

DEPARTMENT OF AGRICULTURE

FOOD AND DAIRY DIVISION

REGULATION NO. 553. FOOD ESTABLISHMENTS

(By authority conferred on the department of agriculture by section 23 of Act No. 39 of the Public Acts of 1968, being S289.723 of the Michigan Compiled Laws)

R 285.553.1 Definitions.

Rule 1. (1) "Act" means Act No. 39 of the Public Acts of 1968, as amended, being S289.701 et seq. of the Michigan Compiled Laws. Terms defined in the act have the same meanings when used in these rules.

(2) "Establishment" means a place where food is manufactured, handled, stored, prepared, offered for sale, or sold. The term includes bakeries, bottling plants, seasonal and municipal fruit and vegetable markets, grain elevators, farm crop storages, feed mills, frozen food plants, grocery stores, supermarkets, food warehouses, gas stations, and canning and preserving plants.

History: 1979 AC.

R 285.553.2 Exemptions.

Rule 2. These rules do not apply to a roadside stand or a stand at or tributary to fairgrounds, circus grounds, carnivals, parks, and resorts when operated for less than 2 weeks during any 12-month period or to a food service establishment subject to Act No. 269 of the Public Acts of 1968, being SS325.801 to 325.813 of the Michigan Compiled Laws.

History: 1979 AC.

R 285.553.3 Establishment grounds.

Rule 3. (1) The grounds about an establishment under the control of the operator shall be free from conditions which may result in the contamination of food, including, but not limited to, the following:

(a) Improperly stored equipment, litter, waste, refuse, and uncut weeds or grass within the immediate vicinity of the establishment buildings or structures that may constitute an attractant, breeding place, or harborage for rodents, insects, and other pests.

(b) Excessively dusty roads, yards, or parking lots that may constitute a source of contamination in areas where food is exposed.

(c) Inadequately drained areas that may contribute contamination to food products through seepage or foot-borne filth and by providing a breeding place for insects or micro-organisms.

(2) If the establishment grounds are bordered by grounds not under the operator's control and are of the kind described in subrule (1), the establishment shall exercise care in the plant by inspection, extermination, or other means to effect exclusion of pests, dirt, and other filth that may be a source of food contamination.

History: 1979 AC.

R 285.553.4 Establishment construction and design.

Rule 4. Establishment building and structures shall be suitable in size, construction, design, and location of work areas to facilitate maintenance and sanitary operations for storage and food processing. The establishment and facilities shall provide:

(a) Sufficient space for such placement of equipment and storage of materials as is necessary for sanitary operations and production of safe food. Floors, walls, ceilings, bins, elevators, conveyors, and

boots in the establishment shall be of such construction as to be cleanable and shall be kept clean and in good repair. Fixtures, ducts, and pipes shall not be suspended over working areas so that drip or condensate may contaminate foods, raw materials, or food contact surfaces. Aisles or working spaces between equipment, and between equipment and walls, shall be unobstructed and of sufficient width to permit employees to perform their duties without contamination of food or food contact surfaces with clothing or personal contact.

(b) Separation by partition, location, or other effective means for those operations, economic poison storage areas, or other material storage areas, which operations, economic poisons, or materials may cause contamination of food products with undesirable micro-organisms, chemicals, filth, or other extraneous material.

(c) Adequate lighting to all areas where food or food ingredients are examined, processed, or stored, and to hand washing areas, dressing, and locker rooms, toilet rooms, and where equipment and utensils are cleaned. Light bulbs, fixtures, skylights, or other glass suspended over exposed food in any step of preparation shall be of the safety type or otherwise protected to prevent food contamination in case of breakage.

(d) Adequate ventilation or control equipment to minimize odors and noxious fumes, dust or vapors, including steam, in areas where they may contaminate food. Ventilation or control equipment shall not create conditions that may contribute to food contamination by airborne contaminants.

(e) Where necessary, effective screening or other protection against birds, animals, and vermin, including, but not limited to, insects and rodents.

History: 1979 AC.

R 285.553.5 Equipment and controls.

Rule 5. (1) All establishment equipment and utensils shall be suitable for their intended use, so designed and of such material and workmanship as to be cleanable and properly maintained.

(2) The design, construction, and use of equipment and utensils shall preclude the adulteration of food with lubricants, fuel, metal fragments, contaminated water, rodents, birds or any other contaminants. All equipment shall be so installed as to be easily cleanable and maintained and located within the production area, thereby eliminating daily product cross contamination and facilitating the cleaning of the equipment and all adjacent spaces.

History: 1979 AC.

R 285.553.6 Sanitary facilities and controls.

Rule 6. An establishment shall be equipped with adequate sanitary facilities and accommodations including, but not limited to, those prescribed in R 285.553.7 to R 285.553.12.

History: 1979 AC.

R 285.553.7 Water supply.

Rule 7. The water supply shall be sufficient for the operations intended and shall be derived from an approved source. Any water or ice that contacts foods or food contact surfaces shall be safe and of adequate sanitary quality. Hot and cold running water at a suitable temperature and under pressure of at least 30 psi as needed shall be provided in all areas where the processing of food, the cleaning of equipment, utensils, or containers, or employee sanitary facilities require.

History: 1979 AC.

R 285.553.8 Sewage disposal.

Rule 8. All sewerage and liquid waste shall be disposed of in a public or municipal sewerage system, or, in the absence thereof, in an approved septic tank system or by some other acceptable method which does not create a nuisance, insanitary condition, or public health hazard.

History: 1979 AC.

R 285.553.9 Plumbing.

Rule 9. Plumbing shall be of adequate size and design and adequately installed and maintained to:

- (a) Carry sufficient quantities of water to required locations throughout the establishment.
- (b) Properly convey sewage and liquid waste from the establishment.
- (c) Not constitute a source of contamination to foods, food products or ingredients, water supplies, equipment, or utensils, or create an insanitary condition.
- (d) Provide adequate floor drainage in all areas where floors are subject to flooding type cleaning or where normal operations release or discharge water or other liquid waste on the floors. The food preparation area shall be provided with adequate floor drainings to accomplish in-place cleanup and sanitizing of food handling equipment.

History: 1979 AC.

R 285.553.10 Toilet facilities and rest rooms.

Rule 10. (1) An establishment shall provide its employees with adequate, completely enclosed toilet rooms and conveniently located associated hand washing facilities. Toilet rooms shall be furnished with toilet tissue. The facilities shall be maintained in a sanitary condition and kept in good repair at all times. Doors to toilet rooms shall be self-closing and shall not open directly into areas where food is exposed to airborne contamination. All toilet facilities shall be power vented to outside air. Signs shall be posted directing employees to wash their hands with soap or detergents after using toilet.

(2) Welfare areas provided for storage of street clothing and lunch areas for employees' use shall be located separate from any processing procedural areas to inhibit possible cross-contamination.

History: 1979 AC.

R 285.553.11 Hand washing facilities.

Rule 11. Adequate and convenient facilities for hand washing shall be provided. The knee pedal type operation or similar devices are recommended and, where appropriate, hand sanitizing shall be provided at each location in the establishment where good sanitary practices require employees to wash, sanitize, and dry their hands. The facilities shall be furnished with hot and cold or tempered running water, effective hand cleaning and sanitizing preparations, disposable sanitary towel service or suitable drying devices, and easily cleanable waste receptacles.

History: 1979 AC.

R 285.553.12 Rubbish and offal disposal.

Rule 12. Rubbish and offal shall be so conveyed, stored, and disposed of as to minimize the development of odor, prevent waste from becoming an attractant and harborage or breeding place for vermin, and prevent contamination of food, food contact surfaces, ground surfaces, and water supplies.

History: 1979 AC.

R 285.553.13 General maintenance.

Rule 13. Buildings, fixtures, and other physical facilities of the establishment shall be kept in good repair and shall be maintained in a sanitary condition. Cleaning operations shall be conducted in such

a manner as to minimize contamination of food and food contact surfaces. Detergents, sanitizers, and other supplies used in cleaning and sanitizing procedures shall be free of significant microbiological contamination, and shall be safe and effective for their intended use. Only such toxic materials as are required to maintain sanitary conditions, for use in laboratory testing procedures, for establishment and equipment maintenance and operation, or in manufacturing or processing operations shall be used or stored in an establishment. When these materials are offered for sale, they shall be properly labeled and displayed completely separate and apart from any food or food container.

History: 1979 AC.

R 285.553.14 Animals, birds, and vermin control.

Rule 14. Live birds or animals shall not be permitted in an establishment, except that a guide dog accompanying a blind person may be permitted in selling areas, and birds and animals may be permitted in the same building if caged or otherwise restrained and located a safe distance from all food operations as to eliminate the possibility of contamination by any means. Persons employed in the food area of an establishment shall not care for or handle any such birds or animals while on duty. Effective measures shall be taken to exclude pests from the processing and storage areas and to protect against the contamination of foods in or on the premises by animals, birds, and vermin, including, but not limited to, rodents and insects. The use of insecticides or rodenticides is permitted only under such precautions and restrictions as will prevent the contamination of food or packaging materials with illegal residues.

History: 1979 AC.

R 285.553.15 Sanitation of equipment and utensils.

Rule 15. (1) All utensils and product contact surfaces of equipment shall be cleaned as frequently as necessary to prevent contamination of food and food products. Nonproduct contact surfaces of equipment used in the operation of food establishments shall be cleaned as frequently as necessary to minimize accumulation of dust, dirt, food particles, and other debris. Single service articles, such as utensils intended for one-time use, paper cups, paper towels, et cetera, shall be stored in appropriate containers and handled, dispensed, used, and disposed of in a manner that prevents contamination of food or food contact surfaces. Where necessary to prevent the introduction of undesirable microbiological organisms into food products, all utensils and product contact surfaces of equipment used in an establishment shall be cleaned and sanitized prior to use and following any interruption during which the utensils and contact surfaces may have become contaminated. Where equipment and utensils are used in a continuous production operation, the contact surfaces shall be cleaned and sanitized on a predetermined schedule using adequate methods for cleaning and sanitizing. Sanitizing agents shall be effective and safe under conditions of use. Any facility, procedure, machine, or device may be acceptable for cleaning and sanitizing equipment and utensils if it is established that the facility, procedure, machine, or device routinely renders equipment and utensils clean and provides adequate sanitizing treatment.

(2) A returnable reuseable glass or plastic bottle shall be washed in a minimum of 3.5% caustic solution at 140 degrees Fahrenheit or above for at least 5 minutes, and shall be properly rinsed to avoid any product contamination before reuse.

(3) Containers made of any materials to be reused for food shall be so constructed as to be cleaned easily and sanitized properly.

(4) New containers or nonreturnable containers shall be clean and free from any foreign material.

History: 1979 AC.

R 285.553.16 Storage and handling of cleaned portable equipment and utensils.

Rule 16. Cleaned and sanitized portable equipment and utensils with product contact surfaces shall be stored in such a location and manner that product contact surfaces are protected from splash, dust, and other contamination.

History: 1979 AC.

R 285.553.17 Economic poisons and other hazardous substances.

Rule 17. Economic poisons and other hazardous substances and operations which incorporate these materials, and the products so treated, shall be separated by partition, location, or other effective means so as to eliminate the possibility of contamination of food products.

History: 1979 AC.

R 285.553.18 Sanitation of operations.

Rule 18. (1) All operations in the receiving, inspecting, transporting, packaging, segregating, preparing, processing, and food storing areas shall be conducted in accordance with good sanitation principles. Overall sanitation of an establishment shall be under the supervision of an individual assigned responsibility for this function. All reasonable precautions shall be taken to assure that production procedures do not contribute contamination, such as filth, harmful chemicals, undesirable microorganisms, or any other objectionable material, to the processed product.

(2) Raw material and ingredients shall be inspected and segregated as necessary to assure that they are clean, wholesome, and fit for processing into human food, and stored under conditions that protect against contamination and minimize deterioration. Raw materials shall be washed or cleaned as necessary to remove soil or other contamination. Water used for washing, rinsing, or conveying of food products shall be of approved quality and shall not be reused for washing, rinsing, or conveying products in a manner that may result in contamination of food products.

(3) Containers and carriers of raw ingredients shall be inspected on receipt to assure that their condition has not contributed to the contamination or deterioration of the products.

(4) When ice is used in contact with food products, it shall be made from potable water and shall be used only if it has been manufactured in compliance with adequate standards and stored, transported, and handled in a sanitary manner.

(5) Food processing areas and equipment used for processing human food shall not be used to process animal feed or inedible products, unless there is no possibility of contamination of the human food.

(6) Processing equipment shall be maintained in a sanitary condition through frequent cleaning, including sanitization where necessary. Insofar as necessary, equipment shall be taken apart for thorough cleaning.

History: 1979 AC.

R 285.553.19 Protection from contamination.

Rule 19. All food processing, packaging, storage, and transporting of food shall be conducted under such conditions and controls as are necessary to minimize the potential for undesirable bacterial or other microbiological growth, toxin formation, or deterioration or contamination of the processed product, ingredients, or containers. This requires careful monitoring of such physical factors as time, temperature, humidity, pressure, and flow-rate, and such processing operations as freezing, dehydration, heat processing, and refrigeration to assure that mechanical breakdowns, time delays, temperature fluctuations, and other factors do not contribute to the decomposition or contamination of the processed products.

History: 1979 AC.

R 285.553.20 Testing.

Rule 20. Chemical, microbiological, or extraneous material testing procedures shall be utilized where necessary to identify sanitation failures or food contamination, and all foods and ingredients that

may have become contaminated shall be rejected or treated or processed to eliminate the contamination where this may be properly accomplished.

History: 1979 AC.

R 285.553.21 Packaging.

Rule 21. Packaging processes and materials shall not transmit contaminants or objectionable substances to the products, shall conform to any applicable food additive regulation, and shall provide adequate protection from contamination.

History: 1979 AC.

R 285.553.22 Identification codes.

Rule 22. Meaningful coding of products sold or otherwise distributed from a manufacturing, processing, packing, or repacking activity shall be utilized to enable positive lot identification to facilitate, where necessary, the segregation of specific food lots that may have become contaminated or otherwise unfit for their intended use. Records shall be retained for a period of time that exceeds the shelf life of the product, except that they need not be retained more than 2 years.

History: 1979 AC.

R 285.553.23 Handling and storage.

Rule 23. All food and drink shall be clean and wholesome, and shall be manufactured, handled, stored, prepared, transported, offered for sale, or sold so as to be safe for human consumption. Potentially hazardous food or drink shall be stored or refrigerated at a temperature of 40 degrees Fahrenheit or below, or 140 degrees Fahrenheit or above, except smoked fish. All cooked, partially cooked, baked, or fried foods shall be kept at 140 degrees Fahrenheit or above, or 40 degrees Fahrenheit or below, and may not be displayed unless such requirements are maintained, except those products which do not, under good commercial practices, require heating or refrigeration. "Potentially hazardous food and drink" means any perishable food or drink which consists of any ingredients capable of supporting rapid and progressive growth of infections or toxigenic micro-organisms. All coolers, refrigerators, freezers, barbecues, holding units, and other storage facilities shall be kept clean and sanitary. A reliable thermometer shall be maintained in each of the foregoing units. Spoiled, tainted, or toxic food, drink, or materials, unsafe or unfit for human consumption, shall not be stored or displayed along with food or drink for human consumption. All nonacid or low-acid hermetically sealed foods shall have been processed in a commercial food processing establishment. Frozen foods shall be stored, kept, displayed, or held at a temperature not to exceed 0 degrees Fahrenheit.

History: 1979 AC.

R 285.553.24 Personnel disease control.

Rule 24. A person affected by a disease in a communicable form, or while a carrier of such disease, or while affected with boils, sores, infected wounds, or other abnormal sources of microbiological contamination, shall not work in an establishment in any capacity in which there is a reasonable possibility of food or food ingredients becoming contaminated by the person, or of disease being transmitted by the person to other individuals.

History: 1979 AC.

R 285.553.25 Personnel cleanliness.

Rule 25. All persons, while working in direct contact with food preparation or food ingredients, or surfaces coming into contact therewith, shall:

(a) Wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty to the extent necessary to prevent contamination of food products.

(b) Wash their hands thoroughly, and sanitize if necessary to prevent contamination, in an adequate hand washing facility before starting work, after each absence from the work station, and at any other time when the hands may have become soiled or contaminated.

(c) Remove from hands any jewelry that cannot be adequately sanitized and all insecure jewelry during periods where food is manipulated by hand.

(d) If gloves are used in food handling, maintain them in an intact, clean, and sanitary condition. Gloves shall be of an impermeable material, except where their usage would be inappropriate or incompatible with the work involved.

(e) Wear effective hair nets, headbands, or caps to constrain the hair properly.

(f) Not store clothing or other personal belongings, eat food or drink beverages, or use tobacco in any form in areas where food or food ingredients are exposed, or in areas used for washing equipment or utensils.

(g) Take any other necessary precautions to prevent contamination of foods with micro-organisms or foreign substances, including, but not limited to, perspiration, hair, cosmetics, tobacco, chemicals, and medicants.

History: 1979 AC.

R 285.553.26 Rescission.

Rule 26. Regulation No. 533, being R 285.533 of the Michigan Administrative Code and appearing on pages 2817 to 2821 of the 1963 Annual Supplement to the Code, is rescinded.

History: 1979 AC.