

AGRICULTURE, TRADE & CONSUMER PROTECTION 98-17

Chapter Ag 32

RETAIL FOOD ESTABLISHMENTS

Ag 32.01	Definitions (p. 98-17)	Ag 32.07	Meat operations (p. 98-24)
Ag 32.02	Retail food establishment; construction, facilities and maintenance (p. 98-18)	Ag 32.08	Delicatessen operations (p. 98-25)
Ag 32.03	Personnel standards (p. 98-21)	Ag 32.09	Produce operations (p. 98-26)
Ag 32.04	Equipment and utensils; design, installation and maintenance (p. 98-21)	Ag 32.10	Cleaning and sanitizing requirements (p. 98-27)
Ag 32.05	Food sources (p. 98-22)	Ag 32.11	Labeling (p. 98-28)
Ag 32.06	Food handling, display and storage (p. 98-23)	Ag 32.12	Effect of rules on local ordinances (p. 98-28)
		Ag 32.13	Authority (p. 98-28)

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

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

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

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

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

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

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

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

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

(10) "Retail food establishment" means an establishment required to be licensed under s. 97.28, Stats., at which food is processed and sold or offered for sale at retail. It includes retail grocery stores, meat markets,

poultry markets, fish markets, delicatessens or other establishments where food is processed and sold or offered for sale at retail. The term does not include that part of an establishment holding a valid restaurant license and engaged only in activity for which the license is issued; roadside markets offering only fresh fruits and vegetables and other non-potentially hazardous farm products, including honey, cider, maple syrup and similar products for sale; or food and beverage vending machines and vending machine commissaries licensed and inspected under subch. III, ch. 50, Stats., and engaged only in activity for which the license is issued.

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

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

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

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

History: Cr. Register, March, 1980, No. 291, eff. 4-1-80.

Ag 32.02 Retail food establishment; construction, facilities and maintenance. (1) **BUILDINGS, FACILITIES AND EQUIPMENT; GENERAL.** (a) Buildings, facilities and equipment used in the operation of a retail food establishment shall be of sound construction and capable of being maintained in a clean and sanitary condition to prevent the adulteration or contamination of food. Both interior and exterior portions of the buildings, and the premises on which they are located shall be kept free of unclean, unhealthful, or unsanitary conditions, and shall otherwise be maintained in a manner prescribed by this chapter.

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

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

(d) Doors, windows, skylights, transoms and other openings to the outside shall be tight-fitting, free of breaks, and effectively screened or otherwise protected against the entry of rodents, insects, birds and other