

## Chapter Ag 41

## SODA WATER BEVERAGES

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**Ag 41.01 Definitions.** (1) The term "soda water beverage" as used in these regulations shall mean the same as that term is defined in section 97.09, Wis. Stats.

(2) The term "factory" as used in section 97.09, Wis. Stats., and in these rules and regulations is construed to mean such part or parts or the whole of any building or buildings used or intended to be used in the manufacture or bottling of soda water beverages and such part or parts of the premises about said building or buildings as may affect the sanitary condition thereof.

**Ag 41.02 Buildings and premises.** (1) To insure proper sanitary conditions, all factories are required to be reasonably well lighted and ventilated.

(2) All floors, walls and ceilings and all tables, benches, shelves and other fixtures are required to be maintained in a proper state of repair and in a sanitary condition and to insure their regular maintenance in said condition, they are required to be so constructed and arranged that they can be readily made clean and sanitary and so maintained. Floors may be constructed of wood, cement, or tile laid in cement or other materials impermeable to water. They are required to be water-tight, even and have sufficient pitch to insure suitable drainage. Ceilings or other overhead coverings are required to be dust proof.

(3) Walls and ceilings not finished in tile or other glazed material are required to be kept well painted, varnished or otherwise finished so that they may be kept clean.

(4) Floors, walls, ceilings, and overhead coverings, doors, windows, window ledges, and all other places are required to be kept clean and free from dust and dirt.

(5) All factory fixtures, machinery, apparatus, and utensils used in the manufacture, handling, storing or sale of soda water beverages are required to be kept clean and sanitary.

(6) There shall be no condition in, underneath, or connected with the factory building or upon the premises, nor shall there be any cesspool, blind well or nuisance of any kind in or underneath the factory building or located upon the premises in such a way as to affect unfavorably the sanitary condition of the building.

(7) All factories must be provided with adequate toilet facilities and equipped with wash basins or sinks of adequate size and clean towels or toweling, so located as to be readily accessible to all employees.

(8) Suitable places for change of garments and proper care for the same are required.

(9) Screens or other suitable equipment or means are required to be provided and used for the purpose of excluding flies from factory building. As no factory building with flies present can be clean and sanitary, flies must be kept out.

(10) In cities having sewerage systems, all sinks, wash basins, and toilets are required to be connected with said sewerage system and all plumbing is required to be in compliance with the state plumbing code.

**Ag 41.03 Equipment.** (1) Every factory engaged in the business of manufacturing or bottling of soda water beverages or engaged in the bottling of mineral and spring water is required to be equipped with adequate and efficient machinery, appliances and devices for the proper washing of all bottles and other containers in which soda water beverages are placed for the purpose of sale. Such appliances and machinery shall include a soaker or other equally effective means to clean and sterilize the bottles, the necessary brushes, rinsing tanks and force sprays.

(2) Every factory shall be equipped with a room known as a syrup and extract room in which all syrups used shall be mixed or compounded. Such syrup room shall be separated from all other rooms of the factory. The walls and ceiling of the syrup room shall be constructed of such material as to exclude dust and dirt and such room shall be well lighted, ventilated and screened.

**Ag 41.04 Containers.** (1) All bottles and other containers used for soda water beverages shall be thoroughly cleaned before being filled. Bottles and other containers containing dead flies or other insects or other filthy substances must be rinsed so as to remove such dead vermin or filth before being placed in alkali solution or acid mixture. The process of cleaning shall include the soaking of said bottles or other containers in an alkali solution at a temperature of not less than 125 degrees Fahrenheit for not less than 10 minutes. Said alkali solution shall contain not less than 10 pounds of alkali to 25 gallons of water when the alkali is a combination of caustic and carbonate, and shall contain not less than 6 pounds of alkali to 25 gallons of water when the alkali is straight caustic. The strength of the alkali solution may be determined by a hydrometer. Or in lieu of such soaking, bottles and other containers may be filled with and submerged in a mixture of hydrochloric acid and clean water consisting of not less than one part of the acid to 80 parts of water for a period of not less than 30 minutes. Solution and mixture may be replenished from time to time as they are used up and must be replaced sufficiently often to keep them clean. After treating with either the alkali solution or the acid mixture all bottles or other containers must be thoroughly brushed on the inside and cleaned on the outside with a brush or other suitable means, after which they must be thoroughly rinsed in clean running water or by means of a strong spray of water under pressure. Necks of bottles must be kept free from rust.

(2) Unless the bottles are used immediately after washing they shall be so placed that they will drain and shall be stored in such a manner as to prevent contamination by dust, dirt, flies and other insects, vermin or by any other means.

(3) All crowns or stoppers shall be so stored that they will be protected from filth, flies, dust or other contaminations and shall be clean at the time of use.

(4) Only new, clean and previously unused crowns, corks, or other stoppers shall be used for closing bottles or other containers of soda water beverages. Nothing herein shall be construed, however, as prohibiting the use of siphon valves or other metal or stoneware devices which are clean and sterile.

(5) All syrup containers, syrup conveyors and percolators used shall be covered and they shall be cleaned as necessary.

(6) The cleaning procedures specified in subsection (1) of this section shall not apply to new non-returnable containers, provided that such new containers are basically sterile and have been securely protected from filth or other contaminants. New non-returnable containers shall be rinsed by spraying with water under pressure or by cleaning the container with air pressure.

**History:** 1-2-56; cr. (6) Register, March, 1966, No. 123, eff. 4-1-66.

**Ag 41.05 Water supply and ingredients.** (1) All water used for the manufacture of soda water beverages must be pure and free from pollution and contamination.

(2) All wells and springs supplying water must be properly protected from pollution and surface contamination.

(3) Filtration will be required when upon investigation it is found necessary.

(4) All materials used in the manufacture of soda water beverages must be pure and free from adulteration.

(a) No substance, other than sugar, invert sugar syrup, dextrose, corn syrup or honey, shall be used for sweetening.

(b) No coal-tar color shall be used unless such color is listed as harmless and suitable for food in the regulations of, and is from a batch certified by, the Federal Security Agency, or any superseding agency, under the authority of the Federal Food, Drug and Cosmetic Act of June 25, 1938, and any revisions or amendments of such act or regulations promulgated thereunder.

(5) As a means of securing such standards of purity for all ingredients used in the manufacture of soda water beverages as well as to insure a pure and unadulterated product, no article the use of which as a constituent of an article of food is prohibited by section 97.27, Wis. Stats., shall be kept or stored in a soda water bottling establishment nor in any room or place which is a part of any such establishment. This regulation shall not be construed to prohibit the storing of a supply of necessary acid or other substances for cleaning purposes solely and not as ingredients for food and which substances are completely removed by brushing and rinsing bottles and other containers before they are filled with soda water beverages or other foods.

**Ag 41.06 Personnel.** (1) No person shall be employed or work in the handling, preparing, manufacturing or bottling of soda water beverages who is unclean in his work or who does not wear clean outer garments.

(2) No person suffering from any communicable or contagious disease shall be employed in or about factories where soda water

beverages are manufactured or bottled. No person shall be employed in or about such factory during the time in which a case of contagious disease exists in the house in which such person resides, and not thereafter until such house has been properly disinfected; provided that such person may be employed if the local board of health issue a certificate in writing that no danger of public contagion or infection would result from the employment of said person in such establishment.

**Ag 41.07 Alterations; time limit.** (1) If, in the opinion of the department, it is necessary to have some action taken or that alterations, additions or changes be made in the factory or upon the premises so that the same shall conform to the provisions of law and regulations, a written notice shall be served upon or mailed to the owner, manager or officer of such factory, requiring such action to be taken or such alterations, changes, or additions to be made within 30 days. Provided, however, that if the required alterations cannot be made with reasonable diligence within 30 days, the department may extend the period such reasonable time as may be required to complete the additions, changes or alterations, said extension of time in no case to exceed 90 days from receipt of notice.

(2) It shall be the duty of every occupant, whether owner or lessee of any premises used to manufacture or bottle soda water beverages, to carry out the provisions of the law relating to the licensing of persons, firms or corporations engaged in the business of manufacturing or bottling of soda water beverages.

(3) The license to engage in the manufacture or bottling of soda water beverages and renewal thereof shall be conspicuously displayed in the factory.

**Ag 41.08 Distribution.** (1) Licenses to distribute soda water beverages shall not authorize the licensee to engage in the business of manufacturing or bottling soda water beverages.

(2) Licenses to manufacture and bottle soda water beverages shall authorize the licensee to engage in the business of distributing soda water beverages.

(3) Licenses to manufacture and bottle soda water beverages shall be issued only to applicants who have satisfactorily demonstrated that they are fit, qualified and equipped to engage in such business. Unless the applicant has a factory to manufacture and bottle soda water beverages, only a license to distribute shall be issued.