

## Chapter Ag 43

## FROZEN FOOD LOCKERS

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**Ag 43.01 Definitions.** (1) The term "cold storage" as used in these rules and regulations shall mean the storage or keeping of articles of food at or below a temperature of 50 degrees above zero Fahrenheit in a "frozen food locker plant" or in a "cold storage warehouse".

(2) The terms "frozen food locker plant" and "cold storage warehouse" as used in these rules and regulations shall mean any place artificially cooled to or below a temperature of 50 degrees above zero Fahrenheit in which "articles of food" are placed and held for 40 days or more.

(3) The term "articles used for food" shall mean any article of food as defined in section 97.01, Wis. Stats.

(4) The term "marked" means the labeling, stamping, stenciling or painting of legible and permanent letters and figures, not less than three-eighths of an inch high, on the article of food or on the outside of the container or on a tag attached to the article of food or to the container in which the foods are placed.

**Ag 43.02 Classification.** (1) For the purpose of enforcement of the cold storage act, cold storage warehouses are divided into the following classifications, according to type of service rendered: limited service frozen food locker plants; complete service frozen food locker plants; branch frozen food locker stations; commercial cold storage warehouses; combinations of commercial cold storage warehouses, and frozen food locker plants.

(2) The term "limited service frozen food locker plant" as used in these rules and regulations shall mean any place artificially cooled to or below a temperature of 50 degrees above zero Fahrenheit and equipped with storage lockers in which "articles of food" are placed and held 40 days or more and where the service offered to patrons consists of furnishing chill room and sharp freezing facilities and a cold storage locker room where dressed meats, meat products, fruits, vegetables, and so forth, may be stored in rented lockers after being cut, prepared, wrapped or packaged.

(3) The term "complete service frozen food locker plant" as used in these rules and regulations shall mean any place artificially cooled to or below a temperature of 50 degrees above zero Fahrenheit and equipped with storage lockers in which "articles of food" are placed and held 40 days or more, and where the service offered to patrons consists of furnishing in addition to chill room and sharp freezing facilities and a cold storage locker room with rented lockers, custom butcher services, rooms and equipment incidental thereto, and may include rooms and equipment for the preparation and packing of fruits and vegetables for freezing and storage.

(4) The term "branch frozen food locker station" as used in these rules and regulations shall mean any place artificially cooled to or below a temperature of 50 degrees above zero Fahrenheit and equipped with storage lockers in which "articles of food" are placed and held 40 days or more after preparation at a central plant.

(5) The term "commercial cold storage warehouse" as used in these rules and regulations shall mean any place artificially cooled to or below a temperature of 50 degrees above zero Fahrenheit in which "articles of food" are placed and held for 40 days or more.

(6) The term "combination cold storage warehouse" as used in these rules and regulations shall mean any place artificially cooled to or below a temperature of 50 degrees above zero Fahrenheit where the service offered to patrons consists of a combination of limited or complete service refrigerated locker service and commercial cold storage service.

(7) Wherever used in these rules and regulations the term "frozen food locker plant" shall mean "cold storage locker warehouse".

**Ag 43.03 License.** (1) A license is required to operate a cold storage warehouse of any type. Application for a license to operate a cold storage warehouse shall be made to the state department of agriculture in writing, specifying definitely the location of the warehouse for which license is desired.

(2) The application must further specify the type of cold storage warehouse to be operated showing that it is to be operated as a limited service frozen food locker plant, a complete service frozen food locker plant, a branch frozen food locker station, a commercial cold storage warehouse or a combination thereof.

(3) The license fee for a cold storage warehouse operated in a city of the first class shall be \$40; in a city of the second class, \$30; in a city of the third class or a village over 10,000 population, \$20; in a city of the fourth class, \$10; and in a village or town, \$5. The license fee accompanying the application shall be made payable to the state treasurer.

(4) As soon as convenient after receiving an application the department shall investigate the sanitary condition and the construction and equipment. The license shall be granted when construction, equipment and sanitary conditions are found upon inspection to be in accordance with law and regulations.

(5) If the department at any time determines that an alteration, change or addition is required in premises or equipment, it shall serve in the manner provided in subsection (5) of section 93.18, Wis. Stats., upon the applicant, permit holder or licensee written notice what alteration, change, or addition is required and within what reasonable time it shall be made.

(6) It shall be the duty of every occupant whether owner or lessee of any premises used as a cold storage warehouse under the provisions of the uniform cold storage act to make promptly all changes, additions or alterations necessary to place the premises in compliance with the provisions of said act and of these regulations.

(7) The failure to put a cold storage warehouse in a proper sanitary condition or to properly equip the same for its intended use within the time specified by the department shall be considered cause for refusing or revoking of license.

(8) No new frozen food locker plant shall be established unless it is equipped with chill room and sharp freeze facilities.

(9) A license may be renewed without sanitary inspection upon application and payment of fee before expiration.

(10) No license is transferable. A license becomes void and the certificate shall be surrendered to the department when the licensee discontinues use of the premises covered by the license for operations covered thereby, or when another person becomes owner or operator of the business.

(11) The permit or the license and the current license renewal card to operate a cold storage warehouse shall be conspicuously displayed in the office of the cold storage warehouse and a copy of the latest rules and regulations shall be on file in such office.

**Ag 43.04 Construction.** (1) The floors, walls and ceilings of every frozen food locker plant shall be of such construction and finish that they can be conveniently maintained in a clean and sanitary condition.

(2) Walls and ceilings of processing rooms, unless otherwise finished in an approved manner, shall be well painted and shall be repainted as often as necessary.

(3) The construction of lockers shall be such as to protect the contents from contamination, deterioration or injury.

(4) Lockers which are not so arranged or constructed that they may conveniently be removed from the locker room for cleaning shall be provided with a suitable unperforated liner or tray. All lockers with perforated bottoms shall be provided with aforesaid type of liners or trays.

**Ag 43.05 Sanitation.** (1) All rooms of every frozen food locker plant shall at all times be maintained in a clean and sanitary condition.

(2) All equipment, utensils, and so forth, shall be clean when put into use, shall be thoroughly cleansed after each day's use and shall be so stored or protected as not to become contaminated before use.

(3) Ice boxes, refrigerators and refrigerated counters shall be thoroughly cleansed as often as necessary to inhibit growths of molds and bacteria.

(4) Before a locker comes into the possession or custody of another patron, it shall when of the removable type be removed from the locker room and thoroughly cleansed and when of the stationary type, shall be thoroughly cleansed and provided with a new paper liner unless trays are used.

(5) All openings to the outside shall be properly screened during the fly season.

(6) The premises and surroundings shall be maintained in a clean and sanitary condition.

(7) Insanitary conditions will be deemed to exist if the food stored is not securely protected from filth, flies, dust, dirt, insects, vermin and from any other contamination, or if other unclean or filthy practice in the handling thereof or caring therefor prevail, or if waste or offal incident to the cleaning, storing or preparation of food is not promptly removed from the premises and disposed of in a sanitary manner.

**Ag 43.06 Water supply.** (1) An ample water supply shall be readily available.

(2) The water that necessarily comes in contact with any food product intended for human consumption and the equipment must be uncontaminated.

**Ag 43.07 Facilities.** (1) Every frozen food locker plant shall be provided with adequate toilets installed in conformity with state requirements and so located as to be readily accessible to all employees.

(2) Toilet rooms shall be equipped with an adequate number of washing fixtures, or facilities, or have such fixtures or facilities convenient thereto, and shall be supplied with water, single soap and single towel service.

(3) The doors of all toilet rooms shall be full length and self-closing, and no toilet room shall open directly into any room in which foods are prepared, processed, chilled, frozen or stored.

(4) The entire installation shall be kept in a clean and sanitary condition. The floors, seats and urinals shall be scrubbed as often as necessary.

(5) Every frozen food locker plant shall be provided with a suitable place where persons employed may change their clothing and keep their garments in clean and sanitary condition and store clothing not in use.

(6) Separate dressing rooms shall be provided for women.

**Ag 43.08 Employees.** (1) Every person engaged in direct physical contact with food products during their manufacture, preparation, processing or storage, shall be clean of person, wear clean washable outer clothing and suitable caps or head covering, said garments to be used for that purpose only.

(2) Such persons shall avoid contact with any substance that may contaminate these products, and only such persons as are specifically designated by the operator of the frozen food locker plant in which they are employed, shall touch such products with their hands, and the persons so designated shall keep their hands scrupulously clean.

(3) No person shall work or be employed in or about a frozen food locker plant during the time in which a communicable disease exists in the home in which he resides until the state or local board of health issues a certificate in writing that no danger of public contagion or infection would result from the employment of such person in such establishment.

(4) No person suffering with any communicable disease, including communicable skin disease, or with infected wounds, and no person who is a "carrier" of a communicable disease shall be employed in any capacity in a frozen food locker plant. For the purpose of this regulation a skin disease shall be deemed communicable unless the person suffering with such disease shall hold a certificate in writing from the state or local board of health declaring such disease not to be communicable.

(5) The department recommends annual examination of employees by a physician and health certificates to be kept on file by operator at all times.

(6) Employees shall wash their hands after leaving the toilet. Suitable notice to this effect shall be placed in a conspicuous place.

**Ag 43.09 Refrigeration.** (1) A complete refrigeration system with adequate capacity and accurate and reliable controls for the automatic maintenance of uniform temperatures as required in the various refrigerated rooms under extreme conditions of outside temperatures and under peak load conditions in the normal operations of the plant and to provide the following temperatures shall be provided:

(a) Chill room, temperatures within 2 degrees Fahrenheit plus or minus of 35 degrees Fahrenheit with a tolerance of 10 degrees Fahrenheit for a reasonable time after fresh food is put in for chilling.

(b) Sharp freeze room, sharp freezing compartments, temperatures of minus ten degrees Fahrenheit or lower, or temperatures of zero degrees Fahrenheit or lower when forced air circulation is employed, with a tolerance of 10 degrees Fahrenheit for either type of installation for a reasonable time after fresh food is put in for freezing.

(c) Locker room, temperatures of not to exceed zero degrees Fahrenheit with a tolerance of 5 degrees Fahrenheit plus.

(d) Display cases and counters, temperatures of 36 degrees Fahrenheit to 40 degrees Fahrenheit.

(e) The temperatures prescribed above shall not be construed as prohibiting variations therefrom as may occur during short periods of time incidental to defrosting.

(2) To promote progress in refrigeration methods, the department may authorize for a limited and prescribed period the installation and use of refrigeration systems which in the opinion of the department result in improvement over present methods. Application for such authorization shall be made in writing to the department.

(3) Every frozen food locker room shall be equipped with an accurate maximum and minimum self-registering thermometer.

(4) An accurate, direct-reading thermometer shall be provided in the chill room, in the sharp freeze compartment or sharp freeze room and in the locker room.

**Ag 43.10 Meats.** (1) All fresh carcass meats on coming into the custody or possession of the licensee of a frozen food locker plant shall be identified with a suitable tag and washed with cold water or otherwise suitably cleaned, and after that shall be placed in the chill room sufficiently long to lose body heat unless previously chilled, and in no case less than 24 hours before removal to the cutting room.

(2) No unwrapped meat shall be placed in storage lockers. Each wrapped portion is to be marked or stamped with the correct locker number and the date of wrapping.

**Ag 43.11 Fish.** (1) The storage of fish, unless properly frozen, glazed and wrapped is prohibited.

(2) All fish are to be so handled as to protect equipment and other stored foods from fish flavors and fish odors.

(3) All fish on coming into the custody or possession of the operator of a frozen food locker plant shall be promptly washed with clean water and frozen.

**Ag 43.12 Vegetables.** Before freezing, vegetables are to be washed or cleaned, blanched and immediately thereafter cooled with cold water and packed in suitable containers for freezing.

**Ag 43.13 Fruits.** Before freezing, fruits are to be cleaned or washed and packed in suitable containers for freezing.

**Ag 43.14 Records.** Every operator of a frozen food locker plant shall keep an accurate and correct record showing the following:

(1) The name and address of every patron, owner or depositor renting a refrigerated locker or storing food.

(2) All patrons renting lockers who are directly or indirectly engaged in the selling of foodstuffs for human consumption must declare this fact to the management. Suitable entry shall be made on records of operator.

(3) Game and game fish shall be stored only in conformity with the regulations of the Wisconsin conservation commission.

**Ag 43.15 Reports to patrons.** (1) The management of every frozen food locker plant shall supply each patron providing carcasses or parts of carcasses for cutting or processing or freezing with an accurate and complete report showing the gross weight on arrival, the net weight after cutting and quantities used in the manufacture of sausage or meat products, when so requested by the patron.

(2) The management of every frozen food locker plant shall supply each patron providing fruits or vegetables for preparation, processing, or freezing with an accurate and complete report showing the weight or quantity of fruits or vegetables received and the size and number of containers of finished products packed, when so requested by the patron.

**Ag 43.16 Restrictions.** (1) No person shall be permitted access to another patron's locker and its contents without proper authorization.

(2) No foods shall be placed in the locker of any frozen food locker plant unless such foods have been inspected by the operator.

(3) Patrons are not permitted to handle meats or foods other than their own which are stored in the chill room or in the process of preparation for freezing for locker storage.

(4) The use of newspapers or any other paper unsuited for the wrapping of meats that are to be frozen and stored is prohibited.

(5) When marks are applied directly to meat or other food products by the operator of a frozen food locker plant only nontoxic ink or other harmless substance shall be used.

(6) The storage of any article of food in such condition or in such manner as to cause injury or deterioration to articles of food in adjacent lockers is prohibited.

(7) The management of a frozen food locker plant is prohibited from renting lockers for any other purpose except the storage of food for human consumption.

(8) The storage of foods not intended for human consumption is prohibited unless separate storage rooms with no open passages leading into the locker room, chill room, aging room or sharp freeze room are provided for this purpose. Foods not intended for human consumption shall bear a label or tag bearing plainly and conspicuously the words, "Not for Human Consumption". Labels or tags used for this purpose shall be not less than 6 by 3 inches in size, and tags shall be red in color. Printing shall be in letters not less than three-eighths inch in height and on the tags letters shall be black. The storage of hides and skins is prohibited unless separate storage rooms with no open passages leading into the locker room, chill room, aging room or sharp freeze room are provided for this purpose.

(9) No room or rooms used for the preparation, storage, display or sale of food or the ingredients of foods shall be used as a dressing room, living room or sleeping room, nor shall dogs, cats or other domestic animals be permitted to occupy such rooms.

(10) Articles of wearing apparel shall not be stored in any room used for the preparation, storage, display or sale of food, or the ingredients of foods.

(11) The use of tobacco in a frozen food locker plant is prohibited except in rooms designated and provided for that purpose.

(12) Spitting on the floors or walls of frozen food locker plants is prohibited.