

**DEPARTMENT OF AGRICULTURE
FOOD AND DAIRY DIVISION
REGULATION NO. 556
FOOD CONCESSIONS AT STATE AND COUNTY FAIRS**

Filed with the Secretary of State on February 1, 1981. These rules take effect 15 days after filing with the Secretary of State.

(By authority conferred on the department of agriculture by section 23 of Act No. 39 of the public acts of 1968, as amended being 289,723 of Michigan Compiled Laws)

R 285.514 Rescinded by R 285.55620

R 285.556. 1 Definitions.

Rule 1.

(1) As used in these rules:

(a) "Act" means Act No. 39 of the Public Acts No. 1968, as amended, being 289.701 et seq. of the Michigan Compiled Laws.

(b) "Food Concession" means food storage, preparation, or dispensing operation at state and county fairs.

(c) "Pesticide" means a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating pests or intended for use as a plant regulator, defoliant, or desocant.

(d) "Potentially hazardous food or drink" means any perishable food or drink capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.

(e) "Utensil" means any kitchen ware, cutlery, container, implement, wrapper, or other equipment with which food comes in contact during storage, display, preparation, sale, or through use by an employee or consumer.

(2) Terms defined in the act have the same meaning when used in these rules.

R 285.556.2 Exemptions.

Rule 2.

Food service establishments regulated under the provisions of part 239 of Act No. 368 of the public acts of 1978, as amended, being 333.12901 et seq. of Michigan Compiled Laws are exempt from the requirements of these rules.

R 285.556.3 Concession construction and design.

Rule 3. (1) Concession buildings and structures, temporary or permanent shall be suitable in size, construction, design, and location to facilitate maintenance and sanitary operation for the storage, preparation or dispensing of food. Adequate space shall be provided for storage of equipment and necessary material. Food concessions which have 1 or more sides open to the outside air shall completely enclose food preparation or storage areas with screening or other acceptable protective materials.

(2) Walls and ceilings shall be constructed to prevent the entrance of birds, animals and vermin, including, but not limited to insects and rodents. Ceilings shall be made of wood, canvas, or other materials that protect the interior or the concession from external sources of contamination. Screening material used for walls and partitions shall be not less than 16' mesh to the inch.

(3) Floors in food preparation and storage shall be made of concrete, light wood, asphalt or similar easily cleanable material.

(4) Adequate lighting shall be provided in all areas where food or food ingredients are prepared or handled and where equipment and utensils are cleaned and sanitized. Light bulbs, fixtures, skylights, or other glass suspended over exposed food shall be made of safety-type glass or shall be otherwise protected to prevent food contamination in case of breakage.

R 285.556.4 Counter service openings.

Rule 4. Counter service openings, when part of an enclosure of a food preparation or holding area, shall not be larger than necessary for the operation being conducted. Counter service openings shall be provided tight-fitting, solid or screen doors or windows or shall be provided with fans designed, installed, and operated to restrict the entrance of insects. Doors, windows, and counter service openings shall be kept closed, except when opening necessary for servicing food. This rule shall not apply to counter service openings and no preparation and holding areas.

R 285.556.5 Hand-washing facilities.

Rule 5. Facilities for hand washing shall be provided at each food concession which prepares or dispenses food. The facilities shall be furnished with tempered, running potable water under mechanical or gravity pressure, soap, individual paper towels, and an easily cleanable waste receptacle. The facility shall be used only for employee hand washing.

R 285.556.6 Equipment and utensils.

Rule 6. All equipment and utensils shall be suitable for their intended use. Equipment shall be located and installed to easily facilitate cleaning and to prevent food contamination. Equipment food contact surfaces shall be protected from contamination by customers of the concession. Effective shields shall be provided to protect all serving and holding areas from contamination by direct exposure to consumers.

R 285.556.7 Handling and storage.

Rule 7. (1) All food and drink shall be clean and wholesome and shall be manufactured, handled, stored, prepared, transported, offered for sale, or sold to be safe for human consumption. Potentially hazardous food or drink shall be displayed at a temperature of 45 degrees Fahrenheit (7 degrees Celsius) or below, or 140 degrees Fahrenheit (60 degrees Celsius) or above. All cooked, partially cooked, baked, or fried foods shall be stored or displayed at 140 degrees Fahrenheit (60 degrees Celsius) or above 45

degrees Fahrenheit (7 degrees Celsius) or below, except for those products that do not undergo commercial practices requiring heating or refrigeration.

(2) All coolers, refrigerators, freezers and other storage facility establishment, at nearby locations, or in vehicles belonging to and part of any facility shall be kept in a sanitary manner and shall be capable of maintaining food and drink stored within at satisfactory temperature as stated in sub-rule (1) of this rule. Freezers or frozen storage shall be maintained at 0 degrees Fahrenheit (-18 degrees Celsius), except that freezer holding ice cream product may be maintained at 15 degrees Fahrenheit (-10 degrees Celsius) or below when necessary for immediate serving uses. A numerically scaled thermometer, accurate +2 degrees, shall be maintained in each freezer or refrigerator storage. Spoiled, tainted or toxic food and drink or material shall not be stored with food and drink for human consumption.

(3) All potentially hazardous foods shall be cooked, baked or prepared at the concession where offered for sale or at a facility meeting the requirements of sub-rules (1) and (2) of this rule and shall be transported to concession by methods meeting the temperature requirements of sub-rules (1) and (2) of this rule.

(4) All foods shall be adequately protected from contamination by dust, dirt, insect, or any other source. Cloth or other pervious materials are not acceptable for use as a food covering.

R 285.556.8 Sanitation of equipment and utensils.

Rule 8. (1) Adequate equipment and facilities shall be provided for cleaning, rinsing, and sanitizing all equipment, utensils, containers, and work surfaces. A sink with sufficient compartments shall be provided exclusively for the cleaning, rinsing, and sanitizing of utensils and equipment. Easily cleanable racks and drain boards shall be provided.

(2) Effective sanitization of equipment, utensils, containers, and work surfaces shall be accomplished by 1 of the following methods:

(a) Immersion for not less than 30 seconds in clean water at a temperature not less than 170 degrees Fahrenheit (77 degrees Celsius).

(b) Immersion for not less than 1 minute in a sanitizing solution containing not less than 50 ppm (parts per million) of available chlorine at a temperature not less than 75 degrees Fahrenheit (24 degrees Celsius).

(c) Immersion for not less than 1 minute in a sanitizing solution containing any other sanitizing agent which has been proven effective and nontoxic under use conditions and for which a suitable field test is available. Such sanitizing agents, in solution, shall provide the equivalent bactericidal effect of a solution containing not less than 50 ppm of available chlorine at a temperature not less than 75 degrees Fahrenheit (24 degrees Celsius).

(d) Treatment in a mechanical device with hot water, steam, or any other sanitizing agent which is non toxic under use conditions and for which a suitable field test is available, if such treatment sanitized equipment,

utensils, containers, or work surfaces as effectively as those treated by 1 of the foregoing immersion methods.

(e) Equipment, utensils, containers, and work surfaces too large to be treated by any of the foregoing methods may be treated by any one of the following methods:

(i) Rinsing with boiling water.

(ii) Spraying with live steam from a hose in the case of equipment in which steam can be confined.

(iii) Spraying or swabbing with a chemical sanitizing solution of not less than twice the minimum strength for the particular sanitizing solution when used for the immersion method of sanitization.

(3) All cleaned and sanitized equipment, utensils, and containers shall be air dried before being stored or shall be stored in a self-draining position.

(4) Single-service utensils and other single-service articles may be used when fabricated in a sanitary manner from nontoxic materials, transported and stored in closed containers, and handled and dispensed in a manner to prevent contamination. Single-service articles shall be used only once.

(5) Beverages shall be dispensed or served from either a disposable-type dispenser or a completely enclosed dispenser made of impervious material which can be disassembled for cleaning.

R 285.556.9 Water Supply.

Rule 9. Sufficient potable water from an approved source, under mechanical or gravity pressure, shall be available in the mechanical or gravity pressure, shall be available in the concession for cleaning and sanitizing utensils and equipment, for hand washing, and for use in preparation of food. All water transfer or supply lines shall originate from a primary, approved source and shall be an approved food grade type equipped with vacuum breakers. Heating equipment, when deemed necessary by the department to meet the requirements of these rules, shall be capable of producing sufficient hot water for required purposes.

R 285.556.10 Ice.

Rule 10. Ice used in the concession for any food or food-related purpose shall be made in a sanitary manner from potable water from an approved source. Ice shall be obtained only in chipped, crushed, or cubed form and shall be packaged in single use, food grade plastic or wet-strength paper bags filled and sealed at the point of manufacture. Ice shall be stored in these bags until used. When used, ice shall be dispensed in a way that protects it from contamination. Ice in direct contact with stored food or food containers shall not be used for human consumption. Block ice used for non-food purposes is exempt from the packaging requirements of this rule.

R 285.556.11 Straws and condiments.

Rule 11. Straws for human use shall be individually wrapped. All condiments supplied for customer use shall be in individually wrapped or packaged portions or dispensed from an approved container.

R 285.556.12 Food preparation and storage areas.

Rule 12. Food preparation and storage areas shall not be used for human or animal habitation.

R 285.556.13 Personnel disease control.

Rule 13. While affected by a disease in a communicable form, while an apparent carrier of such disease, or while affected with boils, sores, infected wounds, or other abnormal sources of microbiological contamination, personnel shall not work in a concession in any capacity in which there is a reasonable possibility of food or food ingredients becoming contaminated by affected personnel or of disease being transmitted by affected personnel to other individuals.

R 285.556.14 Personnel cleanliness.

Rule 14. While working in direct contact with food preparation equipment, food ingredients, or surfaces coming into contact therewith, all personnel shall comply with all of the following:

(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 in an adequate hand-washing facility before starting work, after each absence from work station, and at any other time when hands may have become soiled or contaminated. Hands shall be sanitized if necessary to prevent contamination.

(c) Remove from hands any jewelry during periods when food is manipulated by hand.

(d) Wear effective hairnets, headbands, or caps to restrain the hair properly.

(e) 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 where equipment or utensils are washed.

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

R 285.556.15 Concession location and premises; rubbish disposal.

Rule 15. (1) A concession shall not be located or operated within 50 feet of a livestock enclosure, portable or open-type public restroom, an amusement ride utilizing animals, or animal waste.

(2) Premises shall be kept clean and free of trash and standing water. All garbage shall be disposed of in tight containers capable of preventing entry by insects and shall be removed from the concession area at least daily, or more often if necessary, to eliminate insect and other related problems.

(3) Adequate protection shall be provided against all sources of dust contamination.

R285.556.16 Liquid waste disposal.

Rule 16. Liquid waste shall be disposed of in an approved sewer system or other satisfactory disposal system which meets all provisions of these rules.

Other satisfactory disposal systems shall include draining of liquid waste into cleanable containers for dumping in an approved manner. All necessary wastes shall not permit any leakage or create a nuisance, unsanitary condition, or health hazard.

R 285.556.17 Pesticides and other hazardous substances.

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

R285.556.18 Mobile pushcarts.

Rule 18. Prepackaged food and drinks may be sold from mobile pushcarts or other portable units or containers by operators of a food concession. All food and drink packages shall be protected from contamination and handled in a sanitary manner. Employees shall have access to the hand-washing facilities located at the food concession from which the unit operates. All potentially hazardous food or drink offered for sale shall be stored and displayed in compliance with the temperature requirements established in R 285.556.7.

R 285.556.19 Barbecue pits.

Rule 19. Barbecue pits may be used for cooking food only when all other related food preparation, storage, assembly and dispensing is performed in a food concession, located in close proximity, which is equipped and maintained according to these rules. All racks or other devices used for cooking surfaces shall be located no less than 12 inches above ground level. Adequate controls shall be taken to avoid airborne contamination in the cooking area by a barrier from animals and persons, other than employees cooking the food.

R 285.556.20 Rescission

Rule 20. Regulation No. 514, being R 285.514 of the Michigan Administrative Code, appearing on pages 2,172 and 2,173 of the 1961 Annual Supplement the Code, is rescinded.