

Chapter Ag 46

SMOKED FISH PROCESSING PLANTS

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Ag 46.01 Definitions. As used in this chapter:

(1) "Plant" means one or more buildings or parts thereof used for or in connection with the smoking of fish.

(2) "Fish" means any kind of fresh or salt water fish, or sea food, without limitation.

(3) "Smoked fish" means any product obtained by subjecting fresh fish, frozen fish, dried fish or cured fish to the direct action of smoke or smoke flavor, either from the burning of wood, wood sawdust, or a similar burning material, or the immersion or spraying with a smoke-flavored solution, for the prime purpose of imparting the flavor and color of smoke to fish. Smoked, cured salmon, sable fish and shad processed in accordance with federal standards under 21 CFR 172.175, smoked fish containing 10% or more salt (sodium chloride) in the water phase, or which have been canned and properly heat treated in hermetically sealed containers, are exempt from the provisions of ss. Ag 46.08, Ag 46.09 (5), Ag 46.10, and Ag 46.11, Wis. Adm. Code.

(4) "Smoked fish processors" means any person engaged in the processing of smoked fish except for the person's own consumption.

(5) "Processing" means any method whereby hot or cold smoke or liquid smoke flavor is added to fish. It shall include all preparatory and packaging operations.

(6) "Sale container" means the immediate container in which smoked fish is delivered to wholesale accounts or sold at retail by the processor and includes any bulk or retail-sized box or package into which finished smoked fish are placed at the plant.

(7) "Loin muscle" means the longitudinal quarter of the great lateral muscle freed from skin, scales, visible blood clots, bones, gills and viscera and from the nonstriated part of such muscle, which part is known anatomically as the median superficial muscle.

(8) "Water phase salt" means the percent salt (sodium chloride) in the finished product as determined by the method described in ss. 18.009 and 18.010 of the official methods of analysis, multiplied by 100 and divided by the percent salt (sodium chloride) plus the percent moisture in the finished product as determined by the method described in section 18.006 of the official methods analysis.

(9) "Official methods of analysis" means the "Official Methods of Analysis of the Association of Official Analytical Chemists", eleventh

edition (1970), published by the Association of Official Analytical Chemists, P.O. Box 540, Benjamin Franklin Station, Washington, DC 20044. Copies are on file in the offices of the department, the secretary of state and the revisor of statutes, and may be obtained directly from the Association of Official Analytical Chemists at its Washington address.

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

History: Cr. Register, February, 1964, No. 98, eff. 3-1-64; renum. (3), (4) and (5) to be (4), (6) and (7); cr. (3) and (6); Register, August, 1965, No. 116, eff. 9-1-65; rn. (7) to be (8) and am.; cr. (7); Register, May, 1971, No. 185, eff. 6-1-71; am. (3) and (4), renum. (8) to be (10) and am., cr. (8) and (9), Register, January, 1980, No. 289, eff. 2-1-80.

Ag 46.02 Responsibility. Every smoked fish processor shall maintain a plant which is in conformity with the requirements of this chapter.

History: Cr. Register, February, 1964, No. 98, eff. 3-1-64; am. Register, January, 1980, No. 289, eff. 2-1-80.

Ag 46.03 Premises. (1) Grounds surrounding the plant shall be well drained and shall be kept clean and free of accumulated rubbish or other nuisance, contamination hazard or vermin harborage.

(2) Driveways at receiving and shipping doorways shall be constructed or treated to minimize dust and dirt.

History: Cr. Register, February, 1964, No. 98, eff. 3-1-64.

Ag 46.04 Buildings. (1) All plant buildings shall be so constructed as to prevent the entrance or harboring of vermin and insects.

(2) Doors and windows or other openings to the outside shall be provided with screens so as to prevent the entrance of insects or vermin.

(3) All dogs, cats or other animals and birds shall be excluded.

(4) Floors, walls, ceilings, partitions, posts, doors and all other construction features of preparation and processing areas and areas used for storage of fish or fish products, packaged or unpackaged, shall be of such material, construction and finish that they may be readily and thoroughly cleaned.

(5) Floor drains shall be equipped with traps and grills, and shall be so located as to drain all waste liquids.

(6) All inedible product or byproduct, as soon as segregated from edible product, shall be promptly removed from the plant or placed in containers plainly marked as "inedible", "animal feed", "not for human food", or some similar designation. Such containers shall be tightly covered.

(7) Processing areas and equipment used for processing human food may not also be used to process animal feed or inedible products.

History: Cr. Register, February, 1964, No. 98, eff. 3-1-64.

Ag 46.05 Facilities. (1) Smoked fish processing plants shall be provided with an adequate supply of safe, running water. If such supply is from a private source, it shall be tested at least once each year.

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(2) An adequate supply of hot running water shall be provided for cleaning of plant and equipment.

(3) Toilets located within the plant shall be of the flush type and shall be vented to the outside. Outdoor toilets shall be equipped with self-closing doors and shall be insect and rodent proof.

(4) Hand-washing facilities, including hot and cold running water, soap and single service towels, shall be provided and shall be installed in a location convenient to the processing area.

(5) Smoked fish processing plants shall be well lighted and well ventilated.

History: Cr. Register, February, 1964, No. 98, eff. 3-1-64.

Ag 46.06 Equipment and utensils. (1) All utensils and equipment used for preparing, processing, storing or otherwise handling fish in a smoked fish processing plant shall be of such material and construction that they may be thoroughly cleaned.

(2) All such utensils and equipment shall be cleaned immediately after use and as often during use as may be required to maintain a clean and sanitary condition.

(3) Product containers must be protected from any form of insanitary conditions during storage, and may not be used for any but intended purpose.

(4) When in the opinion of the department use of any equipment which is unclean or insanitary could lead to contamination of fish or smoked fish product, a department food inspector may attach a "quarantine" tag to it. No equipment or container so tagged shall be used until made acceptable and released from quarantine by a department representative, or such equipment or container shall be replaced.

(5) All equipment used in the brining of smoked fish shall be made of materials that can be readily cleaned and which are not erodable by the action of salt (sodium chloride) used in the brining process.

History: Cr. Register, February, 1964, No. 98, eff. 3-1-64; cr. (6), Register, May, 1971, No. 185, eff. 6-1-71; am. (6), Register, January, 1980, No. 289, eff. 2-1-80.

Ag 46.07 Personnel. (1) Employees handling fish shall keep hands clean and shall wash hands prior to returning to work from the toilet room. Signs to this effect shall be posted.

(2) No employe shall handle finished fish product without thoroughly washing and sanitizing their hands. This restriction applies especially to the handling of finished product after touching or handling raw fish or raw fish containers. It shall be the responsibility of plant operators properly to instruct and caution employes.

(3) The use of fingernail polish by persons who handle fish without gloves is prohibited.

(4) All employes working with or in the vicinity of fish or fish product must wear adequate head covers.

(5) Outer clothing and gloves worn by persons who handle fish or fish product shall be made of material which can be readily cleaned, and shall be kept clean.

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(6) Spitting on floor is prohibited.

(7) Smoking in processing or packing areas shall be prohibited. Signs to this effect shall be posted.

(8) No person afflicted with a communicable disease or who has a discharging or infected wound, sore or lesion on hands, arms or other exposed portions of the body shall be permitted in any room or compartment where fish or fish products are prepared, processed or handled.

History: Cr. Register, February, 1964, No. 98, eff. 3-1-64; am. (1), (2) and (4), Register January, 1980, No. 289, eff. 2-1-80.

Ag 46.08 Presmoking processes. (1) Evisceration of fish shall be performed with minimum disturbance of intestinal tract contents. Removal of viscera shall be complete.

(2) After the evisceration process, the fish (including the body cavity) shall be thoroughly washed with a vigorous water spray or a continuous waterflow system.

(3) All fish shall be brined in a solution that does not exceed 38° F. or drysalted at a temperature not to exceed 38° F. throughout the fish.

(4) (a) Fish for smoking shall be brined in such a manner that the final salt (sodium chloride) content of the loin muscle of the finished product expressed in percent in the water phase of the loin muscle shall not be less than 3.5% after heat processing. Fish shall be rinsed with fresh water after removal from the brining solution.

(b) Sodium nitrite may not be used in the brining process or otherwise added as a preservative or color fixative in the processing of smoked fish.

History: Cr. Register, February, 1964, No. 98, eff. 3-1-64; am. (1), (2), (4), (5) and (6); renum. (8) to be (7) and am.; renum. (9) to be (8) and am., Register, August, 1965, No. 116, eff. 9-1-65; r. and recr., Register, May, 1971, No. 185, eff. 6-1-71; r. and recr. (4) (b), Register, January, 1980, No. 289, eff. 2-1-80.

Ag 46.09 Processing procedure. (1) No smoked fish processor shall produce for sale any smoked fish without employing processing procedures which are generally recognized as effective in destroying *Clostridium Botulinum* (type E) microorganisms and their spores. The responsibility for using such procedures shall rest with the plant operator.

(2) A temperature recording device shall be provided and shall have its detector probe so located as to make continuous record of internal temperatures of fish located in the coldest area of the smoke house. The temperature so recorded shall be the internal temperature of flesh (not body cavity) of fish located in the coldest area of the smoke house. Temperature recording charts from every smoking operation conducted in a plant shall be properly dated and kept on file in the plant for a minimum of 3 months.

(3) Smoke house procedure shall be such that internal flesh temperature of fish being processed shall reach at least 160° F. and be held at that temperature for at least 30 minutes.

(4) Upon removal from the smoke house, smoked fish shall be promptly cooled to 38° F. or below and inserted directly from smoking sticks, racks, rods, or screens into the sale container. Packing shall be
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done in an area separate and apart from any area where raw fish are handled. No wooden counter boxes or other holding containers shall be used and no repacking from one sale container to another shall be permitted at the processing plant. All packing shall be done in a manner that will avoid cross contamination or recontamination. There shall be no direct or indirect contact between raw fish or raw fish processing or handling surfaces and the finished product.

(5) Smoked fish which is removed from the sale container and repackaged by a retailer or distributor shall be labeled as required by s. Ag 46.10 (1) through (5).

History: Cr. Register, May, 1971, No. 185, eff. 6-1-71; am. (3), r. (4), renum. (5) and (6) to be (4) and (6), Register, January, 1980, No. 289, eff. 2-1-80.

Ag 46.10 Labeling. All sale containers, whether consumer-size or bulk containers, shall be labeled to show:

- (1) Name and address of processor or distributor.
- (2) Name of product, including common species name of fish from which product is derived.
- (3) Net weight of contents.
- (4) The words "Perishable—Keep Refrigerated" in conspicuous letters at least the size of the name of the food.
- (5) The date of processing in terms of the month and day, or the consecutive number of the day of the year of processing.

History: Cr. Register, August, 1965, No. 116, eff. 9-1-65; renum. from 46.09 and am., Register, May, 1971, No. 185, eff. 6-1-71; am. (5), Register, January, 1980, No. 289, eff. 2-1-80.

Ag 46.11 Restrictions. (1) Smoked fish may not be sold subsequent to 17 days after date or code number of date after processing.

(2) Smoked fish shall have a salt (sodium chloride) content of not less than 3.5% in the water phase. Salt content shall be determined in the loin muscle as defined in s. Ag 46.01 (7).

(3) No smoked fish shall be sold under any processing date other than the original processing date assigned by the processor. Smoked fish held beyond 17 days subsequent to processing date shall be immediately removed from sale and immediately destroyed or treated so as to render it unfit for human consumption.

(4) No smoked fish may be sold or offered or exposed for sale in this state unless such product has been processed, refrigerated, and labeled in accordance with the requirements of this chapter.

(5) No person shall sell smoked fish at retail from a bulk container unless a sign or counter placard is displayed at the point of sale bearing the words "Perishable—Keep Refrigerated" and bearing all other label information required to be shown on the sale container, except that net weight is not required on the counter placard if net weight is determined at time of sale.

History: Cr. (1), (2), (3) and (4); renum. 46.08 (7) to be 46.10 (5) and am., Register, August, 1965, No. 116, eff. 9-1-65; rn. from 46.10 and am., Register, May, 1971, No. 185, eff. 6-1-71; am. (1) and (3), r. (2) (b), Register, January, 1980, No. 289, eff. 2-1-80.

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Ag 46.12 Authority. This chapter is adopted under authority of ss. 93.07 (1), 97.09 (1) and 97.28, Stats.

History: Cr. Register, January, 1980, No. 289, eff. 2-1-80.