

Sec. 7. Laws 1983, chapter 215, section 16, is amended to read:

Sec. 16. **REPEALER.**

Sections 1 to 15 are repealed effective July 1, ~~1984~~ 1985, but any postponement or other relief ordered by a court continues to be valid for the period ordered by the court.

Sec. 8. **EFFECTIVE DATE.**

Sections 1 to 7 are effective May 1, 1984.

Approved April 25, 1984

CHAPTER 475 — S.F.No. 1849

An act relating to crimes; prohibiting the purchase or sale of human organs; amending Minnesota Statutes 1982, section 145.422, subdivision 3.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1982, section 145.422, subdivision 3, is amended to read:

Subd. 3. Whoever ~~shall buy~~ buys or ~~sell~~ sells a living human conceptus ~~shall be or nonrenewable organ of the body is guilty of a gross misdemeanor, provided that.~~ Nothing ~~herein shall prohibit in this subdivision~~ prohibits (1) the buying and selling of a cell culture line or lines taken from a non-living human conceptus; (2) payments for reasonable expenses associated with the removal, storage, and transportation of a human organ, including payments made to or on behalf of a living organ donor for actual expenses such as medical costs, lost income, or travel expenses that are incurred as a direct result of the donation of the nonrenewable organ; or (3) financial assistance payments provided under insurance and medicare reimbursement programs.

Sec. 2. **EFFECTIVE DATE.**

Section 1 applies to crimes occurring on or after August 1, 1984.

Approved April 25, 1984

CHAPTER 476 — S.F.No. 1879

An act relating to agriculture; regulating the bulk sale of food; proposing new law coded in Minnesota Statutes, chapter 31.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[31.80] DEFINITIONS.**

Subdivision 1. SCOPE. For the purposes of sections 1 to 10, the terms defined in this section have the meanings given them.

Subd. 2. BULK FOOD. "Bulk food" means unpackaged and unwrapped food in aggregate containers from which quantities are withdrawn by the consumer, excluding fresh fruits, fresh vegetables, nuts in the shell, and food in salad bars.

Subd. 3. PRODUCT MODULE. "Product module" means a multi-use or single service food contact container designed for customer self-service of bulk food by either direct or indirect means.

Sec. 2. **[31.81] SCOPE.**

Sections 1 to 10 apply to persons required to be licensed as retail food handlers under chapter 28A.

Sec. 3. **[31.82] LABELING.**

Bulk food product modules must be conspicuously labeled with the common name of the product, a list of ingredients in order of predominance, and a declaration of artificial color or flavor and any chemical preservatives contained in the product. This section does not apply to bulk food manufactured on the premises or manufactured by the same person.

Sec. 4. **[31.83] PROTECTION.**

Subdivision 1. CONTAINERS AND DISPLAY. Bulk food and product modules must be protected from contamination during display, customer self-service, refilling, and storage. Each product module must have a tight-fitting lid that is kept in a closed position at all times except during stocking and customer service. Containers supplied by customers may not be used by others in a manner that contaminates bulk food. Take-home containers, including bags, cups, and lids, provided for customer use must be stored and dispensed in a sanitary manner. Pet food and non-food items must be separated from product modules and bulk food.

Subd. 2. FOOD SOLD AS BULK FOOD. Food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms may not be sold as bulk food. Clean, whole, uncracked, odor-free shell eggs and food that has a pH level of 4.6 or below or a water activity value of 0.85 or less at 25 degrees centigrade may be sold as bulk food. Bulk food removed from a product module by a consumer may not be offered for resale.

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Sec. 5. **[31.84] DISPENSING.**

Subdivision 1. DISPENSING DEVICES. Bulk food may be dispensed by: mechanical dispensing devices including gravity dispensers, pumps, extruders, and augers; or manual dispensing utensils including tongs, scoops, ladles, and spatulas.

Subd. 2. UTENSILS. A manual dispensing utensil must have a handle long enough to avoid consumer contact with the bulk food. When not in use, dispensing utensils must be stored either in the food with the handle extended out of the food; or in a protective enclosure attached or adjacent to the display unit with the utensil on a tether of easily cleanable material short enough to prevent contact with the floor.

Sec. 6. **[31.85] CONSTRUCTION; MATERIALS.**

Subdivision 1. PRODUCT MODULES AND UTENSILS. Product modules and utensils must be metal or plastic and corrosion resistant, nonabsorbent, smooth, easily cleanable, and durable under conditions of normal use. They may not impart odors, color, taste, or contamination to the food. Product modules must be easily removable from the display unit for servicing unless they can be effectively cleaned and sanitized without removal by a procedure that will not contaminate bulk food or related equipment.

Subd. 2. NON-CONTACT SURFACES. Surfaces of product module display units, tethers, and all display equipment not intended for food contact, but exposed to food debris or other soiling, must be nonabsorbent, smooth, cleanable, durable under conditions of normal use, and free of unnecessary ledges, projections, and crevices. Tethers must be easily removable for cleaning. Racks that hold food containers must be constructed of material that is smooth, easily cleanable, and nonabsorbent. The materials for surfaces that do not come in contact with food must be nonabsorbent or made nonabsorbent by being finished and sealed with a cleanable coating.

Sec. 7. **[31.86] CLEANING FREQUENCY.**

Except in municipalities with less than 1,000 inhabitants, or in towns, manual dispensing utensils and tethers must be cleaned and sanitized at least daily, or at more frequent intervals based on the type of food and the food particle accumulation or soiling. Manual dispensing utensils and tethers in retail stores in municipalities with less than 1,000 inhabitants, or in towns, shall be cleaned and sanitized at frequent intervals based on the types of food and the food particle accumulation or soiling. Product modules, lids, and other equipment must be cleaned prior to restocking, when soiled, or at intervals on a schedule based on the type of food and amount of food particle accumulation. Food contact surfaces must be cleaned and sanitized immediately if contamination is observed or suspected.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 8. [31.87] SIGN.

A sign must be posted conspicuously within the immediate display area directing customers for health reasons to use the utensils provided when serving themselves, not to handle the food directly, and not to consume food on the premises.

Sec. 9. [31.874] DISEASE CONTROL.

If the commissioner of agriculture finds that a disease or foreign matter is actually transmitted by a method of dispensing bulk foods that is permitted by section 5, the commissioner may adopt temporary or permanent rules more restrictive on the sale of that food than section 5. The rules must address the specific relationship between the disease or foreign matter being transmitted and the dispensing methods permitted by section 5.

Sec. 10. [31.875] LOCAL STANDARDS.

A local unit of government may not adopt standards governing persons, facilities, or activities covered by sections 1 to 9 that conflict with the provisions in sections 1 to 9.

Approved April 25, 1984

CHAPTER 477 — S.F.No. 2076

An act relating to transportation; authorizing extension of I-35 in Duluth; amending Minnesota Statutes 1982, sections 161.12; and 161.1245, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1982, section 161.12, is amended to read:

161.12 ADDITIONAL ROUTES ADDED TO TRUNK HIGHWAY SYSTEM.

To take advantage of federal aid made available by the United States to the state of Minnesota for highway purposes, the following trunk highway routes are added to the trunk highway system which routes form a part of the national system of interstate and defense highways and may be referred to as the interstate system:

Route No. 390. Beginning at a point on the boundary between the states of Minnesota and Iowa, southerly of Albert Lea; thence extending in a general northeasterly direction to a point in Duluth on the boundary between the states of Minnesota and Wisconsin. Route No. 390 shall not include any portion of

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