

## CHAPTER 99

## COLD STORAGE WAREHOUSES AND REFRIGERATED FOOD LOCKERS

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**99.01 Definitions.** For the purpose of this chapter, unless the context otherwise requires:

(1) "Cold storage" means the storage or keeping of articles of food at or below a temperature above zero of 50 degrees Fahrenheit in a cold storage warehouse.

(2) "Cold storage warehouse" means any place artificially cooled to or below a temperature above zero of 50 degrees Fahrenheit, in which articles of food are placed and held for 40 days or more.

(3) Articles of food are deemed to be "received in cold storage" when they are delivered to and come into possession or custody of the licensee of a cold storage warehouse.

(4) "Locker" means an individual section or compartment of a capacity not to exceed 20 cubic feet, located in a locker room of a locker plant or branch locker plant, in which articles of food are stored for more than 24 hours.

(5) "Locker room" means a room located in a locker plant or branch locker plant in which lockers are located, capable of maintaining temperatures of not to exceed 5 degrees above zero Fahrenheit.

(6) "Locker plant" means a location or establishment in which food is chilled and sharp frozen and in which space or individual lockers are rented for the storage of food at or below a temperature of 5 degrees above zero Fahrenheit.

(7) "Branch locker plant" means any location or establishment used only for the rental of space or individual lockers for the storage, at or below a temperature of 5 degrees above zero Fahrenheit, of food which has been sharp frozen.

(8) "Sharp frozen" means the complete and thorough freezing of foods with sharp freeze facilities.

(9) "Processor" means any person who directly or indirectly, for compensation, wraps and freezes meat or meat products for frozen storage by the ultimate consumer.

(10) "Sharp freeze facility" means a facility capable of maintaining temperatures of 10 degrees below zero Fahrenheit or lower on still air or contact and temperatures of zero degrees Fahrenheit or lower where forced air circulation is employed; with a tolerance of 10 degrees Fahrenheit for either type of cooling for 12 hours after fresh food is put in the facility for freezing.

(11) "Chill room" means a room or compartment for the chilling of meats which is capable of maintaining temperatures within 2 degrees Fahrenheit plus or minus of 35 degrees above zero Fahrenheit, with a tolerance of 10 degrees Fahrenheit for a reasonable time after fresh food is put in for chilling.

Cross Reference: See definitions in 93.01.

**99.02 License.** No person shall maintain or operate a cold storage warehouse, except agricultural producers storing their own produce and consumers storing produce for their own use, without a license to do so, issued by the department. Any person desiring such license shall make written application to the department for that purpose, stating the location of the warehouse. The department shall cause an examination to be made of the warehouse and, if it is found by the department to be in a proper sanitary condition and properly equipped for its intended use, the department shall issue a license, which shall expire annually on October 31, authorizing the applicant to operate it as a cold storage warehouse upon payment of a fee: For a warehouse located in a city of the 1st class, \$75; for a warehouse located in a city of the 2nd class, \$50; for a warehouse located in a city of the 3rd class, or a village of over 10,000 population, \$25; for a warehouse located in a city of the 4th class, \$15; and for a warehouse located in a village or town, \$10. Examinations and inspections may be made at the convenience of the department upon receipt of a license renewal application and need not be completed before such license is issued.

**99.03 Sanitation.** In case any cold storage warehouse, or any part thereof, shall at any time be deemed by the department to be in an insanitary condition, or not properly equipped for its intended use, it shall notify the licensee of such condition and upon the failure of the licensee to put such cold storage warehouse in a sanitary condition or to properly equip the same for its intended use, within a time to be designated by the department, it shall revoke such license.

**99.05 Inspection.** The department shall inspect and supervise all cold storage warehouses and make such inspection of articles therein as it may deem necessary to secure the proper enforcement of this chapter, and it shall have access to all cold storage warehouses at all reasonable times. The department may appoint such persons as it deems qualified to make any inspection under this chapter.

**99.06 Purity of foods.** No person, firm or corporation, as owner shall knowingly place, receive or keep in any cold storage warehouse any articles used for food or drink or condiment by persons, whether simple, mixed or compound, nor any article used or intended for use as ingredients in the composition thereof, or in the preparation thereof, if diseased, tainted, infested or contaminated with maggots or any other form of insect organism or with animal excreta or if otherwise unfit for human consumption, or which may not reasonably be expected to keep wholesome for human consumption, unless said articles bear a label or brand in accordance with forms to be prescribed by the department showing plainly the fact that the said articles are not intended for human consumption and are not to be sold or used as and for such, and the date when such articles were received in cold storage, and unless the aforesaid articles shall be stored separate and apart from all foods intended for human consumption.

History: 1975 c. 94 s. 91 (10)

**99.07 Marking dates of reception and removal of foods.** Whenever articles of food shall be received in cold storage, each lot of such articles shall be identified and stamped with a distinguishing lot number under which they shall be kept in cold storage and which distinguishes them from each and all articles then in cold storage or delivered later for cold storage, and such lot numbers and the dates of receipt into and delivery from cold storage shall be made an essential part of the records of such cold storage warehouses and shall appear on their records, warehouse or other receipt, or any other memoranda in writing relating to such articles.

**99.10 Licenses.** No person shall maintain or operate a locker plant or branch locker plant, or operate as a processor within the terms of this chapter, without a license so to do issued by the department. A separate license shall be required for each location. If the processor also operates a locker plant at the place where the processing occurs, only a single license may be required for such single location. Any person desiring such a license shall make written application to the department for that purpose stating the location of the locker plant, branch locker plant or the location of the processor. The department shall thereupon cause an examination of said place and if it is found by the department to be in a proper sanitary condition and otherwise properly equipped for its intended use in accordance with law and the rules promulgated thereunder, the department shall issue a license authorizing the applicant to operate the plant as a locker plant, branch locker plant or as a processor which shall expire annually on October 31 upon payment to the state treasurer of a license fee as follows: For a locker plant or processor, \$20; for a branch locker plant, \$20. Examinations and inspections may be made at the convenience of the department upon receipt of a license renewal application and need not be completed before the license is issued. No licensee under this section shall be required to obtain a cold storage license under s. 99.02.

**99.11 Freezing foods.** (1) No person shall place any food in a locker unless such food is completely and thoroughly frozen.

(2) All warm food and freshly cut meat shall be placed in a chill room to reduce their temperature before being placed in any sharp freeze facility.

**99.12 Plant facilities.** (1) All locker plants and all processors shall be equipped with an ample chill room and sharp freeze facility.

(2) All locker plants and branch locker plants shall be equipped with a locker room, access to which is limited to employes and lessees of the lockers therein, or their representatives.

**99.13 Rules for locker plants.** The department shall formulate such rules, regulations, standards of construction, operation and sanitation of locker plants and places of establishment of processors as are necessary for the proper protection of food, to the end of protecting the public health and protecting the public from deception or fraud.

**99.15 Penalties.** Any person violating any provision of this chapter shall be for the first offense fined not to exceed \$200 or imprisoned in the county jail not to exceed 6 months or both

and for the second or any subsequent offense fined not more than \$1,000 or imprisoned not more than 6 months or both.