

H 98

Filed April 29, 1965
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STATE OF WISCONSIN)
) SS.
BOARD OF HEALTH)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carl N. Neupert, M.D., Executive Secretary of the Wisconsin State Board of Health and custodian of the official records of said Board, do hereby certify that the annexed rules relating to "Vending of Foods and Beverages" were duly approved and adopted by this Board on April 23, 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 the State Office Building in the city of Madison, this 23rd day of April, 1965.

Carl N. Neupert, M.D.
Executive Secretary

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ORDER OF THE STATE BOARD OF HEALTH

ADOPTING RULES

Pursuant to authority vested in the State Board of Health by Sections 140.05 (3) and 160.06, Wisconsin Statutes, the State Board of Health hereby amends Subsections H 98.02(4), H 98.02(5)(c)4a, H 98.02(5)(d)4b, Section H 98.03, and Subsections H 98.09(2)(a) and H 98.15(2) of the WISCONSIN ADMINISTRATIVE CODE relative to Vending of Foods and Beverages as follows:

Subsection H 98.02(4) is amended to read:

H 98.02(4) Certification prior to licensing and use. Vending machines and related equipment not licensed prior to January 1, 1965 must be certified by the board, or by a designated agent of the board or by a testing laboratory approved by the board prior to their licensing and use. Vending machines found to be in violation to these requirements shall be placed in a non-vend position by using the procedure established in H 98.03(2).

Subsection H 98.02(5)(c)4a is amended to read:

H 98.02(5)(c)4. Ventilation openings. a. Screening required. All ventilation openings into vending machines shall be effectively screened and shall be cleanable. Screening may have openings between cross wires not to exceed 16 mesh to the inch. Screening material for openings into condenser units which are separated from food and container storage space shall be not less than 8 mesh to the inch or equivalent. Perforated sheet metal or other means or materials with equivalent cleaning and insect and rodent exclusion properties are acceptable.

Subsection H 98.02(5)(d)4b is amended to read:

H 98.02(5)(d)4b. Product containers, pipes and fittings; not circulation cleaned. All containers, valves, tubing, pipes, fittings, chutes, faucets and

discharge nozzles which are in contact with food shall be removable and easily cleanable or constructed in such a manner as to be effectively cleaned in place. The openings into all non-pressurized containers used for the storage of vendible foods and ingredients shall be provided with covers which prevent contamination from reaching the interior of the containers. Covers shall be designed to provide a flange which overlaps the opening, and shall be sloped to provide drainage from the cover surfaces. Covers shall be considered sloped to provide drainage from the cover surface if domed, curved or angled above the horizontal rim line of the container, or if the cover is slanted or tilted in its normal operational position to a degree necessary to minimize the collection of liquid spillage or condensation. Covers shall be designed with sufficient clearance so as not to extend into the foods which they cover. Where covers are in sections, flanges should overlap at joints and be constructed to prevent the entrance of condensation or other contaminants into the food storage area. Hinges or pivots on covers shall be designed to be easily cleanable. Any port opening through the cover shall be flanged upward at least 3/16 inch and shall be provided either with a cover which overlaps the flange or is made moisture tight by a mating part. Condensation or drip deflecting aprons shall be provided on all piping, thermometers, equipment, rotary shafts and other functional parts extending into the container, unless a water-tight joint is provided. Such aprons shall be considered as satisfactory covers for those openings which are in continuous use. Gaskets, if used, shall be of a material which is nontoxic, relatively stable and relatively nonabsorbent, and shall have a smooth easily cleanable surface. All gasket retaining grooves shall be easily cleanable.

Section H 98.03 is amended to read:

H 98.03 Vending machine identification. (1) The vending machine operator shall be responsible for having each machine identified at all times with the

vending machine permit prescribed and furnished by the board. The vending machine permit shall be securely and conspicuously attached to the near center and upper front of the vending machine. The vending machine operator shall maintain the permit in a legible state.

(2) Whenever upon inspection of a vending machine by an authorized employee or agent of the board, it shall be found that such vending machine does not contain an identifiable permit as prescribed by H 98.03(1), the authorized employee or agent of the board shall cause the vending machine to be placed in a non-vend position by sealing the coin insert slot or other mechanism with the notice prescribed and furnished by the board. Failure to maintain a non-vend condition until such time an authorized employee or agent of the board is satisfied that the vending machine is properly licensed and identified will be cause to take action under section 160.08, Wisconsin Statutes.

(3) Vending machine permits are not transferable from one machine to another. The office record for each vending machine shall show the serial number of the machine to which the specific vending machine permit identification number is assigned.

Subsection H 98.09(2)(a) is amended to read:

H 98.09(2)(a). The actual time required to fill or otherwise service the machine and for a maximum period of 30 minutes following completion of filling or servicing operations.

Subsection H 98.15(2) is amended to read:

H 98.15(2). If a violation of the rules governing vending machines exists which creates a serious public health hazard requiring immediate action, an authorized employee of the board may place the vending machine in the non-vend position by using the procedure established in H 98.03(2) until such regulations

have been complied with; an authorized employee of the board may also place the vending machine in the non-vend position by using the procedure established in H 98.03(2) when requested to do so by a designated agent of the board in cases where serious health hazards exist requiring immediate action.

The rules contained herein shall take effect on June 1, 1965 as provided in Section 227.026 (1), Wisconsin Statutes, subject to approval under the provisions of Section 14.225, Wisconsin Statutes.

STATE BOARD OF HEALTH

Carl H. Neupelt, M.D.
Executive Secretary

Dated April 23, 1965

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