food
07 debris or require frequent cleaning to prevent accumulation of dirt or
08 waste, shall be constructed of reasonably smooth, washable materials, and be
09 free of unnecessary ledges, projections or crevices, so as to facilitate
10 cleaning. Equipment surfaces shall be accessible for cleaning and
11 inspection, and be kept in clean and sanitary condition.

12 (b) Equipment shall be designed and constructed in such a manner
13 that gear and bearing lubricants cannot contaminate food or food contact
14 surfaces. Only food grade lubricants shall be used in equipment.

15 (4) EQUIPMENT INTENDED FOR IN-PLACE CLEANING. Equipment systems
16 intended for in-place cleaning of food contact surfaces shall be designed
17 and constructed to permit the circulation of cleaning and sanitizing
18 solutions throughout all interior food contact surfaces in the system.
19 The system shall be self-draining or otherwise capable of being completely
20 evacuated.

21 (5) INSTALLATION OF EQUIPMENT IN PROCESSING AREAS. Equipment
22 placed on tables, counters, floors or other surfaces in processing
23 areas, unless readily removable, shall be installed in such a manner
24 as to prevent the accumulation of liquids or debris underneath, between
25 or behind such equipment.

26 Ag 32.05 Food Sources. (1) CANNED AND PROCESSED FOODS. Canned
27 and processed foods may be used or offered for sale in retail food
28 establishments only if they have originated from food processing plants
29 licensed or inspected under state or federal law.

01 (2) MILK AND DAIRY PRODUCTS. No milk or dairy products may be
02 sold, offered for sale, or used in the processing of food for sale in a
03 retail food establishment unless they have been processed and packaged
04 in a licensed dairy plant.

05 (3) MEAT AND POULTRY. No meat, poultry or meat food products may
06 be sold or offered for sale, or used in the processing of food for sale
07 at retail except meat, poultry and meat food products obtained from
08 state or federally inspected meat slaughtering or processing plants.
09 Only meat, poultry, and meat food products from inspected sources shall
10 be permitted in a retail food establishment. This does not prohibit the
11 processing of meat, poultry or meat food products for sale directly to
12 consumers as provided under s. 97.42(2)(b), Stats., or the custom processing
13 of wild game in compliance with s. Ag 32.07(5), Wis. Adm. Code.

14 (4) ICE. Ice which is sold at retail or which may come in contact
15 with food shall be made from potable water and be manufactured, stored,
16 transported and handled in a sanitary manner.

17 32.06 Food Handling, Display and Storage. (1) GENERAL REQUIREMENTS.
18 Food shall be protected from contamination during all periods in which
19 it is stored, processed, displayed, handled, dispensed or otherwise held
20 for sale.

21 (2) FOOD TEMPERATURES. (a) Frozen and potentially hazardous
22 foods shall be kept at safe temperatures at all times while being stored,
23 displayed or offered for sale. Frozen foods, the temperature of which
24 may temporarily exceed a safe temperature because of normal defrost
25 cycles, the loading or unloading of a freezer, or other similar reasons,
26 shall be returned to a safe temperature as quickly as possible. In no
27 case shall the internal temperature of frozen food exceed 10° F (-12°
28 C).

01 (b) Easily readable thermometers accurate to within 2° F (1° C)
02 shall be installed in all freezers, and in all refrigerators and hot
03 food holding units used for the storage or display of potentially hazardous
04 foods. Thermometers shall be installed so that their readings are
05 reasonably representative of the warmest freezer or refrigerator temperature
06 at which food is being held, and the coolest hot food holding unit
07 temperature at which food is being held.

08 (c) Refrigerator and freezer display cases shall not be filled
09 in excess of the maximum capacity specified by the manufacturer of the
10 unit.

11 (3) FOOD STORAGE. (a) Storage areas. Food storage areas,
12 including walk-in refrigerated and frozen food storage units, shall be
13 maintained in a clean, sanitary and orderly condition, free from accumula-
14 tions of litter or other materials which may result in the contamination of
15 food. Waste water and other waste materials shall not be permitted to
16 drain or accumulate on the floors in food storage areas.

17 (b) Manner of storage. Food shall be stored a minimum of 6 inches
18 above the floor or on pallets in such manner as to protect it from
19 splash, damage and other potential sources of contamination. Food shall
20 be stored away from walls to allow for cleaning and inspection and to
21 prevent the harborage of insects and rodents. Unpackaged foods, except
22 for raw agricultural commodities, shall not be stored in direct contact
23 with racks, dollies, shelves or other such storage surfaces. Food pack-
24 aged in metal, glass or other vermin proof containers need not be
25 elevated off the floor or kept away from walls, provided that floors
26 and walls of the storage area are clean and not exposed to water or
27 excessive moisture, and rodents, insects or other vermin are not in
28 evidence.

01 (c) Storage in re-used containers. Poultry crates, meat boxes,
02 and other containers used for the packaging or storage of potentially
03 hazardous foods shall not be re-used for the packaging or storage of
04 foods other than those for which they were originally used. Containers
05 used for the packaging or storage of poisonous materials shall not be
06 reused for the packaging or storage of food.

07 (4) DISPLAY AND HANDLING OF FOOD. (a) Display facilities.
08 Display cases and containers, refrigerated display cases, counters,
09 shelves and other facilities used for the display of food, or from
10 which food is dispensed to the public, shall be kept in good repair and
11 in a clean and sanitary condition.

12 (b) Single-service articles. Single-service articles shall be
13 stored in the original containers in which they were received or in
14 other closed containers which will protect them from contamination.
15 The re-use of single-service articles is prohibited.

16 (c) Display of bulk, unwrapped or delicatessen foods. Bulk,
17 unwrapped or delicatessen foods, while on display, shall be kept covered
18 or otherwise protected against contamination. Such foods, while on
19 display, shall not be available for handling by the public, and shall be
20 handled and dispensed only by employes. This paragraph does not apply
21 to the display of raw agricultural commodities.

22 (5) DAMAGED FOOD PACKAGES. (a) Food shall not be sold in packages
23 that are damaged to such an extent that the food contents may have been
24 exposed or subjected to possible contamination. Packages or containers
25 with bulging ends, ruptures, hairline fractures, breakage along critical
26 seams, or openings whereby the food contents may have been exposed to
27 contamination, shall be considered as damaged food and be removed from
28 sale.

01 (b) Food and food packages which have been subjected to contamin-
02 ation or possible contamination in a fire, flood or other casualty shall
03 not be sold, offered for sale or reprocessed for sale for human consumption
04 unless the department has first inspected all such food and food
05 packages, and authorized their sale or disposition. Retail food estab-
06 lishments shall notify the department when food in their possession has
07 been subjected to damage or possible damage because of fire, flood or
08 other casualty.

09 (6) CONTROL OF INSECTS, RODENTS AND OTHER ANIMALS. (a) Effective
10 measures and programs shall be employed to control the presence of
11 insects, rodents and other vermin on the premises.

12 (b) Live birds, turtles and other animals shall be excluded from
13 all retail food processing, storage, display, and sales areas. This
14 does not apply to edible crustacea, shellfish or fish, or to fish in
15 aquariums. Patrol dogs accompanying security or police officers and
16 guide dogs accompanying handicapped persons are permitted in areas
17 other than processing areas.

18 (7) POISONOUS AND HAZARDOUS SUBSTANCES. Pesticides and other
19 poisonous and hazardous substances shall not be displayed, stored or
20 used in a manner which may contaminate food, equipment, utensils, or
21 single-service articles, or constitute a hazard to employes or the public.

22 Ag 32.07 Meat Operations. (1) FLOOR CLEANLINESS. Sawdust, wood
23 shavings, baked clay and similar materials are not permitted on the
24 floors of retail food establishments. This does not prohibit the use of
25 granular salt as an anti-slip covering on floors where necessary for
26 safety, provided the salt is removed at the close of each day's operation.
27 Meat wastes shall be placed in inedible waste containers, and not be
28 allowed to accumulate on floors. Floors shall be cleaned as often as
29 necessary to maintain them in a sanitary condition. Mats or duckboards,
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01 if used, shall be easily removable for cleaning and be kept in a clean
02 condition.

03 (2) MEAT HANGING RAILS. (a) Meat rails for the hanging of carcasses
04 shall be kept clean and in good repair, and free of accumulated residues
05 or rust at all times. Wooden meat rails which cannot be kept clean or
06 in good repair shall be replaced with metal rails. Wooden rails shall
07 be varnished, laquered or otherwise treated with harmless, non-toxic
08 materials so as to be easily cleanable. Paint is prohibited on meat
09 rails.

10 (b) Meat rails in facilities constructed, substantially recon-
11 structed or extensively altered after the effective date of this
12 chapter shall be of metal construction, and be located at least 18
13 inches from the nearest wall, and be spaced at least 30 inches from each
14 other. Carcasses and parts of carcasses shall hang no lower than 6
15 inches above the floor.

16 (3) CLEANING OF EQUIPMENT BETWEEN MEAT TYPES. Equipment and
17 utensils used in the cutting, handling or processing of pork, poultry,
18 seafood or wild game shall be cleaned and sanitized prior to the cutting,
19 handling or processing of any other type or class of animal product.

20 (4) POULTRY HANDLING. Unpackaged poultry and poultry products,
21 while being processed or held in storage, shall not come in contact with
22 any other food. Frozen and refrigerated storage facilities shall have a
23 separate designated compartment or area for the storage of poultry and
24 poultry products. Persons handling poultry or poultry products shall
25 wash their hands before handling any other food.

26 (5) WILD GAME. Wild game shall be conspicuously labeled as such,
27 and be prominently and conspicuously marked with the words "NOT FOR
28 SALE". Wild game, while being processed or held in storage, shall be
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01 kept separate and apart from other food. Trimmings shall not be permitted
02 to come in contact with other food. No wild game may be brought into a
03 retail food establishment with the hide or feathers attached, and without
04 prior evisceration.

05 (6) STORAGE OF MEAT PRODUCTS. Frozen and potentially hazardous
06 meat products shall, immediately upon being received at the retail food
07 establishment, be placed at safe temperatures in frozen or refrigerated
08 display or storage facilities. Meat products in packages or containers,
09 while in frozen or refrigerated storage areas, shall be kept at least 6
10 inches above the floor or on pallets to permit air flow around the
11 packages or containers for adequate freezing or refrigeration.

12 (7) INEDIBLE PRODUCTS; HANDLING AND STORAGE. Inedible meat products
13 and wastes shall be placed in containers prominently and conspicuously
14 marked "INEDIBLE" and segregated in such a manner as to preclude contamina-
15 tion of food, equipment or utensils. Containers shall be reasonably
16 clean, and free from odors, accumulated residues and rust, and not
17 create a health hazard or nuisance. Containers received from rendering
18 plants are prohibited in food processing and storage areas unless they
19 have been thoroughly cleaned and sanitized.

20 (8) MISREPRESENTATION OF APPEARANCE OR QUALITY. The use of
21 lighting or colored see-through wrappings to misrepresent the true
22 appearance, color or quality of meat or meat products, including poultry
23 and seafood, processed at a retail food establishment, is prohibited.

24 Ag 32.08 Delicatessen Operations. (1) PROCESSING OF DELICATESSEN
25 FOOD. (a) Only safe and wholesome foods or food ingredients may be
26 used in the preparation or processing of delicatessen foods. Raw agricul-
27 tural commodities shall be thoroughly washed, peeled, or otherwise
28

01 cleaned or processed as necessary to prevent the contamination of delica-
02 tessen foods, including contamination from pesticide residues.

03 (b) Equipment and utensils used in the processing of different
04 types of delicatessen foods shall be thoroughly cleaned before being
05 used for the processing of other foods, to prevent cross-contamina-
06 tion or adulteration of one food with another, resulting from the use of
07 the same equipment or utensils. Delicatessen foods and food ingredients
08 shall be processed with a minimum of contact with the hands. Hands
09 shall be kept clean throughout all processing operations, to prevent
10 the contamination of foods, or the cross-contamination or adulteration
11 of one food with another.

12 (c) Only Grade A pasteurized fluid milk and fluid milk products
13 obtained from a licensed dairy plant may be used in the preparation and
14 processing of delicatessen foods. Dry milk and dried milk products may
15 be reconstituted for use only in products which are to be thoroughly
16 cooked or heat sterilized.

17 (2) STORAGE, DISPLAY AND HANDLING OF DELICATESSEN FOODS. (a)
18 All delicatessen foods, including raw and prepared products and ingredients,
19 shall be kept in covered containers while in storage, to protect them
20 from contamination. Containers shall be identified as to their contents.
21 The nesting of containers of raw and prepared products is prohibited.

22 (b) Containers in which delicatessen foods are displayed for sale
23 shall be located or situated in such a manner as to prevent the cross-
24 contamination or adulteration of delicatessen foods displayed in adjoining
25 containers. Newly or separately prepared delicatessen foods shall not
26 be mixed with or added to foods already on display in retail display
27 containers.

28

01 (c) Only clean and sanitized utensils shall be used in trans-
02 ferring delicatessen foods from bulk containers to retail display
03 containers, or in dispensing delicatessen foods to purchasers from
04 retail display containers. Common utensils may not be used for the
05 handling or dispensing of differing types of delicatessen foods, unless
06 thoroughly cleaned after each use and before being used for the handling
07 or dispensing of another type of food.

08 (d) Tags, labels, or other nonfood items coming in direct contact
09 with displayed food shall be cleaned and sanitized at least daily.

10 (e) During transportation to or from a delicatessen, all potentially
11 hazardous and ready-to-eat foods shall be maintained at safe temperatures,
12 and be kept in covered containers unless otherwise wrapped or packaged
13 to protect them from contamination. All vehicles used for transporting
14 the food shall be constructed or equipped in such a manner that safe
15 temperatures can be maintained during the course of transportation.
16 Vehicles shall be kept in a clean and sanitary condition, and not be
17 overloaded to such an extent that foods being transported cannot be
18 maintained at safe temperatures.

19 Ag 32.09 Produce Operations. All produce and produce packaging
20 materials shall be stored at least 6 inches off the floor or on pallets.
21 All areas used for the packaging, storage or display of produce shall be
22 maintained in a clean, sanitary and orderly condition. Food waste
23 grinders used in disposing of deteriorated produce or other food waste
24 shall be constructed and installed so as to comply with applicable
25 state and local plumbing laws, rules and ordinances. All equipment used
26 in the packaging, trimming, or handling of produce, or the grinding or
27 disposal of produce wastes, shall be kept clean and in good repair.

01 Ag 32.10 Cleaning and Sanitizing Requirements. (1) CLEANING.

02 All processing areas, and all equipment and utensils used in the processing
03 of food, shall be thoroughly cleaned immediately after each day's processing
04 operations and more frequently as necessary to keep them in a sanitary
05 condition. Equipment and utensils, if washed manually, shall be thoroughly
06 washed in a hot detergent solution and rinsed free of detergents and
07 other residues. All nonfood contact surfaces of equipment and utensils
08 shall be cleaned as often as necessary to prevent the accumulation of
09 dust, dirt, food particles and other possible contaminants.

10 (2) CLEANING FACILITIES. A sink constructed of stainless steel or
11 other approved material, with at least 2 compartments and an attached
12 drain board or other suitable draining device or facility, shall be
13 provided for the cleaning of equipment and utensils which are to be
14 cleaned or sanitized manually. Sinks used for manual cleaning and
15 sanitizing shall be of adequate length, width and depth to permit 50%
16 immersion of the largest item to be cleaned or sanitized in the sink.
17 Each sink compartment shall be supplied with hot and cold running water,
18 and be cleaned prior to each use. Brushes and cleaning tools shall be
19 kept clean and in good repair.

20 (3) SANITIZING METHODS. Utensils and food contact surfaces of
21 equipment shall be sanitized prior to each use with an approved sanitizer
22 by one of the following sanitizing methods:

23 (a) Immersion for at least 30 seconds in clean water at a temperature
24 of at least 170° F (77° C).

25 (b) Immersion for a period of at least 2 minutes in a sanitizing
26 solution containing at least 100 ppm of available chlorine at a temperature
27 not less than 75° F (24° C) nor more than 110° F (44° C).

28

01 (c) Immersion for a period of at least one minute in a sanitizing
02 solution containing at least 12.5 ppm of available iodine, and having an
03 acid pH not higher than 5.0, at a temperature of not less than 75° F
04 (24° C) nor more than 110° F (44° C).

05 (d) Application, according to manufacturer's instructions, of a
06 non-toxic chemical sanitizer or sanitizing method which has been demon-
07 strated to be equally as effective in the sanitizing of equipment and
08 utensils as the methods described under pars. (a)-(c), and which has
09 been approved by the department.

10 (4) SANITIZERS; DEPARTMENT APPROVAL. The department shall approve
11 sanitizers and sanitizing methods which in its judgment are determined
12 to be safe and effective for the sanitizing of utensils or equipment.
13 Sanitizers and sanitizing methods approved by the United States department
14 of agriculture under the poultry products inspection act, 21 USC 451
15 et. seq., or the federal meat inspection and wholesome meat acts, 21
16 USC 601 et. seq., or by the Wisconsin department of health and social
17 services under subch. III, ch. 50, Stats., shall be approved by the
18 department. The department may deny or withdraw approval of any sanitizer
19 or sanitizing method, whether or not approved by any other state or
20 federal agency, if it determines that the sanitizer or sanitizing method
21 is not safe or effective for the purposes or under the conditions under
22 which it is to be used, or that it adversely affects the sanitary
23 characteristics of equipment or utensils. Persons affected by denial
24 or withdrawal of approval shall be entitled to a hearing if requested
25 within 10 days after the denial or withdrawal of approval.

26 (5) STORAGE OF EQUIPMENT. Cleaned and sanitized utensils and
27 portable equipment shall be stored above the floor in a clean, dry
28 location. Food contact surfaces of utensils and equipment, including
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01 fixed equipment, shall be protected from dust, splash and other possible
02 sources of contamination. Utensils shall be air-dried prior to storage,
03 or stored in a self-draining position on suitably located hooks or racks
04 constructed of corrosion resistant impervious material.

05 Ag 32.11 Labeling. (1) PREPACKAGED FOOD PRODUCTS. All pre-
06 packaged food products offered for sale in a retail food establishment
07 shall be labeled in compliance with ch. 97, Stats., and chapters Ag 47
08 and Ag 53, Wis. Adm. Code.

09 (2) DELICATESSEN LABELING. All delicatessen foods displayed for
10 sale at retail shall be conspicuously labeled or placarded to show the
11 name of the food. A list of ingredients for each food product shall be
12 kept on file at the establishment and be available for inspection by
13 consumers and the department upon request.

14 (3) LABELING OF FRESH MEAT CUTS. All fresh meat cuts offered for
15 sale in a retail food establishment shall be labeled in compliance with
16 ch. 97, Stats., and ch. Ag 47, Wis. Adm. Code.

17 Ag 32.12 Effect of Rules on Local Ordinances. (1) This chapter
18 does not prohibit or nullify any local government ordinance with which it
19 is not in direct conflict as provided in sub. (2).

20 (2) In the event of any direct conflict between this chapter and
21 any local government ordinance, so that compliance with one can only be
22 achieved by violating the other, this chapter shall be controlling.

23 (3) Compliance with local government ordinances shall not relieve
24 any person from the duty of complying with this chapter.

25 Ag 32.13 Authority. These rules are adopted under authority of
26 ss. 93.07(1) and 97.28, Stats.

01 The rules contained in this order shall take effect on the first
02 day of the month following its publication in the Wisconsin administra-
03 tive register, as provided in s. 227.026(1), Stats.

04 Dated January 25th, 1980.

06 STATE OF WISCONSIN
07 DEPARTMENT OF AGRICULTURE,
08 TRADE AND CONSUMER PROTECTION

09 By Norman E. Kirschbaum
10 Norman E. Kirschbaum, Administrator
11 Food Division
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