

**CHAPTER 1545**  
**DEPARTMENT OF AGRICULTURE**  
**MEAT, FISH, AND POULTRY INDUSTRY**

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**STANDARDS OF IDENTITY FOR MEATS**

- 1545.0330 FLESH.
- 1545.0340 MEAT.
- 1545.0350 FRESH MEAT.
- 1545.0360 BEEF.
- 1545.0370 VEAL.
- 1545.0380 MUTTON.
- 1545.0390 LAMB.
- 1545.0400 PORK.
- 1545.0410 VENISON.
- STANDARD OF IDENTITY FOR MEAT BY-PRODUCTS**
- 1545.0420 MEAT BY-PRODUCTS.
- STANDARDS OF IDENTITY FOR PREPARED MEATS**
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- 1545.0440 SWEET PICKLED HAM, CURED HAM.
- 1545.0450 HAM.
- 1545.0460 MOIST HAM; HAM, WATER ADDED.
- 1545.0470 BOILED HAM.
- 1545.0480 FRESH PORK SHOULDER.
- 1545.0490 FRESH PORK SHOULDER PICNIC.

- 1545.0500 SWEET PICKLED PORK SHOULDER, SWEET PICKLED PORK SHOULDER PICNIC, CURED PORK SHOULDER, CURED PORK SHOULDER PICNIC.
- 1545.0510 SMOKED PORK SHOULDER, SMOKED PORK SHOULDER PICNIC.
- 1545.0520 MOIST PORK SHOULDER; MOIST PORK SHOULDER PICNIC; PORK SHOULDER, WATER ADDED; PORK SHOULDER PICNIC, WATER ADDED.
- 1545.0530 PREPARED MEAT.
- 1545.0540 CURED MEAT.
- 1545.0550 DRY SALT MEAT.
- 1545.0560 CORNED MEAT.
- 1545.0570 SWEET PICKLED MEAT.
- 1545.0580 DRIED MEAT.
- 1545.0590 SMOKED MEAT.
- 1545.0600 CANNED MEAT.
- 1545.0610 HAMBURG STEAK.
- 1545.0620 POTTED MEAT, DEVILED MEAT.
- 1545.0630 SAUSAGE MEAT.

**STANDARDS OF IDENTITY FOR MEAT FOOD PRODUCTS**

- 1545.0640 MEAT FOOD PRODUCTS.
- 1545.0650 MEAT LOAF.
- 1545.0660 PORK SAUSAGE.
- 1545.0670 BRAWN.
- 1545.0680 HEAD CHEESE, MOCK BRAWN.
- 1545.0690 SOUSE.
- 1545.0700 SCRAPPLE
- 1545.0710 HAMBURGER.
- 1545.0720 GROUND BEEF, REGULAR GROUND BEEF, OR CHOPPED BEEF.
- 1545.0730 LEAN GROUND BEEF, LEAN REGULAR GROUND BEEF, OR LEAN CHOPPED BEEF.
- 1545.0740 EXTRA LEAN GROUND BEEF, EXTRA LEAN REGULAR GROUND BEEF, OR EXTRA LEAN CHOPPED BEEF.
- 1545.0750 BURGER.
- 1545.0760 GROUND MEAT.
- 1545.0770 BEEF SAUSAGE.

**STANDARDS OF IDENTITY FOR LARD**

- 1545.0780 LARD.
- 1545.0790 LEAF LARD.
- 1545.0800 NEUTRAL LARD

**LABELING PREPACKAGED RETAIL MEAT CUTS DISPLAYED FOR SALE**

- 1545.0810 SPECIES OF MEAT.
- 1545.0820 PRIMAL, SUBPRIMAL, OR WHOLESALE MEAT CUT.
- 1545.0830 NAMES OF PRIMAL, SUBPRIMAL, OR WHOLESALE MEAT CUTS.
- 1545.0840 EXCLUSIONS.
- 1545.0850 NAME OF THE RETAIL MEAT CUT.
- 1545.0860 FANCIFUL OR DISTINCTIVE NAMES OR TERMS.
- 1545.0870 MEAT CUT IDENTIFICATION REQUIREMENTS.
- 1545.0880 PLACARDS.
- ANIMAL, POULTRY, AND RABBIT SLAUGHTERING, PACKING, AND PROCESSING**
- 1545.0890 SCOPE.
- 1545.0900 MINIMUM REQUIREMENTS.
- 1545.0910 SMALL SCALE OPERATIONS.
- 1545.0920 LAVATORIES, UTENSIL CLEANING, TOILET FACILITIES.
- 1545.0930 PROTECTION OF CARCASSES AND DRESSED MEAT.
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- 1545.0950 PROTECTION OF DRESSED MEAT AND POULTRY.
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- 1545.0970 BUILDINGS.

- 1545.0980 OUTSIDE OPENINGS.  
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 1545.1010 COOLERS AND FREEZERS.  
 1545.1020 REFUSE ROOMS.  
 1545.1030 STORAGE AND SUPPLY ROOMS.  
 1545.1040 BOILER ROOM.  
 1545.1050 TOILET ROOMS.  
 1545.1060 FLOORS, WALLS, AND CEILINGS.  
 1545.1070 FLOORS.  
 1545.1080 CEILINGS AND WALLS.  
 1545.1090 BLOOD DISPOSAL.  
 1545.1100 DRAINING AND PLUMBING.  
 1545.1110 DRAINS AND GUTTERS.  
 1545.1120 SEWERAGE AND PLANT WASTES.  
 1545.1130 GREASE TRAPS.  
 1545.1140 TOILET SOIL LINES.  
 1545.1150 TRAPS FOR FLOOR DRAINS.  
 1545.1160 FLOOR DRAINAGE LINES.  
 1545.1170 VALLEY OR GUTTER DRAINS.  
 1545.1180 REFRIGERATORS EQUIPPED WITH DRAINS.  
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 1545.1220 REFUSE ROOMS.  
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 1545.1270 SANITARY SIGNS.  
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 1545.1290 LIGHTING AND VENTILATION.  
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 1545.1330 BATTERIES.  
 1545.1340 REFUSE CONTAINERS.  
 1545.1350 SCALDING EQUIPMENT FOR POULTRY PROCESSING PLANTS.  
 1545.1360 SCALDING TANKS.  
 1545.1370 OVERFLOW OUTLETS IN SCALDING EQUIPMENT.  
 1545.1380 OVERFLOW, DRAW-OFF VALVES, AND SEDIMENT BASIN DRAIN.  
 1545.1390 MECHANICAL PICKERS.  
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 1545.1410 ICE CHILLING VATS.  
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 1545.1640 RECEIVING DOCKS AND ROOMS CONSTRUCTION.  
 1545.1650 FEEDING ROOM FLOORS.  
 1545.1660 KILLING, ROUGHING, PINNING ROOM.  
 1545.1670 WALLS, FLOORS, EQUIPMENT, UTENSILS.  
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## MEAT, FISH, AND POULTRY INDUSTRY

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### MEAT AND MEAT PRODUCTS

#### 1545.0010 CEREAL AND NONFAT DRY MILK IN SAUSAGE.

Cereal, vegetable starch, starchy vegetable flour, soya flour, nonfat dry milk, or dried milk may be added individually or collectively to sausage in an amount not exceeding 3-1/2 percent in all providing the product be so labeled as to clearly show the presence of such added material.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0020 ADDED WATER IN SAUSAGE.

Water may be added to sausage in the course of preparation in an amount not exceeding three percent, except that sausage of the class which is smoked or cooked such as Frankfurt style, Vienna style, and bologna style may contain added water in excess of three percent, but not in excess of an amount necessary to make the product palatable.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0030 SMOKED OR COOKED SAUSAGE.

Sausage belonging to that class the various members of which are smoked or cooked such as Frankfurt style, Vienna style, and bologna style may contain in addition to water in excess of three percent, added cereal, starch, or vegetable flour providing that the product is so labeled as to show the presence of such added material.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0040 BULK SAUSAGE.

When sausage is sold in bulk the required information to be given on the label in accordance with the above rules shall be given by means of a placard display in such a manner as to clearly advise the purchaser of the nature of the product.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0050 COLORING AND PRESERVATIVES.

No added coloring matters or preservatives of any kind except as hereinafter specified in the definitions and standards for these products other than salt, sugar, wood smoke applied directly as generated, vinegar, and spices may be used in meats and in meat products.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0060 SULFITES AND SULFUROUS ACID.

The addition of sulfurous acid or a sulfite to meat or a meat product imparts a fictitious color or appearance to the product, conceals damage and inferiority, and is injurious to health. Therefore, the use of sulfurous acid or any of its compounds in the preparation of meat products is prohibited.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0070 LARD COMPOUNDS AND LARD SUBSTITUTES.

A mixture or compound consisting of lard blended with other animal fat, oleo, sterin or vegetable fat or oil or a product derived from any of these materials shall bear upon the label the names of all the ingredients plainly stated in the order of their predominance and printed in uniform size of type.

A product consisting of an animal or vegetable oil or fat manufactured and sold for use in the preparation of food or in cooking or baking shall be plainly labeled with the common name of the oil or fat. A product consisting of a mixture of two or more edible oils or fats shall

be labeled with the names of all of the ingredients plainly stated in the order of their predominance and printed in uniform size of type.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### **1545.0080 LABELING OF CHICKEN AND NOODLE COMBINATION.**

Products containing a mixture of chicken, noodles, and broth sold under such descriptive terms as "chicken and egg noodles," "chicken noodle dinner," "chicken and egg noodle dinner," etc., shall contain at least 15 percent by weight of chicken meat. Products containing less than 15 percent by weight of chicken meat shall be sold under such description as "egg noodles and chicken," "noodle chicken dinner," "egg noodle and chicken dinner," etc.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### **1545.0090 MARKETING OF FISH, MEAT, AND MEAT PRODUCTS IN TRANSPARENT WRAPPERS.**

Fish, meats, and meat products shall not be marketed in transparent wrappers such as cellophane, wax paper, or other similar wrappers which are colored or printed with a shade of orange, red, yellow, or amber or any combination thereof so as to be misleading or deceptive with respect to color, quality, or kind of such products to which they are applied.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### **1545.0100 PROCESSING, DISTRIBUTION, LABELING, ADVERTISING, AND SALE OF CERTAIN MEAT PRODUCTS.**

No person shall sell, distribute, offer, or expose for sale or distribution in the state or have in possession with the intent to sell any smoked meat product such as moist ham, moist pork shoulder, moist pork shoulder picnic, or similar products which have been processed in any manner which has caused an addition of water in the product of more than ten percent over the weight of the fresh uncured article.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**History:** 17 SR 1279

#### **1545.0110 MOIST OR WATER ADDED.**

No person shall sell, offer, or expose for sale any moist ham, moist pork shoulder, moist pork shoulder picnic, or similar products whether in whole, half, chunk, slice, or piece form unless it is labeled, branded, or stamped to include the word "moist" or the term "water added." The word "moist" or the term "water added" on moist pork product labels shall immediately and conspicuously precede or follow the name of the product without intervening written, printed, or graphic matter.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### **1545.0120 ADVERTISEMENTS OF MOIST SMOKED PORK PRODUCTS.**

All advertisements of moist smoked pork products including moist hams, moist pork shoulders, and moist pork shoulder picnics and similar products whether whole, in halves, chunks, slices, or pieces shall include the word "moist" or the term "water added" immediately and conspicuously preceding or following the name of product without intervening verbal, written, printed, or graphic matter.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### **1545.0130 COOKED, FULLY COOKED, OR READY-TO-EAT.**

Use of the terms "cooked," "fully cooked," or "ready-to-eat" on heated and smoked pork products is acceptable only when the processing results in the product exhibiting the usual characteristics of a fully cooked article such as partial separation of the meat from the bone, easy separation of the tissues, and a cooked color, flavor, and texture throughout the product. Cooked, fully cooked, and ready-to-eat pork products shall be heated to an internal temperature of at least 148 degrees Fahrenheit.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0140 PICNIC HAM.**

"Picnic ham" is a confusing and misleading term when used to label, advertise, or sell a pork shoulder processed or prepared in any manner. The term "picnic ham" shall not be used as a product name or description of the product "pork shoulder" or "pork shoulder picnic."

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0145 TRANSPORTATION OF MEAT.**

The following specifications shall apply to all vehicles used to transport meat or meat products for sale unless the vehicle is used to transport meat or meat products which are packaged, protected, and transported as outlined in part 1545.0180.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0150 MEAT COMPARTMENT.**

The meat compartment must be completely enclosed and have floors, walls, and ceilings which are constructed of smooth, impervious, tight fitting material that is designed to facilitate cleaning. The meat compartment must be kept in proper sanitary condition at all times when so used and must be thoroughly cleaned after each daily operation.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0160 UNWRAPPED MEAT OR MEAT PRODUCTS.**

Vehicles which are in compliance with the vehicle requirements of these rules may be used to transport meat or meat products which are not wrapped or packaged provided that the product is properly hung on hooks or is stacked on clean smooth racks. Unwrapped meat or meat products transported under provisions of parts 1545.0145 to 1545.0190 must be properly segregated and protected from other items of the load which might contaminate the product. Unwrapped meat or meat products shall not be allowed to come in contact with the floor or tailgate surface of a vehicle.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0170 CARRYING PRODUCT EXPOSED TO ELEMENTS.**

All meat and meat products must be securely wrapped or packaged if lugged or carried from a vehicle to a destination which necessitates carrying the product exposed to the elements outside of buildings, over public sidewalks, streets, or alleys or through the customer area of a retail or wholesale market.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0180 MEANS OF TRANSPORTATION.**

Meat and meat products which are securely wrapped or packaged in a manner which will maintain proper temperature of the product and will provide complete protection of the product against contamination from dust, flies, vermin, and other substances which might injuriously affect it may be transported by parcel post, express, common carrier, bus, train, automobile, or other recognized means of transportation. The containers and packages of meat and meat products being transported under the provisions of these rules shall be maintained in proper sanitary condition during all phases of shipment.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0190 REFRIGERATED TEMPERATURE.**

The refrigerated temperature of meat and meat products being transported must be maintained in accordance with sound operating practices which will maintain proper quality and condition of the product.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0200 USE OF TENDERIZING SOLUTIONS.**

Meat tenderizing solutions consisting of water, salt, monosodium glutamate, papain, or other ingredients approved by the commissioner of agriculture may be applied or injected into primal cuts or consumer cuts of beef provided all treated beef cuts shall be branded, stamped, or labeled with a term specifying the specific tenderizing solution applied such as

"dipped in a solution of papain" or "treated with a solution of papain and bromelin" in addition to all other required labeling during all stages of processing, storage, transportation, and sale. Treated beef cuts shall be identified as required by parts 1545.0030 to 1545.0770 until received by the ultimate consumer or purveyor of meals; treatment of the product shall not result in a gain in weight of more than three percent above the weight of the untreated product.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0210 USE OF WORD "FRESH" IN PRODUCTS.**

The word "fresh" shall not be used in selling, advertising, or on labels of any meat product which contains any sodium nitrate, sodium nitrite, potassium nitrate, potassium nitrite, or which has been salted or frozen for preservation.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0220 LABELING OF GRADED MEAT.**

No person, as defined in Minnesota Statutes, section 31.01, subdivision 2, shall advertise, label, or sell any meat or meat product as "prime," "choice," "good," "commercial," "standard," or "utility" unless the meat or meat product so advertised, labeled, or sold is derived from meat which actually bears the USDA federal meat grading stamp designating such grade.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0230 PRIMAL CUTS TERMS ON GROUND OR CHOPPED MEAT PRODUCTS.**

Terms such as "ground chuck," "chopped chuck," "ground round," "chopped round," "ground sirloin," "chopped sirloin," and similar terms which indicate that ground or chopped meat product is derived from a primal cut or other specific portion of a carcass shall not be used as the name of meat products displayed for sale.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0240 TEMPERATURE OF PRODUCT.**

The product temperature of all readily perishable meat, poultry, and fish products intended for human consumption including but not limited to meat products which are labeled to include "perishable," "keep refrigerated," or a similar term shall be maintained at a temperature of 40 degrees Fahrenheit, or lower, or 150 degrees Fahrenheit, or higher, during storage and while being displayed or offered for sale.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0250 HANDLING OF INEDIBLE PRODUCTS.**

Inedible products including but not limited to hides, pelts, animal food, game heads, feathered game, or poultry shall not be placed in or stored in the same cooler or freezer room with any meat product intended for human consumption unless: such inedible products are segregated from products intended for human consumption during storage; such inedible products are stored in watertight containers with watertight covers including plastic type bags or other methods approved by the commissioner of agriculture, and such containers are clearly labeled with the words "inedible" or "animal food."

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0260 RESTRICTED USE OF SEASONINGS IN MEAT PRODUCTS.**

Soluble seasonings consisting of spice extractives having a distinct red color (principally those including extract of paprika) shall not be used in fresh or frozen meat products including but not limited to hamburger, ground beef, fabricated steaks, cubed beef, and meat patties because of the color-enhancing properties of the seasoning. These soluble spice extracts may be used in the formulation of cured sausage and other meat food products, provided the amount used shall be controlled so that the color of the finished product will not be significantly different from that of products prepared with the same ingredients but without the soluble spice extract. This requirement is not intended to restrict the use of paprika as a natural spice in those products where it is considered to be a normal ingredient.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0270 FAT LIMIT IN SAUSAGE.**

"Frankfurters," "wieners," "vienna," "bologna," "garlic bologna," "knockwurst," and similar sausages which are prepared from one or more kinds of meat, meat by-products, poultry products, and other permitted ingredients shall not contain more than 30 percent fat in the finished product.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0280 SAMPLES TAKEN FOR EXAMINATION.**

Samples of meat or meat products or the ingredients of meat products which are manufactured or prepared in any licensed establishment may be taken for examination as often as and in the amounts deemed reasonably necessary by the department for the efficient and proper conduct of inspection. Such samples may be obtained without cost to the department.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0290 MEAT, POULTRY, AND FISH PRODUCTS SOLD BY WEIGHT.**

Except for immediate consumption on the premises where sold or as one of several elements comprising a ready-to-eat meal sold as a unit for consumption elsewhere than on the premises where sold, all meat, meat products, poultry (whole or parts), and all fish and seafood except shellfish, offered or exposed for sale or sold as food, shall be offered or exposed for sale and sold by weight. When meat, poultry, fish, or seafood is combined with or associated with some other food element or elements to form either a distinctive food product or a food combination, such food product or combination shall be offered or exposed for sale and sold by weight. The quantity representation shall be either the total weight of the product or combination of the separate weight of each of the several elements of the product or combination; provided, that for ready-to-cook, whole carcasses, stuffed poultry, ready-to-cook stuffed poultry roasts, rolls, bars, and logs, and ready-to-cook stuffed poultry products designated by terms of similar import, the label must show the total net weight of the poultry product and in proximity thereto, a statement specifying the minimum weight of poultry in the product.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0300 LABELING GROUND BEEF PRODUCTS.**

Ground beef products intended as food for human consumption in sandwich, package, bulk, or patty form which use "ground beef" or "chopped beef" as the name of the product or as part of the name of the product shall contain no meat or meat products other than meat or meat products which meet the requirements of part 1545.0720.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0310 LABELING HAMBURGER PRODUCTS.**

Hamburger products intended as food for human consumption in sandwich, package, bulk, or patty form which use "hamburger" or "burger" as the name of the product or as part of the name of the product shall contain no meat or meat product other than meat or meat products which meet the requirements of part 1545.0710.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0320 LABELING FRESH MEAT MIXES, MIXTURES, OR PATTIES WHICH CONTAIN EXTENDERS OR OTHER ADDITIVES.**

When additives or extenders such as textured vegetable protein, soya flour, isolated soy protein, soy protein concentrate, cereal, flour, nonfat dry milk, or similar products are used as permitted ingredients in fresh meat products intended as food for human consumption, their presence as an ingredient shall be declared as part of the name of the product or shall be declared as a qualifying statement contiguous to the name of the product or shall be declared in compliance with federal laws and regulations applicable thereto. The name of each additive or extender shall be shown on the product label if the product is in package form or on a placard easily readable by the purchaser if the product is sold or displayed in bulk form. Such products shall be labeled or placarded to show all other mandatory labeling information including a list of ingredients in order of descending predominance.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*



## STANDARDS OF IDENTITY FOR MEATS

**1545.0330 FLESH.**

"Flesh" is any clean, sound, edible part of the striated muscle of an animal. The term "animal" as herein used indicates a mammal, a fowl, a fish, a crustacean, a mollusk, or any other animal used as a source of food.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0340 MEAT.**

"Meat" is the properly dressed flesh derived from cattle, from swine, from sheep, or from goats sufficiently mature and in good health at the time of slaughter, but is restricted to that part of the striated muscle which is skeletal, or that which is found in the tongue, in the diaphragm, in the heart, or in the esophagus and does not include that found in the lips, in the snout, or in the ears; with or without the accompanying and overlying fat and the portions of bone, skin, sinew, nerve, and blood vessels which normally accompany the flesh and which may not have been separated from it in the process of dressing it for sale.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0350 FRESH MEAT.**

"Fresh meat" is meat which has undergone no substantial change in character since the time of slaughter.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0360 BEEF.**

"Beef" is meat derived from cattle nearly one year of age or older.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0370 VEAL.**

"Veal" is meat derived from young cattle one year or less of age.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0380 MUTTON.**

"Mutton" is meat derived from sheep nearly one year of age or older.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0390 LAMB.**

"Lamb" is meat derived from young sheep one year or less of age.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0400 PORK.**

"Pork" is meat derived from swine.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0410 VENISON.**

"Venison" is flesh derived from deer.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

## STANDARD OF IDENTITY FOR MEAT BY-PRODUCTS

**1545.0420 MEAT BY-PRODUCTS.**

"Meat by-products" are any clean, sound, and properly dressed edible parts other than meat which have been derived from one or more carcasses of cattle, of swine, of sheep, or of goats sufficiently mature and in good health at the time of slaughter.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

## STANDARDS OF IDENTITY FOR PREPARED MEATS

**1545.0430 FRESH HAM, GREEN HAM.**

"Fresh ham," "green ham" is the thigh portion of a pork carcass which has been refrigerated or frozen but has undergone no substantial change in character since the time of slaughter.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0440 SWEET PICKLED HAM, CURED HAM.**

"Sweet pickled ham," "cured ham" is fresh ham which has been salted or cured by soaking in or injecting into it an approved curing solution, but does not include smoked, cooked, or baked products.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0450 HAM.**

"Ham" is cured ham which has been further processed by smoking, cooking, or baking. The moisture content of ham shall not exceed the moisture content of the fresh uncured article.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0460 MOIST HAM; HAM, WATER ADDED.**

"Moist ham," "ham, water added" is ham with curing solution added. Moist ham or ham, water added, shall not contain added water in excess of ten percent of the weight of the fresh uncured article.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0470 BOILED HAM.**

"Boiled ham" is the product obtained by subjecting ham or moist ham to a cooking process which includes boiling the product in boiling water. Ham or moist ham cooked in the conventional manner, which does not include the use of boiling water, shall not be identified or labeled as "boiled ham."

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0480 FRESH PORK SHOULDER.**

"Fresh pork shoulder" is the shoulder portion of a pork carcass which may have been refrigerated or frozen, but has undergone no substantial change in character since the time of slaughter.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0490 FRESH PORK SHOULDER PICNIC.**

"Fresh pork shoulder picnic" is the lower portion of a pork shoulder, trimmed across the top of the scapula and above the carpus, which may have been refrigerated or frozen but has undergone no substantial change in character since the time of slaughter.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0500 SWEET PICKLED PORK SHOULDER, SWEET PICKLED PORK SHOULDER PICNIC, CURED PORK SHOULDER, CURED PORK SHOULDER PICNIC.**

"Sweet pickled pork shoulder," "sweet pickled pork shoulder picnic," "cured pork shoulder," "cured pork shoulder picnic" is pork shoulder or fresh pork shoulder picnic which has been salted or cured by injecting into it, with or without soaking it in an approved curing solution, but does not include smoked, cooked, or baked products.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0510 SMOKED PORK SHOULDER, SMOKED PORK SHOULDER PICNIC.**

"Smoked pork shoulder," "smoked pork shoulder picnic" is cured pork shoulder which has been further processed by smoking and cooking or baking. The moisture content of smoked pork shoulder or smoked pork shoulder picnic shall not exceed the moisture content of the fresh uncured article.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0520 MOIST PORK SHOULDER; MOIST PORK SHOULDER PICNIC; PORK SHOULDER, WATER ADDED; PORK SHOULDER PICNIC, WATER ADDED.**

"Moist pork shoulder"; "moist pork shoulder picnic"; "pork shoulder, water added"; "pork shoulder picnic, water added" is smoked pork shoulder or smoked pork shoulder pic-

nic with curing solution added. "Moist pork shoulder"; "moist pork shoulder picnic"; "pork shoulder, water added" or "pork shoulder picnic, water added" shall not contain added water in excess of ten percent of the weight of the fresh uncured article.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0530 PREPARED MEAT.**

"Prepared meat" is the clean, sound product obtained by subjecting meat to a process of comminuting, of drying, of curing, of smoking, of cooking, of seasoning, or of flavoring or to any combination of such processes.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0540 CURED MEAT.**

"Cured meat" is the product obtained by subjecting meat to a process of salting by the employment of dry common salt or of brine with or without the use of one or more of the following: sodium nitrite, sodium nitrate, potassium nitrate, sugar, dextrose, corn sirup, corn sirup solids, honey, or spice.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0550 DRY SALT MEAT.**

"Dry salt meat" is the prepared meat which has been cured by the application of dry common salt with or without the use of one or more of the following: sodium nitrite, sodium nitrate, potassium nitrate, sugar, dextrose, a sirup, honey, or spice; with or without the injection into it of a solution of common salt to which may have been added one or more of the following: sodium nitrite, sodium nitrate, potassium nitrate, sugar, dextrose, a sirup, or honey.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0560 CORNED MEAT.**

"Corned meat" is the prepared meat which has been cured by soaking in, with or without injecting into it a solution of common salt, with or without one or more of the following each in its proper proportion: sodium nitrite, sodium nitrate, potassium nitrate, sugar, dextrose, a sirup, honey, and with or without the use of spice.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0570 SWEET PICKLED MEAT.**

"Sweet pickled meat" is the prepared meat which has been cured by soaking in, with or without injecting into it a solution of common salt, with sugar, dextrose, corn sirup, corn sirup solids, or honey together with one or more of the following each in its proper proportion: sodium nitrite, sodium nitrate, potassium nitrate and with or without the use of spice.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0580 DRIED MEAT.**

"Dried meat" is the clean, sound product obtained by subjecting fresh meat or cured meat to a process of drying, with or without the aid of artificial heat, until a substantial portion of the water has been removed.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0590 SMOKED MEAT.**

"Smoked meat" is the clean, sound product obtained by subjecting fresh meat, dried meat, or cured meat to the direct action of the smoke either by burning wood or of similar burning material.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0600 CANNED MEAT.**

"Canned meat" is fresh meat or prepared meat packed in hermetically sealed containers, with or without subsequent heating for the purpose of sterilization.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0610 HAMBURG STEAK.**

"Hamburg steak," "hamburger steak" is comminuted fresh beef, with or without the addition of suet and/or of seasoning.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0620 POTTED MEAT, DEVILED MEAT.**

"Potted meat," "deviled meat" is the clean, sound product obtained by comminuting and cooking fresh meat and/or prepared meat, with or without spice and is usually packed in hermetically sealed containers.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0630 SAUSAGE MEAT.**

"Sausage meat" is fresh meat or prepared meat or a mixture of fresh meat and prepared meat and is sometimes comminuted. The term "sausage meat" is sometimes applied to bulk sausage containing no meat by-products.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**STANDARDS OF IDENTITY FOR MEAT FOOD PRODUCTS****1545.0640 MEAT FOOD PRODUCTS.**

"Meat food products" are any articles of food or any articles that enter into the composition of food which are not prepared meats but which are derived or prepared, in whole or in part, by a process of manufacture from any portion of the carcasses of cattle, swine, sheep, or goats if such manufactured portion be all or a considerable and definite portion of the article except such preparations as are for medicinal purposes only.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0650 MEAT LOAF.**

"Meat loaf" is the product consisting of a mixture of comminuted meat with spice and/or with cereals, with or without milk and/or eggs, pressed into the form of a loaf and cooked.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0660 PORK SAUSAGE.**

"Pork sausage" is chopped or ground fresh and/or frozen pork which shall not contain pork by-products. It may be seasoned with condimental substances such as herbs, spices, common salt, sugar, dextrose, corn sirup, corn sirup solids, and water. It shall not be made with any lot of product which in the aggregate contains more than 50 percent trimmable fat, that is fat which can be removed by thorough practicable trimming and sorting. To facilitate chopping or mixing, water or ice may be used in an amount not to exceed three percent of the total ingredient used, and shall not contain any binders or extenders.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0670 BRAWN.**

"Brawn" is the product made from chopped or ground and cooked edible parts of swine, chiefly from the head, feet, and/or legs, with or without the chopped or ground tongue.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0680 HEAD CHEESE, MOCK BRAWN.**

"Head cheese," "mock brawn" differs from brawn in that other meat and/or meat by-products are substituted, in whole or in part, for corresponding parts derived from swine.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0690 SOUSE.**

"Souse" is the product consisting of meat and/or meat by-products; after cooking, the mixture is commonly packed into containers and covered with vinegar.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0700 SCRAPPLE.**

"Scrapple" is the product consisting of meat and/or meat by-products mixed with meal or the flour of grain and cooked with seasoning materials after which it is poured into a mold.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0710 HAMBURGER.**

"Hamburger" shall consist of chopped fresh and/or frozen beef with or without the addition of beef fat as such and/or seasoning. It shall not contain more than 30 percent fat. Water shall not be added. It shall not contain binders, extenders, hearts, beef cheeks, tongues, tongue meat, or other by-products. When beef cheek meat (trimmed beef cheeks) is used in the preparation of hamburger, the amount of such cheek meat shall be limited to 25 percent and its presence shall be declared on the label in the ingredient statement, if any, or otherwise contiguous to the name of the product.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0720 GROUND BEEF, REGULAR GROUND BEEF, OR CHOPPED BEEF.**

"Ground beef," "regular ground beef," or "chopped beef" shall consist of ground or chopped fresh and/or frozen beef with or without seasoning and without the addition of beef fat as such. In no case shall the fat content exceed 30 percent. Water shall not be added. It shall not contain binders, extenders, heart, beef cheeks, tongues, tongue meat, or other by-products. When beef cheek meat (trimmed beef cheeks) is used in the preparation of chopped or ground beef, the amount of such cheek meat shall be limited to 25 percent and its presence shall be declared on the label in the ingredient statement, if any, or otherwise contiguous to the name of the product.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0730 LEAN GROUND BEEF, LEAN REGULAR GROUND BEEF, OR LEAN CHOPPED BEEF.**

"Lean ground beef," "lean regular ground beef," or "lean chopped beef" shall meet the requirements of part 1545.0720 but shall not contain more than 22 percent fat.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0740 EXTRA LEAN GROUND BEEF, EXTRA LEAN REGULAR GROUND BEEF, OR EXTRA LEAN CHOPPED BEEF.**

"Extra lean ground beef," "extra lean regular ground beef," or "extra lean chopped beef" shall meet the requirements of part 1545.0720 but shall not contain more than 15 percent fat.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0750 BURGER.**

Ground beef products intended as food for human consumption labeled or advertised to include the term "burger" or terms which are spelled or pronounced in a similar manner shall consist of chopped fresh or frozen beef with or without the addition of beef fat as such and/or seasoning. They shall not contain more than 30 percent fat. Water shall not be added. They shall not contain binders, extenders, hearts, beef cheeks, tongues, tongue meat, or other by-products. When beef cheek meat (trimmed beef cheeks) is used in the preparation of products labeled to include the term "burger," the amount of such cheek meat shall be limited to 25 percent of the total ingredients and its presence shall be declared on the label in the ingredient statement, if any, or otherwise contiguous to the name of the product.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

**1545.0760 GROUND MEAT.**

"Ground meat," including ground meat mixtures such as chow mein meat, meat loaf meat, sausage meat, etc. intended as food for human consumption shall consist of ground or chopped fresh and/or frozen meat. The name of each species of meat contained shall be declared in order of predominance as part of the product name on the label if in package form or on a placard easily readable to the purchaser if displayed in bulk (as an example: "GROUND

MEAT — BEEF AND PORK”). It shall not contain more than 30 percent fat. Water shall not be added. It shall not contain binders, extenders, hearts, cheeks, tongues, tongue meat, or other by-products.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0770 BEEF SAUSAGE.

“Beef sausage” shall consist of fresh and/or frozen beef with or without the addition of seasoning. It shall not contain more than 30 percent fat. It shall not contain binders, extenders, hearts, beef cheeks, tongues, tongue meat, or other by-products. If seasoning or condiments are added, water or ice may be used to facilitate chopping or mixing in an amount not to exceed three percent of the total ingredients used. The provisions of parts 1545.0640 to 1545.0770 do not apply to cooked, smoked, or dried product.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

### STANDARDS OF IDENTITY FOR LARD

#### 1545.0780 LARD.

“Lard” is the rendered fresh fat from hogs in good health at the time of slaughter, is clean, free from rancidity, and contains, necessarily incorporated in the process of rendering, not more than one percent of substances other than fatty acids and fat.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0790 LEAF LARD.

“Leaf lard” is lard rendered at moderately high temperatures from the internal fat of the abdomen of the hog excluding that adherent to the intestines and has an iodine number not greater than 60.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0800 NEUTRAL LARD.

“Neutral lard” is lard rendered at low temperatures.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

### LABELING PREPACKAGED RETAIL MEAT CUTS DISPLAYED FOR SALE

#### 1545.0810 SPECIES OF MEAT.

The species of meat shall be declared on each retail meat cut label and shall be the leading term of the name of the product.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0820 PRIMAL, SUBPRIMAL, OR WHOLESALE MEAT CUT.

The primal, subprimal, or wholesale meat cut from which the retail meat cut is derived shall be declared on the product label as part of the name of the product and shall be declared immediately following the species of meat.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0830 NAMES OF PRIMAL, SUBPRIMAL, OR WHOLESALE MEAT CUTS.

Names of primal, subprimal, or wholesale meat cuts are:

- A. beef: chuck, rib, loin, round, shank, plate, brisket, and flank;
- B. pork: shoulder, loin, and leg;
- C. veal: shoulder, rib, loin, leg, breast, and shank;
- D. lamb: shoulder, breast, shank, rib, loin, and leg.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### 1545.0840 EXCLUSIONS.

The provisions of part 1545.0810 do not apply to side pork, bacon, ham, Canadian style bacon, or salt pork. The provisions of part 1545.0820 do not apply to ground meat, cubed

meat, cube steak, meat for stew, cutlets, soup bones, neck bones, hocks, feet, spare ribs, side pork, jowl, bacon, ham, Canadian style bacon, or salt pork.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### **1545.0850 NAME OF THE RETAIL MEAT CUT.**

The name of the primal cut on the label shall be followed by a name which accurately describes the retail cut derived therefrom. For example: "beef plate;" "pork loin;" "veal leg;" "short ribs;" "blade roast;" "sirloin roast;" "beef loin;" "pork loin;" "beef round;" "sirloin steak;" "sirloin roast;" "tip steak;" "beef round steak;" "beef chuck roast;" "beef rib steak."

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### **1545.0860 FANCIFUL OR DISTINCTIVE NAMES OR TERMS.**

Fanciful or distinctive names or terms including, but not limited to, "Family," "His and Hers," "Manhattan," "Premium," "Sandwich," "Bronco," "Penthouse," "Charcoal," "Ranch," "Texas," "Dinner," "Minute," "Pan," "Hollywood," "Delmonico," "New York," "California," "Bread and Butter," "Saratoga," "Boston," and "English," shall not be used as the name or as part of the name of a retail meat cut on a primary or price meat cut label or on a placard used to identify retail meat cuts displayed for sale.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### **1545.0870 MEAT CUT IDENTIFICATION REQUIREMENTS.**

The meat cut identification requirements of parts 1545.0820 to 1545.0880 shall be considered as having been met if the retail meat cut label complies with the meat cut definitions and nomenclature of chapter II of the Uniform Retail Meat Identity Standards of the National Livestock and Meat Board, provided that identification of ground beef products shall be as required by Minnesota rules; and provided further that special or distinctive names for pre-tendered retail meat cuts are not permitted. If a specific name from the Uniform Retail Meat Identity Standards is used to identify a retail meat cut, it must conform to the cut listed therein.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

#### **1545.0880 PLACARDS.**

Placards, if used to identify unpackaged meat cuts shall not include fanciful names prohibited by part 1545.0860.

**Statutory Authority:** *MS s 31.10; 31.101; 31.11*

### **ANIMAL, POULTRY, AND RABBIT SLAUGHTERING, PACKING, AND PROCESSING**

#### **1545.0890 SCOPE.**

The following specifications shall apply in all licensed slaughtering, dressing, and processing plants unless operations are of such limited volume or character that all items do not apply in which cases all applicable requirements shall be enforced.

**Statutory Authority:** *MS s 31.54*

#### **1545.0900 MINIMUM REQUIREMENTS.**

Minimum requirements for all licensed slaughtering, dressing, and processing plants shall include separate facilities for the following operations: receiving or holding animals, rabbits, or poultry to be slaughtered; slaughtering; eviscerating, cutting, wrapping, and packaging.

**Statutory Authority:** *MS s 31.54*

#### **1545.0910 SMALL SCALE OPERATIONS.**

Notwithstanding the provisions of parts 1545.0900 and 1545.1000, where the operations are conducted on a limited scale, the slaughtering and dressing including the removal of hides, pelts, and feathers may be permitted in the same room in which eviscerating, cutting, wrapping, and packaging is done, provided:

A. each individual operation otherwise shall meet sanitation requirements;  
B. operations are segregated to permit their conduct in a sanitary manner;  
C. a sufficient time lag is allowed between each type of operation so that proper sanitation can be provided or the size of the processing room is large enough to permit all operations to be conducted at the same time without any possibility of contaminating the dressed poultry or meat.

**Statutory Authority:** *MS s 31.54*

#### **1545.0920 LAVATORIES, UTENSIL CLEANING, TOILET FACILITIES.**

All slaughtering operations shall include convenient hand-washing equipment consisting of a lavatory with hot and cold running water, soap, and sanitary towels and separate washing facilities for adequate cleaning of knives and other equipment. Approved toilet facilities are to be provided for all permanently located slaughtering operations in which hired labor is employed.

**Statutory Authority:** *MS s 31.54*

#### **1545.0930 PROTECTION OF CARCASSES AND DRESSED MEAT.**

All slaughtering shall be done in such a manner as to comply with sanitation requirements that will adequately protect the carcass from contamination.

**Statutory Authority:** *MS s 31.54*

#### **1545.0940 TRANSPORTATION OF CARCASSES.**

When animal carcasses are transported from the place of slaughter to the place in which chilling, cutting, and other processing will be done, they shall be given proper protection from dust, filth, insects, vermin, or other contamination in a closed vehicle or other approved, enclosed transportation.

**Statutory Authority:** *MS s 31.54*

#### **1545.0950 PROTECTION OF DRESSED MEAT AND POULTRY.**

Dressed meat and poultry must be adequately covered and properly protected from dust, filth, insects, vermin, or other contamination at all times while being transported.

**Statutory Authority:** *MS s 31.54*

#### **1545.0960 ADDITIONAL SPECIFICATIONS.**

Additional detailed specifications that are requirements in all licensed slaughter, dressing, and processing plants wherever applicable are contained in parts 1545.0970 to 1545.2040.

**Statutory Authority:** *MS s 31.54*

#### **1545.0970 BUILDINGS.**

The building in which the operations are conducted shall be of sound construction, in good repair, and maintained in a sanitary condition at all times, free of rodents, insect pests, and other vermin. Approval will not be granted for the construction or installation of any new slaughtering, packing, or processing operations below grade level.

**Statutory Authority:** *MS s 31.54*

#### **1545.0980 OUTSIDE OPENINGS.**

The doors, windows, skylights, and other outside openings of the plant except receiving rooms and feeding rooms shall be protected by properly fitted screens or other suitable devices against the entrance of flies and other insects. Outside doors except in receiving rooms and feeding rooms shall be so hung that not over one-fourth inch clearance remains when closed. Screen doors shall open toward the outside of the building. Doors shall be provided with self-closing devices where necessary to prevent the entry of vermin into processing and storage rooms.

**Statutory Authority:** *MS s 31.54*

#### **1545.0990 ROOMS AND COMPARTMENTS.**

Rooms, compartments, or receptacles used for edible products shall be separate and distinct from inedible products departments and from rooms where live poultry, rabbits, and



animals are held or slaughtered. Separate rooms shall be provided when required for conducting processing operations in a sanitary manner; and all rooms shall be of sufficient size to permit the installation of the necessary equipment for processing operations and the conduct of such operations in a sanitary manner.

**Statutory Authority:** *MS s 31.54*

#### **1545.1000 ROOMS FOR SEPARATE OPERATIONS.**

The plant shall have separate rooms for each of the following operations depending upon the various types of operations conducted but in no case shall the receiving or feeding of live poultry, rabbits, or animals or killing operations be permitted in rooms in which eviscerating operations are performed:

A. The receiving and feeding of live poultry, rabbits, or animals.

B. Killing, scalding, and roughing operations.

C. Pinning, finishing, and chilling and packing operations for dressed poultry, rabbits, or animals.

D. Evisceration operations. Final pinning of dressed poultry and chilling and packaging of edible products may be performed in this room; openings in walls for conveyor lines are permissible.

E. Inedible products departments.

F. Refuse rooms. Separate refuse rooms or other equally adequate facilities shall be required in eviscerating plants and in other plants where accumulations of refuse occur.

**Statutory Authority:** *MS s 31.54*

#### **1545.1010 COOLERS AND FREEZERS.**

Coolers and freezers of adequate size and capacity shall be provided to reduce the internal temperature of dressed poultry, rabbits, or animals and ready-to-cook poultry prepared and otherwise handled in the plant to 36 degrees Fahrenheit within 24 hours unless other cooling facilities are available.

**Statutory Authority:** *MS s 31.54*

#### **1545.1020 REFUSE ROOMS.**

Refuse rooms shall be entirely separate from other rooms in the plant, shall have tight fitting doors, and be properly ventilated.

**Statutory Authority:** *MS s 31.54*

#### **1545.1030 STORAGE AND SUPPLY ROOMS.**

The storage and supply rooms shall be in good repair, kept dry, and maintained in a sanitary condition.

**Statutory Authority:** *MS s 31.54*

#### **1545.1040 BOILER ROOM.**

The boiler room shall be a separate room, if necessary, to prevent its being a source of dirt and objectionable odors entering any room where dressed poultry, rabbits, or animals or edible products are prepared, processed, handled, and stored.

**Statutory Authority:** *MS s 31.54*

#### **1545.1050 TOILET ROOMS.**

Toilet rooms shall not open directly into rooms where poultry, rabbit, or animal products are exposed; they shall have self-closing doors and shall be mechanically ventilated.

**Statutory Authority:** *MS s 31.54*

#### **1545.1060 FLOORS, WALLS, AND CEILINGS.**

The floors, walls, ceilings, partitions, posts, doors, and other parts of all compartments shall be of such material, construction, and finish as will make them susceptible of being readily and thoroughly cleaned.

**Statutory Authority:** *MS s 31.54*

**1545.1070 FLOORS.**

All floors, except those in receiving rooms and feeding rooms and floors which are kept dry, shall be constructed of hardened concrete or of tile laid closely together with impervious joint material or of other similar impervious material and kept in good repair. The floors in killing, ice-cooling, ice-packing, and eviscerating rooms shall be graded to permit runoff with no standing water. In new construction and renovated plants the pitch shall be not less than one-fourth inch per foot to drains. In new construction the junction of the wall with the floor shall be covered on a radius of not less than two inches, and the window ledges shall be set at an angle of approximately 45 degrees. All upper horizontal surfaces shall be kept to a minimum.

**Statutory Authority:** *MS s 31.54*

**1545.1080 CEILINGS AND WALLS.**

Ceilings and walls in rooms and compartments where exposed edible products are processed, handled, or stored shall have tiled, enameled, or other smooth surface impervious to moisture. Cooler and freezer rooms shall have interior surfaces impervious to moisture so as to permit thorough cleaning.

**Statutory Authority:** *MS s 31.54*

**1545.1090 BLOOD DISPOSAL.**

Adequate facilities shall be provided for the disposal of blood in a sanitary manner. When bleeding troughs are used they shall be long enough to catch the blood during the bleeding process and shall be cleaned daily. Such troughs shall be installed so as to pitch at least one-half inch per foot toward a smooth metal catch basin or basins, of sufficient capacity for a day's operation at peak production or shall be flushed continuously.

**Statutory Authority:** *MS s 31.54*

**1545.1100 DRAINING AND PLUMBING.**

There shall be an efficient draining and plumbing system for the plant and premises.

**Statutory Authority:** *MS s 31.54*

**1545.1110 DRAINS AND GUTTERS.**

All drains and gutters shall be properly installed with approved traps and vents. The drainage and plumbing system must permit the quick runoff of all water from plant buildings and surface water around the plant and on the premises. All such water shall be disposed of in such a manner as to prevent a nuisance or health hazard.

**Statutory Authority:** *MS s 31.54*

**1545.1120 SEWERAGE AND PLANT WASTES.**

The sewerage system shall have adequate slope and capacity to remove readily all wastes from the various processing operations and to minimize and if possible to prevent stoppage and surcharging of the system.

**Statutory Authority:** *MS s 31.54*

**1545.1130 GREASE TRAPS.**

Grease traps which are connected with the sewerage system shall be suitably located but not near any edible products department or in any area where products are unloaded from or loaded into vehicles. To facilitate cleaning, such traps shall have inclined bottoms and be provided with suitable covers.

**Statutory Authority:** *MS s 31.54*

**1545.1140 TOILET SOIL LINES.**

In new construction, toilet soil lines shall be separate from house drainage lines to a point outside the buildings, and drainage from toilet bowls and urinals shall not be discharged into a grease catch basin.

**Statutory Authority:** *MS s 31.54*

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## **1545.1150 TRAPS FOR FLOOR DRAINS.**

All floor drains shall be equipped with traps constructed so as to minimize clogging, and the plumbing shall be installed so as to prevent sewerage from backing up and from flooding the floor.

**Statutory Authority:** *MS s 31.54*

## **1545.1160 FLOOR DRAINAGE LINES.**

Floor drainage lines shall be of metal and at least four inches in diameter and open into main drains of at least six inches in diameter and shall be properly vented to the outside air.

**Statutory Authority:** *MS s 31.54*

## **1545.1170 VALLEY OR GUTTER DRAINS.**

In new construction, valley or gutter drains shall have concave bottoms or the junctions of the sides and the bottoms shall be covered.

**Statutory Authority:** *MS s 31.54*

## **1545.1180 REFRIGERATORS EQUIPPED WITH DRAINS.**

Where refrigerators are equipped with drains, such drains shall be properly trapped and shall discharge through an air gap into the sewer system. All new installations and all replacement of refrigerators equipped with drains shall meet these requirements.

**Statutory Authority:** *MS s 31.54*

## **1545.1190 WATER SUPPLY.**

The water supply shall be ample, clean, and potable with adequate pressure and facilities for its distribution in the plant and its protection against contamination and pollution. The provisions of parts 1545.1190 to 1545.1220 shall be considered as having been met if the water supply complies with the specifications set forth in section VII of the Manual of Water Supply Sanitation of the Minnesota Department of Health, which standards have been adopted by the commissioner of agriculture.

**Statutory Authority:** *MS s 31.54*

## **1545.1200 HOT WATER.**

Hot water at a temperature not less than 180 degrees Fahrenheit shall be available for sanitation purposes.

**Statutory Authority:** *MS s 31.54*

## **1545.1210 LOCATION OF HOSE CONNECTIONS.**

Hose connections with steam and water mixing valves or hot water hose connections shall be provided at convenient locations throughout the plant for cleaning purposes.

**Statutory Authority:** *MS s 31.54*

## **1545.1220 REFUSE ROOMS.**

The refuse rooms shall be provided with adequate facilities for washing cans and other equipment in the rooms, and the rooms, cans, and equipment shall be cleaned after each day's use.

**Statutory Authority:** *MS s 31.54*

## **1545.1230 LAVATORY ACCOMMODATIONS.**

Modern lavatory accommodations and properly located facilities for cleaning utensils and hands shall be provided.

**Statutory Authority:** *MS s 31.54*

## **1545.1240 ADEQUATE LAVATORY AND TOILET ACCOMMODATIONS.**

Adequate lavatory and toilet accommodations including, but not being limited to, running hot and cold water, soap, and towels shall be provided. Such accommodations shall be in or near toilet and locker rooms and also at such other places in the plant as may be essential to the cleanliness of all personnel handling products.

**Statutory Authority:** *MS s 31.54*

**1545.1250 COVERED CONTAINERS.**

Sufficient covered metal containers shall be provided for used towels and other wastes.

**Statutory Authority:** *MS s 31.54*

**1545.1260 HAND-WASHING FACILITIES.**

An adequate number of hand-washing facilities serving areas where dressed poultry, rabbits, or animals and edible products are prepared shall be operated by other than hand-operated controls or shall be of a continuous flow type which provides an adequate flow of water for washing hands.

**Statutory Authority:** *MS s 31.54*

**1545.1270 SANITARY SIGNS.**

Durable signs shall be posted conspicuously in each toilet room and locker room directing employees to wash their hands before returning to work.

**Statutory Authority:** *MS s 31.54*

**1545.1280 ADEQUATE TOILET FACILITIES.**

Adequate toilet facilities shall be provided with respect to the number of employees in the plant.

**Statutory Authority:** *MS s 31.54*

**1545.1290 LIGHTING AND VENTILATION.**

There shall be ample light, either natural or artificial or both, of good quality and well distributed, and sufficient ventilation for all rooms and compartments to insure sanitary conditions.

**Statutory Authority:** *MS s 31.54*

**1545.1300 LIGHTING REQUIREMENTS.**

All rooms in which poultry, rabbits, or animals are killed, eviscerated, or otherwise processed shall be considered as having sufficient light if at least 30 footcandles of light intensity are provided on all working surfaces except that at the grading and inspection stations, where such light intensity shall be of 50 footcandles. In all other rooms there shall be provided at least five footcandles of light intensity when measured at a distance of 30 inches from the floor.

**Statutory Authority:** *MS s 31.54*

**1545.1310 VENTILATION.**

All rooms shall be adequately ventilated to eliminate objectionable odors and minimize moisture condensation.

**Statutory Authority:** *MS s 31.54*

**1545.1320 EQUIPMENT AND UTENSILS.**

Equipment and utensils used for the preparation, processing, or otherwise handling any product in the plant shall be suitable for the purpose intended and shall be of such material and construction as will facilitate their thorough cleaning and insure cleanliness in the preparation and handling of products. Insofar as it is practical, equipment and utensils shall be made of metal or other impervious material. Trucks and receptacles used for handling inedible products shall be of similar construction and shall be conspicuously and distinctly marked and shall not be used for handling any edible products.

**Statutory Authority:** *MS s 31.54*

**1545.1330 BATTERIES.**

Batteries shall be constructed entirely of metal and have metal dropping pans so as to permit proper and complete washing and cleaning. Batteries that are not made entirely of metal shall be replaced with metal batteries whenever replacement becomes necessary.

**Statutory Authority:** *MS s 31.54*

**1545.1340 REFUSE CONTAINERS.**

Metal refuse containers with covers shall be provided, and such containers shall be kept covered.

**Statutory Authority:** *MS s 31.54*

**1545.1350 SCALDING EQUIPMENT FOR POULTRY PROCESSING PLANTS.**

Scalding equipment, tank or spray type, shall be made of metal and have smooth surfaces and be of such construction as to permit proper and complete washing and cleaning.

**Statutory Authority:** *MS s 31.54*

**1545.1360 SCALDING TANKS.**

The scalding tanks when used shall be so constructed as to prevent contamination of potable water lines and to permit water to enter continuously at the rate of one-fourth gallon per bird per minute and to flow out through an overflow.

**Statutory Authority:** *MS s 31.54*

**1545.1370 OVERFLOW OUTLETS IN SCALDING EQUIPMENT.**

The overflow outlets in scalding equipment shall be of sufficient size to permit feathers and water to be carried off.

**Statutory Authority:** *MS s 31.54*

**1545.1380 OVERFLOW, DRAW-OFF VALVES, AND SEDIMENT BASIN DRAIN.**

The overflow, draw-off valves, and sediment basin drain shall discharge into a floor or valley drain or onto the floor in close proximity to a floor or valley drain.

**Statutory Authority:** *MS s 31.54*

**1545.1390 MECHANICAL PICKERS.**

When necessary, safety guards shall be installed around moving machine parts of mechanical pickers. Such guards shall be of such construction as not to be difficult or laborious to remove or to keep clean. Sheet metal or metal grills fastened down with sufficient bolts and wing nuts are preferable.

**Statutory Authority:** *MS s 31.54*

**1545.1400 WAX FINISHING.**

When wax dipping is used, metal troughs shall be provided to catch the wax removed from the dipped poultry. Acceptable facilities and methods shall be employed in reclaiming the wax.

**Statutory Authority:** *MS s 31.54*

**1545.1410 ICE CHILLING VATS.**

Chilling vats or tanks used for chilling dressed poultry, rabbits, or animals, and all replacements thereof, and all chilling vats or tanks used for chilling ready-to-cook poultry, rabbits, or animals shall be made of metal or other hard-surfaced impervious material.

**Statutory Authority:** *MS s 31.54*

**1545.1420 ICE SHOVELS.**

Ice shovels shall be smooth-surfaced and made of metal.

**Statutory Authority:** *MS s 31.54*

**1545.1430 GRADING AND PACKING BINS.**

Where grading bins are used for poultry, rabbits, or animals, they shall be of sufficient number and capacity to handle the grading adequately without the use of makeshift bins, and all dressed poultry, rabbits, or animals shall be kept off the floor. Grading bins may be made of metal or enameled wood and shall be constructed and maintained in such a manner as to allow easy and thorough cleaning. All replacements of such bins, however, shall be of metal.

**Statutory Authority:** *MS s 31.54*

**1545.1440 EQUIPMENT AND UTENSILS USED IN KILLING, ROUGHING, PINNING, CHILLING, AND PACKING ROOMS.**

Except as otherwise provided in parts 1545.1320 to 1545.1560, all equipment and utensils used in killing, roughing, pinning, chilling, and packing rooms shall be of metal or other impervious material and constructed so as to permit proper and complete cleaning.

**Statutory Authority:** *MS s 31.54*

**1545.1450 CONVEYORS.**

Any conveyors used in the plant shall be of metal or other acceptable material and of such construction as to permit thorough and ready cleaning and easy identification of viscera with its carcass and so designed as will present each carcass or all parts thereof in a way that will permit adequate and efficient inspection.

**Statutory Authority:** *MS s 31.54*

**1545.1460 OVERHEAD CONVEYORS AND TRACKS.**

Overhead conveyors and tracks shall be so constructed and maintained that they will not allow grease, oil, or dirt to accumulate on the drop chain or shackle which shall be of noncorrosive metal.

**Statutory Authority:** *MS s 31.54*

**1545.1470 NONMETALLIC BELT-TYPE CONVEYORS.**

Nonmetallic belt-type conveyors used in moving edible products shall be of waterproof composition.

**Statutory Authority:** *MS s 31.54*

**1545.1480 METAL TROUGHS.**

When individual trays or other acceptable equipment are not used during eviscerating operations, each carcass shall be suspended and a metal trough shall be provided beneath the conveyor to extend from the point where the carcass is opened to the point where the viscera has been completely removed, and such troughs shall be flushed continuously by a water spray.

**Statutory Authority:** *MS s 31.54*

**1545.1490 DISTANCE FROM FLOOR TO TOP OF TRACK OR RAIL.**

The distance from the floor to the top of the track or rail used in a slaughter house for the suspension and movement of cattle carcasses shall not be less than ten feet.

**Statutory Authority:** *MS s 31.54*

**1545.1500 TABLES.**

Inspection, eviscerating, and cutting tables shall be made of metal and have coved corners and be so constructed and placed to permit thorough cleaning.

**Statutory Authority:** *MS s 31.54*

**1545.1510 PLANTS LACKING CONVEYORS.**

In plants where no conveyors are used, each carcass shall be eviscerated in an individual metal tray of seamless construction.

**Statutory Authority:** *MS s 31.54*

**1545.1520 WATER SPRAY WASHING EQUIPMENT.**

Water spray washing equipment with sufficient water pressure to thoroughly and efficiently wash carcasses shall be used for washing carcasses inside and out.

**Statutory Authority:** *MS s 31.54*

**1545.1530 WASTE RECEPTACLES.**

Watertight metal receptacles shall be used for entrails and other waste resulting from preparation of eviscerated poultry, rabbits, or animals.

**Statutory Authority:** *MS s 31.54*

**1545.1540 TRUCKS AND RECEPTACLES FOR DISEASED CARCASSES.**

Watertight trucks and receptacles for holding or handling diseased parts of carcasses shall be so constructed as to be readily and thoroughly cleaned.

**Statutory Authority:** *MS s 31.54*

**1545.1550 FREEZING ROOMS.**

Freezing rooms shall be adequately equipped to freeze ready-to-cook poultry, rabbits, or animals solid in less than 60 hours. Freezing rooms shall be equipped with floor racks or pallets and fans to insure air circulation.

**Statutory Authority:** *MS s 31.54*

**1545.1560 COOLING RACKS.**

Cooling racks shall be made of metal and be readily accessible for thorough washing and cleaning. All replacements of cooling racks shall be made of metal.

**Statutory Authority:** *MS s 31.54*

**1545.1570 EQUIPMENT ACCESSIBILITY.**

All equipment shall be so placed as to be readily accessible for all processing and cleaning operations.

**Statutory Authority:** *MS s 31.54*

**1545.1580 ACCESSIBILITY OF MECHANICAL PICKERS.**

When used in the plant, mechanical pickers shall be so installed as to be accessible for thorough cleaning and removal of the accumulation of feathers.

**Statutory Authority:** *MS s 31.54*

**1545.1590 PREMISES.**

The premises shall be kept free from refuse, waste materials, and all other sources of objectionable odors and conditions.

**Statutory Authority:** *MS s 31.54*

**1545.1600 CLEANING OF ROOMS AND COMPARTMENTS.**

Rooms, compartments, or other parts of the plant in which products are handled and kept shall be kept clean and in sanitary condition.

**Statutory Authority:** *MS s 31.54*

**1545.1610 DISPOSAL OF OFFAL.**

All feathers, blood, offal, birds, rabbits, or animals or parts of poultry, rabbits, or animals too severely damaged to be salvaged, and all discarded containers and other materials shall be completely disposed of daily. A separate closed storage room vented to the outer air with a concrete floor shall be provided for the offal if not disposed of immediately following slaughter. Such offal cans shall be removed from the slaughter room to the storage room as soon as slaughtering is completed.

**Statutory Authority:** *MS s 31.54*

**1545.1620 WINDOWS, DOORS, LIGHT FIXTURES.**

All windows, doors, and light fixtures in the plant shall be kept clean.

**Statutory Authority:** *MS s 31.54*

**1545.1630 DOCKS AND ROOMS.**

All docks and rooms shall be kept clean and free from debris and unused equipment and utensils.

**Statutory Authority:** *MS s 31.54*

**1545.1640 RECEIVING DOCKS AND ROOMS CONSTRUCTION.**

Live poultry, rabbit, or animal receiving docks and receiving rooms shall be of such construction as to readily permit their thorough cleaning.

**Statutory Authority:** *MS s 31.54*

**1545.1650 FEEDING ROOM FLOORS.**

Floors in feeding rooms shall be cleaned with such regularity as may be necessary to maintain them in a sanitary condition.

**Statutory Authority:** *MS s 31.54*

**1545.1660 KILLING, ROUGHING, PINNING ROOM.**

The killing, roughing, and pinning room shall be kept clean and free from offensive odors at all times.

**Statutory Authority:** *MS s 31.54*

**1545.1670 WALLS, FLOORS, EQUIPMENT, UTENSILS.**

The walls, floors, and all equipment and utensils used in the killing, roughing, and pinning room shall be thoroughly cleaned after each day's operation.

**Statutory Authority:** *MS s 31.54*

**1545.1680 KILLING ROOM FLOORS.**

The floors in the killing, roughing, and pinning room shall be cleaned frequently during roughing and finishing operations and be kept reasonably free from accumulated blood, hides, feathers, bristles, manure, water, and dirt.

**Statutory Authority:** *MS s 31.54*

**1545.1690 TOILET AND LOCKER ROOM SANITATION.**

All equipment in the toilet and locker room as well as the room itself shall be kept clean, sanitary, and in good repair.

**Statutory Authority:** *MS s 31.54*

**1545.1700 COOLER AND FREEZER ROOMS.**

Cooler and freezer rooms shall be free from objectionable odors of any kind and shall be maintained in a sanitary condition (including, but not being limited to, the prevention of drippings from refrigerating coils onto products).

**Statutory Authority:** *MS s 31.54*

**1545.1710 CLEANING OF EQUIPMENT AND UTENSILS.**

Equipment and utensils used for preparing or otherwise handling any product shall be kept clean and in a sanitary condition and in good repair.

**Statutory Authority:** *MS s 31.54*

**1545.1720 BATTERIES AND HOLDING PENS.**

Batteries, dropping pans, and holding pens shall be cleaned regularly and the manure removed from the plant daily.

**Statutory Authority:** *MS s 31.54*

**1545.1730 FEED MIXER.**

The feed mixer shall be cleaned daily.

**Statutory Authority:** *MS s 31.54*

**1545.1740 SCALDING TANKS.**

Scalding tanks shall be completely emptied and thoroughly cleaned as often as may be necessary but not less frequently than once a day.

**Statutory Authority:** *MS s 31.54*

**1545.1750 ICE SHOVELS.**

Ice shovels shall be kept clean, free of corrosion, and shall be stored off the floor.

**Statutory Authority:** *MS s 31.54*

**1545.1760 KILLING ROOM EQUIPMENT AND UTENSILS.**

All equipment and utensils used in the killing, roughing, and pinning rooms shall be thoroughly washed and cleaned after each day's operation. The chilling and packing room and equipment and utensils used therein shall be maintained in a clean and sanitary condition.

**Statutory Authority:** *MS s 31.54*

**1545.1770 GRADERS AND BINS.**

Graders' and packers' gloves and grading bins shall be washed daily and used only for grading or packing, as the case may be.

**Statutory Authority:** *MS s 31.54*



**1545.1780 CHILLING VATS OR TANKS.**

Chilling vats or tanks not being used in a continuous flow system shall be emptied and rinsed after each use. All tanks shall be thoroughly cleaned once daily.

**Statutory Authority:** *MS s 31.54*

**1545.1790 DEFROSTING TANKS.**

When frozen poultry, rabbits, or animals are to be defrosted in water, adequate facilities (tanks, vats, or racks) shall be provided, including continuous running tap water of sufficient volume to thaw such poultry, rabbits, or animals. Such poultry, rabbits, or animals shall not be thawed in still water, and the thawing tanks shall be emptied and rinsed after each use. The tanks shall be thoroughly cleaned once daily. If water is heated, it shall not be heated above 70 degrees Fahrenheit. Thawing tanks shall be equipped with properly installed overflow pipes to discharge over a floor drain or a valley drain. Where mechanical devices are not used for removing thawed carcasses from thawing, tanks shall be of a size as will enable employees to remove poultry, rabbits, or animals without getting inside the tanks.

**Statutory Authority:** *MS s 31.54*

**1545.1800 OVERHEAD CONVEYORS.**

When synchronized overhead conveyors and tray conveyors are used, the trays shall be completely washed and sanitized after being automatically emptied of inedible viscera.

**Statutory Authority:** *MS s 31.54*

**1545.1810 TRAY CONVEYORS.**

When a conveyor tray operation is used, such trays shall be of metal of seamless construction and shall be completely washed and sanitized after each use.

**Statutory Authority:** *MS s 31.54*

**1545.1820 UTENSILS FOR READY-TO-COOK PRODUCTS.**

Tables, shelves, bins, trays, pens, knives, and all other tools and equipment used in the preparation of ready-to-cook poultry, rabbits, or animals shall be kept clean and sanitary at all times. Cleaned equipment and utensils shall be drained on racks and shall not be nested.

**Statutory Authority:** *MS s 31.54*

**1545.1830 CONTAINER SANITATION.**

Drums, cans, tanks, vats, and other receptacles used to hold or transport dressed poultry, rabbits, or animals or eviscerated poultry, rabbits, or animals shall be kept in a clean and sanitary condition.

**Statutory Authority:** *MS s 31.54*

**1545.1840 OPERATIONS AND PROCEDURES SANITATION.**

Operations and procedures involving the preparation, storing, or handling of any product shall be strictly in accord with clean and sanitary methods.

**Statutory Authority:** *MS s 31.54*

**1545.1850 PROPER STORAGE OF MATERIAL.**

There shall be no handling or storing of materials which create an objectionable condition in rooms, compartments, or other places in the plant where any product is prepared, stored, or otherwise handled.

**Statutory Authority:** *MS s 31.54*

**1545.1860 SEGREGATION OF OPERATIONS.**

The pinning and finishing operations shall be performed in a part of the room that is away from the killing and roughing operations.

**Statutory Authority:** *MS s 31.54*

**1545.1870 ISOLATION OF KILLING OPERATION.**

Blood from the killing operation shall be confined to a relatively small area and kept from being splashed about the room.

**Statutory Authority:** *MS s 31.54*

**1545.1880 FINISHING DRESSED POULTRY.**

In finishing and cleaning dressed poultry, the carcass shall be singed, feed shall be removed from the crop, and the fecal material in the cloaca shall be removed by venting, and such operations shall be completed prior to chilling and packaging of such dressed poultry. This part applies to poultry processing plants only.

**Statutory Authority:** *MS s 31.54*

**1545.1890 HEAD CLEANLINESS.**

The head of each dressed poultry carcass shall be washed thoroughly to remove feed from the mouth and blood from the head and mouth. This part applies to poultry processing plants only.

**Statutory Authority:** *MS s 31.54*

**1545.1900 FINAL CLEANING.**

In the final washing the carcass shall be passed through a system of sprays providing an abundant supply of fresh clean water either under pressure or scrubbing action. This part applies to poultry processing plants only.

**Statutory Authority:** *MS s 31.54*

**1545.1910 ISOLATION OF PACKAGING AND GRADING OPERATION.**

Dressed poultry may be graded and packaged in the killing, roughing, pinning, chilling, and packing room; however, such poultry shall be graded and packed in an area of the room which is well isolated from the killing and roughing operation. This part applies to poultry processing plants only.

**Statutory Authority:** *MS s 31.54*

**1545.1920 EVISCERATING ROOM FLOORS.**

The floors in the eviscerating room shall be kept clean and reasonably dry during eviscerating operations and free of all refuse.

**Statutory Authority:** *MS s 31.54*

**1545.1930 PLANT SANITATION.**

Plant operation shall be conducted in such a manner as will result in sanitary processing, proper inspection, and wholesome properly prepared ready-to-cook poultry, rabbits, or animals.

**Statutory Authority:** *MS s 31.54*

**1545.1940 PACKAGING EQUIPMENT.**

Mechanized packaging equipment shall be maintained in good sanitary condition.

**Statutory Authority:** *MS s 31.54*

**1545.1950 PROMPT OFFAL REMOVAL.**

All offal resulting from the eviscerating operation shall be removed as often as necessary to prevent the development of a nuisance.

**Statutory Authority:** *MS s 31.54*

**1545.1960 CONTAINER LINERS.**

Paper and other material used for lining barrels or other containers in which products are packaged shall be of such kinds as do not tear readily during use, but remain intact when moistened by the product. Wooden containers to be used for packaging poultry, rabbits, or animals shall be fully lined except when the individual birds, rabbits, or animals to be packaged therein are fully wrapped.

**Statutory Authority:** *MS s 31.54*

**1545.1970 PROTECTION OF PRODUCTS.**

Protective coverings shall be used for the product in the plant and as it is distributed from the plant, as will afford adequate protection for the product against contamination by

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any foreign substance (including, but not being limited to, dust, dirt, and insects), considering the means intended to be employed in transporting the products from the plant.

**Statutory Authority:** *MS s 31.54*

### **1545.1980 PACKAGE CONTAINERS SANITATION.**

Containers to be used for packaging dressed poultry, rabbits, or animals and ready-to-cook poultry, rabbits, or animals shall be clean, free from objectionable substances or odors, and of sufficient strength and durability to adequately protect the product during normal distribution. Dressed and ready-to-cook poultry, rabbits, or animals, other than that which is to be ice packed, shall be adequately drained to remove ice and free water prior to packing and packaging.

**Statutory Authority:** *MS s 31.54*

### **1545.1990 REFUSE HANDLING.**

Refuse may be moved directly to loading docks only for prompt removal.

**Statutory Authority:** *MS s 31.54*

### **1545.2000 CLEANLINESS AND HYGIENE OF PERSONNEL.**

All employees coming in contact with dressed poultry, rabbits, or animals, exposed edible products or edible products handling equipment shall wear clean garments and shall keep their hands clean at all times while thus engaged.

**Statutory Authority:** *MS s 31.54*

### **1545.2010 INFECTIONS AND OPEN SORES.**

Hands of employees handling dressed poultry, rabbits, or animals or edible products or edible products handling equipment shall be free of infected cuts, boils, and open sores at all times while thus engaged.

**Statutory Authority:** *MS s 31.54*

### **1545.2020 HAND WASHING.**

Every person after each use of toilet or change of garments shall wash his or her hands thoroughly before returning to duties that require the handling of dressed poultry, rabbits, or animals or edible products or containers therefor or edible products handling equipment.

**Statutory Authority:** *MS s 31.54*

**History:** *17 SR 1279*

### **1545.2030 USE OF TOBACCO PROHIBITED.**

Neither smoking nor chewing of tobacco shall be permitted in any room where exposed edible products are prepared, processed, or otherwise handled.

**Statutory Authority:** *MS s 31.54*

### **1545.2040 TEMPERATURES AND COOLING AND FREEZING PROCEDURES.**

Temperatures and procedures which are necessary for cooling and freezing dressed and ready-to-cook poultry, rabbits, or animals, including all edible portions thereof, shall be in accordance with sound operating practices which ensure the prompt removal of the animal heat and as will maximize the preservation of the quality and condition of the poultry, rabbits, or animals.

**Statutory Authority:** *MS s 31.54*

## FISH

### **1545.2050 FISH UNFIT FOR HUMAN FOOD.**

Fish unfit for human food, whether parasitic or not, which are offered for sale for animal food must be denatured or identified so as to prohibit their use for human food. Denaturing must be accomplished either by cutting the fish in two immediately behind the abdominal cavity or by dyeing the fish with methyl violet. The strength of the dye solution used may not be less than one part of dye to 5,000 parts of water.

**Statutory Authority:** *MS s 31.11*

**History:** *9 SR 693*

**1545.2060 PACKING BOXES AND CONTAINERS OF DENATURED FISH.**

All packing boxes and containers containing denatured fish shall bear thereon in a conspicuous manner in bold face type not less than one-half inch in height the statement "for animal food only." Such statement shall be printed or form a part of the main label affixed to or stamped on such packing boxes or containers or shall be stamped on the same end or side of such packing boxes or containers that such main label is affixed or stamped thereon.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2070** [Repealed, 9 SR 693]**1545.2080 PACKING BOXES FOR FRESH FISH.**

Fresh fish shall be packed in boxes of 50 pound and 100 pound weights with not less than five percent extra weight for shrinkage and inspection. The boxes shall be of the following dimensions and construction: for 50 pounds of fish the inside measurements shall be 23 inches long, 14 inches wide, and ten inches high; the ends cleated outside and without extended handles. For 100 pounds of fish the inside measurements shall be 27 inches long, 17 inches wide, and 12 inches high and have extended handles.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2090 PACKING BOXES FOR FROZEN FISH.**

In the case of frozen fish, 85 pounds of such fish can be marketed in the 100 pound standard box. Boxes for 100 pounds of frozen fish shall have inside measurements 27 inches long, 17 inches wide, and 14 inches high; the ends cleated outside and without extended handles.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2100 CONSTRUCTION OF FISH BOXES.**

All fish boxes shall be constructed of planed surface lumber. Cedar wood shall not be used in whole or in part in the construction of fish boxes.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2110 QUALITY OF FISH TO BE SOLD.**

Only fish which are fresh, firm, free of blood clots and unnecessary punctures shall be sold. "Fresh" means that the fish have firm, elastic flesh that does not pit readily on pressure, that they have a sweet, wholesome odor and their gills have their characteristic red color, that their eyes be full, prominent, and bright and that the scales have their characteristic bright sheen. Fish shall be dressed in a careful manner by slitting down the belly with a straight, clean cut and be scraped clean of all blood and entrails.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2120 ICE.**

Fish shall be placed lengthwise in the box and be well iced when packed for shipment. Ice shall be placed on the bottom of the box and on top of the fish. In warm weather the ice shall be taken in boats so that fish can be iced immediately after removal from nets.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2130 PACKING SALTED HERRING.**

Salted herring shall be packed 110 pounds net of well-cured fish to the keg and shall be salted at point of production only. Herring shall be tightly packed with a circular pack and contain not less than 35 pounds of salt per keg except herring packed from October 1 to April 1 shall contain not less than 30 pounds of salt per keg. All herring used for salting purposes shall consist of fresh fish and shall be properly cut, properly cleaned, and washed free of blood and loose scales before curing. "Fresh" means fish that meet the requirements of the definition in part 1545.2110. "Properly cut" means that the head and gills shall be completely removed and that the fish be cut down along side the backbone. "Properly cleaned" means that the cut fish shall be free of any gut, milt, or roe and free of loose scales.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2140 FISH TO BE FROZEN FOR HUMAN CONSUMPTION.**

Only fish meeting the requirements of fresh herring as defined above shall be frozen and entered into the channels of trade for human consumption.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2150 LABELING.**

All boxes containing either fresh or frozen herring and all kegs of salted herring shall bear a label giving the following information: name and address of producer; commercial fishing license number of producer; statement of net weight.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2160 INSPECTION AND GRADING.**

All herring, whether fresh, frozen, or salted produced by commercial fishing licensees living in the state of Minnesota shall be inspected and graded by an authorized grader of the Department of Agriculture when same are entered into the channels of trade.

**Statutory Authority:** *MS s 31.10; 31.101*

**History:** *17 SR 1279*

**1545.2170 INSPECTION CERTIFICATE.**

Boxes, kegs, and packages of fresh, frozen, or salted fish that pass inspection shall be tagged with an inspection certificate showing the date of inspection of the fish contained therein, which certificate shall be retained on said box, keg, or package until contents thereof have been completely removed therefrom.

**Statutory Authority:** *MS s 31.10; 31.101*

**CANNED TUNA****1545.2180 DEFINITION AND STANDARD OF IDENTITY.**

Canned tuna is the food consisting of processed flesh of fish of the species enumerated in part 1545.2190, prepared in one of the optional forms of pack specified in parts 1545.2200 to 1545.2290, conforming to one of the color designations specified in part 1545.2300, in one of the optional packing media specified in part 1545.2310 and may contain one or more of the seasonings and flavorings specified in part 1545.2320. It is packed in hermetically sealed containers and so processed by heat as to prevent spoilage. It is labeled in accordance with the provisions of parts 1545.2380 to 1545.2440.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2190 FISH INCLUDED IN CLASS KNOWN AS TUNA FISH.**

The fish included in the class known as tuna fish are:

A. *Thunnus thynnus* or Bluefin tuna. See "A Comparison of the Bluefin Tunas, Genus *Thunnus* from New England, Australia, and California," by H. C. Godsil and Edwin K. Holmberg, State of California, Department of Natural Resources, Division of Fish and Game, Bureau of Marine Fisheries, Fish Bulletin No. 77 (1950).

B. *Thunnus maccoyii* or Southern bluefin tuna. See "A Comparison of the Bluefin Tunas, Genus *Thunnus* from New England, Australia, and California."

C. *Thunnus orientalis* or Oriental tuna. See "Contributions to the Comparative Study of the so-called Scombroid Fishes," by Kamakichi Kishinouye, Journal of the College of Agriculture, Imperial University of Tokyo, Vol. VIII, No. 3 (1923).

D. *Thunnus germonis* or albacore. See "A Systematic Study of the Pacific Tunas," by H. C. Godsil and Robert D. Byers, State of California, Department of Natural Resources, Division of Fish and Game, Bureau of Marine Fisheries, Fish Bulletin No. 60 (1944).

E. *Parathunnus mebachi* or big-eyed tuna. See "A Systematic Study of the Pacific Tunas."

F. *Neothunnus macropterus* or yellowfin tuna. See "A Systematic Study of the Pacific Tunas."

G. *Neothunnus rarus* or Northern bluefin tuna. See "Contributions to the Comparative Study of the so-called Scombroid Fishes."

H. *Katsuwonus pelamis* or skipjack. See "A Systematic Study of the Pacific Tunas."

I. *Euthynnus alletteratus* or little tunny. See "Contributions to the Comparative Study of the so-called Scombroid Fishes."

J. *Euthynnus lineatus* or little tunny. See "Contributions to the Comparative Study of the so-called Scombroid Fishes."

K. *Euthynnus yaito* or kawakawa. See "A Descriptive Study of Certain Tuna Like Fishes," by H. C. Godsil, State of California, Department of Fish and Game, Fish Bulletin No. 97.

The description of each species will be found in the text to which reference is made.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2200 OPTIONAL FORMS OF PROCESSED TUNA.

The optional forms of processed tuna consist of loins and other striated muscular tissue of the fish. The loin is the longitudinal quarter of the great lateral muscle freed from skin, scale, visible blood clots, bones, gills, viscera, and from the nonstriated part of such muscle, which part (known anatomically as the median superficial muscle) is highly vascular in structure, dark in color because of retained blood, and granular in form. Canned tuna is prepared in one of the following forms of pack, the identity of which is determined in accordance with the methods prescribed in parts 1545.2450 to 1545.2560.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2210 SOLID OR SOLID PACK.

Solid or solid pack consists of loins freed from any surface tissue discolored by diffused hemolyzed blood cut in transverse segments to which no free fragments are added.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2220 SOLID OR SOLID PACK CONTAINERS OF ONE POUND OR LESS.

In containers of one pound or less of net contents, such segments are cut in lengths suitable for packing in one layer.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2230 SOLID OR SOLID PACK CONTAINERS OF MORE THAN ONE POUND.

In containers of more than one pound net contents, such segments may be cut in lengths suitable for packing in one or more layers of equal thickness.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2240 PLACEMENT OF SEGMENTS IN CAN.

Segments are placed in the can with the planes of their transverse cut ends parallel to the ends of the can. A piece of a segment may be added if necessary to fill a container.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2250 PROPORTION OF FREE FLAKES BROKEN FROM LOINS.

The proportion of free flakes broken from loins in the canning operation shall not exceed 18 percent.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2260 CHUNK, CHUNKS, CHUNK STYLE.

Chunk, chunks, chunk style consists of a mixture of pieces of tuna in which the original muscle structure is retained. The pieces may vary in size, but not less than 50 percent of the weight of the pressed contents of a container is retained on a one-half inch mesh screen.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2270 FLAKE OR FLAKES.

Flake or flakes consist of a mixture of pieces of tuna in which more than 50 percent of the weight of the pressed contents of the container will pass through a one-half inch mesh screen, but in which the muscular structure of the flesh is retained.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2280 GRATED.**

Grated consists of a mixture of particles of tuna that have been reduced to uniform size that will pass through a one-half inch mesh screen and in which the particles are discrete and do not comprise a paste.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2290 CANNED SMOKED TUNA.**

Any of the specified forms of pack of canned tuna may be smoked. Canned smoked tuna shall be labeled in accordance with the provisions of part 1545.2420.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2300 COLOR DESIGNATIONS.**

Canned tuna, in any of the forms of pack specified in parts 1545.2200 to 1545.2290, falls within one of the following color designations measured by visual comparison with matte surface neutral reflectance standards corresponding to the specified Munsell units of value determined in accordance with parts 1545.2330 to 1545.2370:

A. White. This color designation is limited to the species *Thunnus germo* (albacore) and is not darker than Munsell value 6.3.

B. Light. This color designation includes any tuna not darker than Munsell value 5.3.

C. Dark. This color designation includes all tuna darker than Munsell value 5.3.

D. Blended. This color designation may be applied only to tuna flakes specified in part 1545.2270, consisting of a mixture of tuna flakes of which not less than 20 percent by weight meet the color standard for either white tuna or light tuna and the remainder of which fall within the color standard for either white tuna or light tuna and the remainder of which fall within the color standard for dark tuna. The color designation for blended tuna is determined in accordance with parts 1545.2330 to 1545.2370.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2310 OPTIONAL PACKING MEDIA.**

Canned tuna is packed in one of the following optional packing media:

A. any edible vegetable oil other than olive oil or any mixture of such oils not containing olive oil;

B. olive oil; or

C. water.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2320 SEASONING OR FLAVORING.**

Canned tuna may be seasoned or flavored with one or more of the following:

A. salt;

B. purified monosodium glutamate;

C. hydrolyzed protein;

D. hydrolyzed protein with reduced monosodium glutamate content;

E. spices or spice oils or spice extracts;

F. garlic; or

G. vegetable broth in an amount not in excess of five percent of the volume capacity of the container, such broth to consist of a minimum of 0.5 percent by weight of vegetable extractives and to be prepared from two or more of the following vegetables: beans, cabbage, carrots, celery, garlic, onions, parsley, peas, potatoes, green bell peppers, red bell peppers, spinach, and tomatoes.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2330 DETERMINATION OF COLOR DESIGNATIONS.**

For determination of the color designations specified in part 1545.2300, the following method shall be used: recombine the separations of pressed cake resulting from the method

prescribed in parts 1545.2470 to 1545.2510. Pass the combined portions through a sieve fitted with woven-wire cloth of one-half inch mesh which complies with the specifications for such wire cloth set forth in "Standard Specifications for Sieves," published March 1, 1940, in L.C. 584 of the United States Department of Commerce, National Bureau of Standards. Mix the sieved material and place a sufficient quantity into a 307 by 113 size container bearing a top seam and having a false bottom approximately one-half inch deep and painted flat black inside and outside so that after tamping and smoothing the surface of the sample the material will be one-eighth inch to one-fourth inch below the top of the container. Within ten minutes after sieving through the one-fourth inch mesh woven-wire cloth, determine the Munsell value of sample surface.

**Statutory Authority:** *MS s 31.10; 31.101*

#### **1545.2340 MUNSELL VALUE OF SAMPLE SURFACE.**

Determine the Munsell value of the sample surface so prepared. The following method may be used employing an optical comparator consisting of a lens and prism system which brings two beams of light reflected from equal areas of sample surface and standard surface respectively together within an eyepiece so as to show an equally divided optical field. The scanned areas of sample and standard surface are not smaller than two square inches. Light reaching the eye is rendered sufficiently diffuse, by design of eyepiece and comparator so that detail of the sample surface will remain undefined to a degree such as to avoid visual confusion in observation of a match of overall intensity of reflected light. The eyepiece contains a color filter centering at a wavelength between 550 meter and 560 meter. The filter does not pass appreciable visible radiation of wave lengths below 540 meter or above 570 meter. The passed wave length band is of a monochromaticity sufficient to cause a sample and a neutral standard of equal reflectance to appear of the same hue. The comparator is rigidly mounted on a vertical stand attached to a base in which arrangement is provided for securely and accurately positioning two cans of size 307 by 113 in the two fields of view. Mounted on the base are two shaded lamps which direct the center of their beams of light at about a 45 degree angle to the plane of the sample and standard surfaces. The lamps are so positioned that light from one bears mainly upon the sample and light from the other mainly on the standard surface and are so placed in relation to sample and standard that no shadows, as from the can rims, appear in the fields of view. The lamps are strong enough to furnish adequate and convenient illumination through eyepiece and filter. Means are provided to alter the light intensity of one lamp in relation to the other, as may conveniently be achieved by using a 100-watt tungsten filament bulb in one lamp and using in the other a similar 150-watt bulb connected with the power source through a suitable rheostat. The stand is equipped with non-glossy black curtains on the side of the observer to exclude variation in extraneous light reflected from the person of the observer.

**Statutory Authority:** *MS s 31.10; 31.101*

#### **1545.2350 ADJUSTMENT OF COMPARATOR.**

To adjust the comparator place a pair of matte surface standards of Munsell value 5.3 mounted as described in part 1545.2360 in position in the comparator base and adjust the intensity of the variable lamp until the two halves of the optical field, viewed through the eyepiece, are of equal brightness. Then remove one of the standards and replace it with the prepared sample. Without altering any other adjustment, observe through the eyepiece whether the sample appears lighter or darker than the standard. In case of examination of albacore designated "white" conduct the procedure using standards of Munsell value 6.3.

**Statutory Authority:** *MS s 31.10; 31.101*

#### **1545.2360 STANDARDS WITH WHICH COMPARISONS ARE MADE.**

The standards with which comparisons are made are essentially neutral matte-finish standards equivalent in luminous reflectance of light of 555 wave length to 33.7 percent of the luminous reflectance of magnesium oxide (for Munsell value 6.3) and 22.6 percent of the luminous reflectance of magnesium oxide (for Munsell value 5.3) as given by the relationship between Munsell value and luminous reflectance derived by a subcommittee of the Optical Society of America and published in the Journal of the Optical Society of America, Volume 33, page 406 (1943). These standards shall be cut in circles three and one-fourth inches



in diameter and shall be mounted in 307 by 113 size containers bearing a top seam and painted flat black inside and outside so that the surfaces of the standards are 3/16 inch below the top of the containers in which they are mounted.

**Statutory Authority:** *MS s 31.10; 31.101*

#### **1545.2370 METHOD FOR BLENDED TUNA.**

In the case of blended tuna, the foregoing method shall be varied by first separating the tuna flakes of the two different colors before passing them through the one-fourth inch mesh sieve, then proceeding with each portion separately for the determination of its color value employing, if necessary, a sample container with false bottom greater than one-half inch deep.

**Statutory Authority:** *MS s 31.10; 31.101*

#### **1545.2380 LABELING.**

The specified names of the canned tuna for which definitions and standards of identity are prescribed by these rules except where water is the packing medium or where the tuna is smoked are formed by combining the designation of form of pack with the color designation by the tuna; for example, "solid pack white tuna," "grated dark tuna," etc. In the case of blended tuna there shall be used both applicable color designations of the blended flakes, in precedence determined in accordance with the predominating portion found in the container; for example, "blended white and dark tuna flakes," "blended dark and light tuna flakes."

**Statutory Authority:** *MS s 31.10; 31.101*

#### **1545.2390 SPECIFIED NAME OF CANNED TUNA WHEN WATER IS USED.**

The specified name of canned tuna when water is used as the packing medium is formed as described in part 1545.2380, followed by the words "in water"; for example, "grated light tuna in water."

**Statutory Authority:** *MS s 31.10; 31.101*

#### **1545.2400 LABELING WHEN PACKING MEDIUM IS VEGETABLE OIL OR OLIVE OIL.**

When the packing medium is vegetable oil or olive oil, the label shall bear the name of the optional packing medium used, as specified in part 1545.2310, preceded by the word "in" or the words "packed in." In case of the optional ingredient specified in part 1545.2310, item A, the name or names of the oil used may be stated or the general term "vegetable oil" may be used.

**Statutory Authority:** *MS s 31.10; 31.101*

#### **1545.2410 SOLID PACK TUNA IN OLIVE OIL.**

In case solid pack tuna is packed in olive oil the designation "tonno" may also appear.

**Statutory Authority:** *MS s 31.10; 31.101*

#### **1545.2420 SMOKED CANNED TUNA.**

In case any of the specified forms of canned tuna are smoked the word "smoked" shall appear as a part of the name on the label; for example, "smoked light tuna flakes."

**Statutory Authority:** *MS s 31.10; 31.101*

#### **1545.2430 CANNED TUNA WITH SEASONING OR FLAVORING.**

Where the canned tuna contains one or more of the ingredients listed in part 1545.2320, the label shall bear the statement "Seasoned with \_\_\_\_\_," the blank being filled in with the name or names of the ingredient or ingredients used except that if the ingredient designated in part 1545.2320 item G is used the blank shall be filled with the term "vegetable broth"; and if the ingredient designated in part 1545.2320, item E is used alone, the label may alternatively bear either the statement "spiced" or the statement "with added spice"; and if salt is the only seasoning ingredient used, the label may alternatively bear any of the statements "salted," "with added salt," or "salt added."

**Statutory Authority:** *MS s 31.10; 31.101*

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### 1545.2440 NAMES OF OPTIONAL INGREDIENTS.

Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase the names of the optional ingredients used as specified by parts 1545.2400 and 1545.2430, shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter except that the common name of the species of tuna fish used may so intervene; but the species name "albacore" may be employed only for canned tuna of that species which meets the color designation "white" as prescribed by part 1545.2300, item A.

**Statutory Authority:** *MS s 31.10; 31.101*

### 1545.2450 STANDARD OF FILL OF CONTAINER.

The standard of fill of container for canned tuna is a fill such that the average weight of the pressed cake from 24 cans as determined by the method prescribed by parts 1545.2470 to 1545.2510 of is not less than the minimum value specified for the corresponding can size and form of tuna ingredient in the following table:

Can size and form of tuna ingredient	Minimum value for weights of pressed cake (average of 24 cans) Ounces
211 by 109:	
Solid	2.25
Chunks	1.98
Flakes	1.98
Grated	2.00
307 by 113:	
Solid	4.47
Chunks	3.92
Flakes	3.92
Grated	3.96
401 by 206:	
Solid	8.76
Chunks	7.68
Flakes	7.68
Grated	7.76
603 by 408:	
Solid	43.2
Chunks	37.9
Flakes	37.9
Grated	38.3

**Statutory Authority:** *MS s 31.10; 31.101*

### 1545.2460 CALCULATION WHEN CAN SIZE NOT LISTED.

If the can size in question is not listed, calculate the value for the right-hand column in part 1545.2450 as follows. From the list select as the comparable can size that one having nearest the water capacity of the can size in question, multiply the value listed in the right-hand column for the same form of tuna ingredient by the water capacity of the can size in question and divide by the water capacity of the comparable can size. Water capacities are determined by the general method provided in part 1550.0900. For the purposes of parts 1545.2450 to 1545.2570 cans of dimensions 211 by 109 shall be deemed to have a water capacity at 69 degrees Fahrenheit of 3.55 avoirdupois ounces of water; cans of dimensions 307 by 113, a water capacity of 7.05 avoirdupois ounces of water; cans of dimensions 401 by 206, a water capacity of 13.80 avoirdupois ounces of water; and cans of dimensions 603 by 408, a water capacity of 68.15 avoirdupois ounces of water.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2470 DETERMINING WEIGHT OF PRESSED CAKE.**

The methods referred to in part 1545.2450 for determining the weight of the pressed cake and referred to in parts 1545.2210 to 1545.2250 for determining the percent of free flakes and the percent of pieces that pass through a one-half inch mesh sieve are as follows:

A. Have each of the 24 cans and contents at a temperature of 75 degrees Fahrenheit within plus or minus five degrees Fahrenheit. Test each can in turn as follows.

B. Cut out the top of the can (code end), using a can opener that does not remove nor distort the double seam.

C. With the cut top held on the can contents, invert the can and drain the free liquid by gentle finger pressure on the cut lids so that most of the free liquid drains from the can.

D. With the cut lid still in place, cut out the bottom of the can with the can opener, then turn the can upright and remove the cut can top (code end). Scrape off any adhering tuna particles into the tuna mass in the can.

E. Place the proper size of press cylinder as provided in part 1545.2530 in a horizontal position on a table; then, using the cut bottom of the can as a pusher, gently force the can contents from the can into the cylinder so that the flat side of the can contents lies in contact with the bottom of the cylinder. Remove the bottom of the can that was used as the pusher and scrape any adhering particles from the can body and bottom of the can and put them in the cylinder.

F. Place the cylinder plunger on top of the can contents in the cylinder. Remove the eyebolt and put the cylinder and plunger in position on the press (part 1545.2550).

G. Begin the operation of the press, and as soon as liquid is observed coming from the cylinder, start timing the operation. Apply pressure to the plunger slowly and at a uniform rate so that a full minute is used to reach a pressure of 384 pounds per square inch of plunger face in contact with the can contents. Hold this pressure for one additional minute and then release the pressure and disengage the plunger from the press shaft. Tip the press cylinder so that any free liquid is drained out.

H. Remove press cylinder with plunger from the press, insert eyebolt in plunger, and withdraw it from the cylinder. Loosen the pressed cake from the cylinder with a thin blade and remove the entire pressed cake as gently as possible to keep the mass in a single cake during the operation. Place the pressed cake and any pieces that adhered to the plunger and cylinder in a tared receiving pan and determine the weight of the pressed material.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2480 CANS LARGER THAN 401 BY 206.**

For cans larger than 401 by 206 cut out the top of the can and drain off free liquid from the can contents as in operations described in part 1545.2470, items B and C. Determine the gross weight of the can and remaining contents. Using a tared core cutter as provided for in part 1545.2540, cut vertically a core of the drained material in the can. Determine the weight of the core. With a thin spatula transfer the core to the pressing cylinder for 401 by 206 cans. Determine the weight of the pressed cake as in the operations described in part 1545.2470, items E to H. Remove the remaining drained contents of the can reserving the contents for the determination of free flakes (part 1545.2500), weigh the empty can and calculate the weight of the total drained material. Calculate the weight of pressed cake on the entire can basis by multiplying the weight of the pressed cake of the core by the ratio of the weight of the drained contents of the can to the weight of the core before pressing.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2490 AVERAGE WEIGHT OF PRESSED CAKE.**

Repeat the determination of weight of pressed cake on the remainder of the 24 cans and determine the average weight of pressed cake for the purpose of parts 1545.2450 and 1545.2460.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2500 DETERMINATION OF FREE FLAKES.**

If the optional form of tuna ingredient is solid pack, determine the percent of free flakes. Any flakes resulting from the operations described in this part or parts 1545.2470 to

1545.2510 are to be weighed as free flakes. Only fragments that were broken in the canning procedure are considered to be free flakes. If the can is of such size that its entire drained contents were pressed as described in parts 1545.2470, examine the pressed cake carefully for free flakes. Using a spatula scrape free flakes gently from the outside of the cake. Weigh the aggregate free flakes that were broken from the loin segments in the canning procedure and calculate their percentage of the total weight of pressed cake. If the can is of such size that a core was cut for pressing as described in part 1545.2480, make the examination for free flakes on a weighed portion of the drained material remaining after the core was removed. The weight of the portion examined should approximately equal the weight of the core before pressing. Calculate the weight of the free flakes that were broken from the loins in the canning procedure as a percentage of the weight of the portion examined.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2510 DETERMINATION OF PARTICLE SIZE.

If the optional form of tuna ingredient is chunks, flakes, or grated, the pressed cake resulting from the operations described in parts 1545.2470 and 1545.2480 is gently separated by hand, care being taken to avoid breaking the pieces. The separated pieces are evenly distributed over the top sieve of the screen separation equipment described in part 1545.2560. Beginning with the top sieve, lift and drop each sieve by its open edge three times. Each time, the open edge of the sieve is lifted the full distance permitted by the device. Combine and weigh the material remaining on the three top sieves (1-1/2 inch, one inch screens) and determine the combined percentage retention by weight in relation to the total weight of the pressed cake.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2520 TESTING EQUIPMENT; PRESS CYLINDER AND PLUNGER.

The press cylinder and plunger referred to in parts 1545.2470 to 1545.2510 are made of stainless steel. The press cylinders are made with a lip to facilitate drainage of the liquid. Plungers have a threaded center hole, about half as deep as the thickness of the plunger for receiving a ringbolt to assist in removing the plunger from the press cylinder.

**Statutory Authority:** *MS s 31.10; 31.101*

#### 1545.2530 DIMENSIONS FOR PRESS CYLINDERS AND PLUNGERS.

Dimensions for press cylinders and plungers are as follows:

A. For can size 211 by 109:

(1) Press cylinder: inside depth, approximately three and three-fourth inches; inside diameter, 2.593 inches; wall thickness, approximately three-eighths inch.

(2) Plunger: thickness, approximately one inch; diameter, 2.568 inches.

B. For can size 307 by 113:

(1) Press cylinder: inside depth, approximately four inches; inside diameter, 3.344 inches; wall thickness, approximately three-eighths inch.

(2) Plunger: thickness, approximately one and one-fourth inches; diameter, 3.319 inches.

C. For can size 401 by 206:

(1) Press cylinder: inside depth, approximately 4-1/8 inches; inside diameter, 3.969 inches; wall thickness, approximately one-half inch.

(2) Plunger: thickness, approximately 1-1/4 inches; diameter, 3.944 inches.

For can sizes where the diameter is greater than 401 the core cutter described in part 1545.2540 shall be used and the resulting core pressed in the press cylinder for can size 401 by 206. For can sizes differing from those specified in this part special press cylinders and plungers may be used. Special press cylinders have inside diameters one-tenth inch less than the outside diameters at the double seam for the can sizes for which the cylinders are used; plunger diameters are 0.025 inch less than the inside diameters of the press cylinders.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2540 CORE CUTTER.**

The core cutter referred to in parts 1545.2480, 1545.2500, and 1545.2530 is made from a previously sealed 300 by 407 can. The cover including the top seam is cut out. The edge is smoothed and sharpened. A small hole to permit passage of air is made in the bottom.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2550 HYDRAULIC PRESS.**

The hydraulic press referred to in parts 1545.2470, items F, G, and H to 1545.2490 made by so mounting a hydraulic jack in a strong frame that it will press horizontally against the center of the plunger in the press cylinder used. The frame is so braced that it does not change shape when pressure is applied. The gauge on the hydraulic jack is so calibrated that it will indicate for the plunger being used when the plunger is pressing against the contents of the press cylinder with a pressure of 384 pounds per square inch of plunger face.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2560 SIEVING DEVICE.**

The sieving device referred to in part 1545.2510 consists of three sieves each approximately one foot square loosely mounted, one above the other in a metal frame. The mesh in the top sieve complies with the specifications for one and one-half inch woven-wire cloth as set forth in Standard Specifications for Sieves, as published March 1, 1940, in L.C. 584 of the United States Department of Commerce, National Bureau of Standards. The meshes in the sieves below comply with similar specifications for one inch and one-half inch woven-wire cloth as set forth in the same publication. The sides of each sieve are formed in a raised rim from three-fourths inch by one-eighth inch metal strap. The frame has tracks made of three-eighths inch angle metal to support each sieve under each side. The tracks are so positioned as to permit each sieve a free vertical travel of 1-3/4 inches.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2570 CANNED TUNA.**

If canned tuna falls below the applicable standard of fill of container prescribed in parts 1545.2450 and 1545.2460, the label shall bear the general statement of substandard fill provided in part 1550.0920, subpart 2 in the manner and form therein specified.

**Statutory Authority:** *MS s 31.10; 31.101*

**CANNED SHRIMP****1545.2580 STANDARD OF FILL OF NONTRANSPARENT CONTAINERS FOR CANNED WET PACK SHRIMP.**

The standard of fill of nontransparent containers for canned wet pack shrimp is a fill such that the cutout weight of shrimp taken from each can is not less than 64 percent of the water capacity of the container and for canned dry pack shrimp (except that packed in the nontransparent cylindrical container which is 2-11/16 inches in diameter and four inches in height), is a fill such that the cutout weight of shrimp taken from each can is not less than 60 percent of the water capacity of the container.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2590 STANDARD OF FILL FOR CANNED DRY PACK SHRIMP IN NON-TRANSPARENT CONTAINERS.**

The standard of fill for canned dry pack shrimp packed in the nontransparent cylindrical container which is 2-11/16 inches in diameter and four inches in height is a cutout weight of not less than six and one-half avoirdupois ounces of shrimp for each container.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2600 WATER CAPACITY OF CONTAINERS.**

Water capacity of containers is determined by the general method provided in part 1550.0900.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2610 CUTOUT WEIGHT.**

Cutout weight is determined by the following method. Keep the unopened canned shrimp container at a temperature of not less than 68 degrees Fahrenheit nor more than 95 degrees Fahrenheit for at least 12 hours immediately preceding the determination. After opening, tilt the container so as to distribute the shrimp evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is eight inches if the quantity of the contents of the container is less than three pounds, and 12 inches if such quantity is three pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in table I of "Standard Specifications for Sieves," published March 1, 1940, in L.C.584 of the United States Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained shrimp. The weight so found, less the weight of the sieve, shall be considered to be the cutout weight of the shrimp.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2620 LABEL STATEMENT OF SUBSTANDARD FILL OF CONTAINER.**

If canned wet pack shrimp or canned dry pack shrimp in nontransparent containers falls below the applicable standard of fill of container prescribed in parts 1545.2580 to 1545.2610, the label shall bear the general statement of substandard fill provided in part 1550.0920, subpart 2 in the manner and form therein specified.

**Statutory Authority:** *MS s 31.10; 31.101*

**CANNED OYSTERS****1545.2630 IDENTITY.**

Canned oysters is the food prepared from one or any mixture of two or all of the forms of oysters specified in part 1545.2640 and a packing medium of water or the watery liquid draining from oysters before or during processing or a mixture of such liquid and water. The food may be seasoned with salt. It is sealed in containers and so processed by heat as to prevent spoilage.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2640 PREPARATION.**

The forms of oysters referred to in part 1545.2630 are prepared from oysters which have been removed from their shells and washed and which may be steamed while in the shell or steamed or blanched or both after removal therefrom and are as follows:

A. whole oysters with such broken pieces of oysters as normally occur in removing oysters from their shells, washing, and packing;

B. pieces of oysters obtained by segregating pieces of oysters broken in shucking, washing, or packing whole oysters; and

C. cut oysters obtained by cutting whole oysters.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2650 NAME OF FOOD.**

When the form of oysters specified in part 1545.2640, item A is used, the name of the food is "oysters" or "cove oysters" if of the species *Ostrea virginica*, "oysters" or "Pacific oysters" if of the species *Ostrea gigas*, "oysters" or "Olympia oysters" if of the species *Ostrea lurida*.

When the form of oysters specified in part 1545.2640, item B is used, the name of the food is "pieces of \_\_\_\_\_," the blank being filled in with the name "oysters" or "cove oysters" if of the species *Ostrea virginica*, "oysters" or "Pacific oysters" if of the species *Ostrea gigas*, "oysters" or "Olympia oysters" if of the species *Ostrea lurida*.

When the form of oysters specified in part 1545.2640, item C is used, the name of the food is "cut \_\_\_\_\_," the blank being filled in with the name "oysters" or "cove oysters" if of the species *Ostrea virginica*, "oysters" or "Pacific oysters" if of the species *Ostrea gigas*, "oysters" or "Olympia oysters" if of the species *Ostrea lurida*.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2660 COMBINATION OF NAMES.**

In case a mixture of two or all such forms of oysters is used the name is a combination of the names specified in part 1545.2650 of the forms of oysters used arranged in order of their predominance by weight.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2670 STANDARD OF FILL OF CONTAINER FOR CANNED OYSTERS.**

The standard of fill of container for canned oysters is a fill such that the drained weight of oysters taken from each container is not less than 59 percent of the water capacity of the container.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2680 WATER CAPACITY OF CONTAINERS.**

Water capacity of containers is determined by the general method provided in part 1550.0900.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2690 DRAINED WEIGHT.**

Drained weight is determined by the following method. Keep the unopened canned oyster container at a temperature of not less than 68 degrees Fahrenheit or more than 95 degrees Fahrenheit for at least 12 hours immediately preceding the determination. After opening, tilt the container so as to distribute its contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is eight inches if the quantity of the contents of the container is less than three pounds and 12 inches if such quantity is three pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)," in table I of "Standard Specifications for Sieves," published March 1, 1940, in L.C. 584 of the United States Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained oysters. The weight so found, less the weight of the sieve, shall be considered to be the drained weight of the oysters.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2700 CANNED OYSTERS FALLING BELOW STANDARD OF FILL OF CONTAINER.**

If canned oysters fall below the standard of fill of container prescribed in part 1545.2670, the label shall bear the general statement of substandard fill specified in part 1550.0920, subpart 2 in the manner and form therein specified followed by the statement "A can of this size should contain \_\_\_\_\_ ounces of oysters. This can contains only \_\_\_\_\_ ounces," the blanks being filled in with the applicable figures.

**Statutory Authority:** *MS s 31.10; 31.101*

**SHELL FISH; OYSTERS, RAW OYSTERS, SHUCKED OYSTERS****1545.2710 IDENTITY OF OYSTERS, RAW OYSTERS, SHUCKED OYSTERS.**

**Subpart 1. General.** "Oysters," "raw oysters," and "shucked oysters" are the class of foods each of which is obtained by shucking shell oysters and preparing them in accordance with the procedure prescribed in subpart 2. The name of each such food is the name specified in the applicable definition and standard of identity prescribed in parts 1545.2740 to 1545.2830.

**Subp. 2. Preparation.** If water or salt water containing less than 0.75 percent salt is used in any vessel into which the oysters are shucked, the combined volume of oysters and liquid when such oysters are emptied from such vessel is not less than four times the volume of such water or salt water. Any liquid accumulated with the oysters is removed. The oysters are washed by blowing or otherwise in water or salt water or both. The total time that the oysters are in contact with water or salt water after leaving the shucker including the of washing, rinsing, and any other contact with water or salt water is not more than 30 minutes. In com-

puting the time of contact with water or salt water that is agitated by blowing or otherwise, shall be calculated at twice its actual length. Any period of time that oysters are in contact with salt water containing not less than 0.75 percent salt before contact with oysters, shall not be included in computing the time that the oysters are in contact with water or salt water. Before packing into the containers for shipment or other delivery for consumption the oysters are thoroughly drained and are packed without any added substance.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2720 SHELL OYSTERS; THOROUGHLY DRAINED.**

For the purposes of parts 1545.2710 and 1545.2720 "shell oysters" means live oysters of any of the species *Ostrea virginica*, *Ostrea gigas*, *Ostrea lurida* in the shell, which after removal from their beds have not been floated or otherwise held under conditions which result in the addition of water.

"Thoroughly drained" means one of the following:

A. the oysters are drained on a strainer or skimmer which has an area of not less than 300 square inches per gallon of oysters drained and has perforations of at least one-fourth of an inch in diameter and not more than 1-1/4 inches apart or perforations of equivalent areas and distribution; the oysters are distributed evenly over the draining surface of the skimmer and drained for not less than five minutes; or

B. the oysters are drained by any method other than that prescribed by item A whereby liquid from the oysters is removed so that when the oysters are tested within 15 minutes after packing by draining a representative gallon of oysters on a skimmer of the dimensions and in the manner described in item A for two minutes, not more than five percent of liquid by weight is removed by such draining.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2740 IDENTITY OF EXTRA LARGE OYSTERS, OYSTERS COUNTS (OR PLANTS), EXTRA LARGE RAW OYSTERS, RAW OYSTERS COUNTS (OR PLANTS), EXTRA LARGE SHUCKED OYSTERS, SHUCKED OYSTERS COUNTS (OR PLANTS).**

Extra large oysters, oysters counts (or plants), extra large raw oysters, raw oysters counts (or plants), extra large shucked oysters, shucked oysters counts (or plants) are of the species *Ostrea virginica* and conform to the definition and standard of identity prescribed for oysters by parts 1545.2710 and 1545.2720 and are of such size that one gallon contains not more than 160 oysters and a quart of the smallest oysters selected therefrom contains not more than 44 oysters.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2750 IDENTITY OF LARGE OYSTERS, OYSTERS EXTRA SELECTS, LARGE RAW OYSTERS, RAW OYSTERS EXTRA SELECTS, LARGE SHUCKED OYSTERS, SHUCKED OYSTERS EXTRA SELECTS.**

Large oysters, oysters extra selects, large raw oysters, raw oysters extra selects, large shucked oysters, shucked oysters extra selects are of the species *Ostrea virginica* and conform to the definition and standard of identity prescribed for oysters by parts 1545.2710 and 1545.2720 and are of such size that one gallon contains more than 160 oysters but not more than 210 oysters; a quart of the smallest oysters selected therefrom contains not more than 58 oysters and a quart of the largest oysters selected therefrom contains more than 36 oysters.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2760 IDENTITY OF MEDIUM OYSTERS, OYSTERS SELECTS, MEDIUM RAW OYSTERS, RAW OYSTERS SELECTS, MEDIUM SHUCKED OYSTERS, SHUCKED OYSTERS SELECTS.**

Medium oysters, oysters selects, medium raw oysters, raw oysters selects, medium shucked oysters, shucked oysters selects are of the species *Ostrea virginica* and conform to the definition and standard of identity prescribed for oysters by parts 1545.2710 and 1545.2720 and are of such size that one gallon contains more than 210 oysters, but not more



than 300 oysters; a quart of the smallest oysters selected therefrom contains not more than 83 oysters and a quart of the largest oysters selected therefrom contains more than 46 oysters.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2770 SMALL OYSTERS, OYSTERS STANDARDS, SMALL RAW OYSTERS, RAW OYSTERS STANDARDS, SMALL SHUCKED OYSTERS, SHUCKED OYSTERS STANDARDS.**

Small oysters, oysters standards, small raw oysters, raw oysters standards, small shucked oysters, shucked oysters standards are of the species *Ostrea virginica* and conform to the definition and standards of identity prescribed for oysters by parts 1545.2710 and 1545.2720 and are of such size that one gallon contains more than 300 oysters but not more than 500 oysters; a quart of the smallest oysters selected therefrom contains not more than 138 oysters and a quart of the largest oysters selected therefrom contains more than 68 oysters.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2780 IDENTITY OF VERY SMALL OYSTERS, VERY SMALL RAW OYSTERS, VERY SMALL SHUCKED OYSTERS.**

Very small oysters, very small raw oysters, very small shucked oysters, are of the species *Ostrea virginica* and conform to the definition and standard of identity prescribed for oysters by parts 1545.2710 and 1545.2720 and are of such size that one gallon contains more than 500 oysters and a quart of the largest oysters selected therefrom contains more than 112 oysters.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2790 IDENTITY OF OLYMPIA OYSTERS, RAW OLYMPIA OYSTERS, SHUCKED OLYMPIA OYSTERS.**

Olympia oysters, raw Olympia oysters, shucked Olympia oysters are of the species *Ostrea lurida* and conform to the definition and standard of identity prescribed for oysters in parts 1545.2710 and 1545.2720.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2800 IDENTITY OF LARGE PACIFIC OYSTERS, LARGE RAW PACIFIC OYSTERS, LARGE SHUCKED PACIFIC OYSTERS.**

Large Pacific oysters, large raw Pacific oysters, large shucked Pacific oysters are of the species *Ostrea gigas* and conform to the definitions and standards of identity prescribed for oysters by parts 1545.2710 and 1545.2720 and are of such size that one gallon contains not more than 64 oysters and the largest oyster in the container is not more than twice the weight of the smallest oyster therein.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2810 IDENTITY OF MEDIUM PACIFIC OYSTERS, MEDIUM RAW PACIFIC OYSTERS, MEDIUM SHUCKED PACIFIC OYSTERS.**

Medium Pacific oysters, medium raw Pacific oysters, medium shucked Pacific oysters are of the species *Ostrea gigas* and conform to the definition and standard of identity prescribed for oysters by parts 1545.2710 and 1545.2720 and are of such size that one gallon contains more than 64 oysters and not more than 96 oysters and the largest oyster in the container is not more than twice the weight of the smallest oyster therein.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2820 IDENTITY OF SMALL PACIFIC OYSTERS, SMALL RAW PACIFIC OYSTERS, SMALL SHUCKED PACIFIC OYSTERS.**

Small Pacific oysters, small raw Pacific oysters, small shucked Pacific oysters, are of the species *Ostrea gigas* and conform to the definition and standard of identity prescribed for oysters by parts 1545.2710 and 1545.2720 and are of such size that one gallon contains more than 96 oysters and not more than 144 oysters and the largest oyster in the container is not more than twice the weight of the smallest oyster therein.

**Statutory Authority:** *MS s 31.10; 31.101*

**1545.2830 IDENTITY OF EXTRA SMALL PACIFIC OYSTERS, EXTRA SMALL RAW PACIFIC OYSTERS, EXTRA SMALL SHUCKED PACIFIC OYSTERS.**

Extra small Pacific oysters, extra small raw Pacific oysters, extra small shucked Pacific oysters are of the species *Ostrea gigas* and conform to the definition and standard of identity prescribed for oysters by parts 1545.2710 and 1545.2720 and are of such size that one gallon contains more than 144 oysters and the largest oyster in the container is not more than twice the weight of the smallest oyster therein.

**Statutory Authority:** *MS s 31.10; 31.101*

**FISH PROCESSING ESTABLISHMENTS****1545.2840 DEFINITIONS.**

Subpart 1. **Applicability.** For the purposes of parts 1545.2840 to 1545.3120 the following words, phrases, names, and terms shall be construed respectively to mean.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Agriculture.

Subp. 3. **Department.** "Department" means the Minnesota Department of Agriculture.

Subp. 4. **Fish.** "Fish" means any completely aquatic, water-breathing craniate vertebrates having the limbs (when present) developed as fins with a body commonly covered with scales or plates.

Subp. 5. **Fish processing establishment.** "Fish processing establishment" means the premises, buildings, structures, and equipment (including, but not limited to, machines, utensils, and fixtures) employed or used with respect to the processing of fish or fish products.

Subp. 6. **Fish processing or processing.** "Fish processing" or "processing" means any operation or combination of operations in an establishment whereby fish or fish products are cut, fabricated, cured, salted, heat treated, packed, repacked, dried, smoked, or reprocessed for sale at wholesale as food for human consumption.

Subp. 7. **Fish product.** "Fish product" means any article of food or any article intended for or capable of being used as human food which is derived or prepared in whole or in substantial and definite part from any portion of any fish.

Subp. 8. **Inspector.** "Inspector" means an inspector of the department.

Subp. 9. **Minnesota condemned or any authorized abbreviations.** "Minnesota condemned" or any authorized abbreviations thereof means the fish or fish product so marked or so identified is unsound, unhealthful, unwholesome, or otherwise unfit for human food.

Subp. 10. **Minnesota rejected or any authorized abbreviation.** "Minnesota rejected" or any authorized abbreviation thereof means equipment, utensil, room, or compartment so marked or so identified has been declared unclean or otherwise unsatisfactory for use by an inspector and shall not be used in any fish processing operation while so marked or so identified.

Subp. 11. **Minnesota retained or any authorized abbreviations.** "Minnesota retained" or any authorized abbreviations thereof means the fish or fish product or any other article so marked or so identified is held for further examination by an inspector to determine its disposal.

**Statutory Authority:** *MS s 28A.10*

**1545.2850 PERMITS.**

After July 1, 1964, no person shall process fish in Minnesota for sale at wholesale without first obtaining a permit therefor from the commissioner. Applications for permits shall be made on forms provided by the commissioner who shall cause the place to be inspected before granting a permit. On finding that the applicant maintains a proper place and equipment, the commissioner shall issue a permit to the applicant. Permits shall expire on June 30, following their issue.

**Statutory Authority:** *MS s 28A.10*

**History:** *17 SR 1279*

**1545.2860 RENEWAL OF PERMITS.**

Permits shall be renewed annually on July 1. Applications for renewal of permits shall be filed on or before June 30. The commissioner may cause the place to be inspected before granting renewal of a permit. On finding that the applicant maintains a proper place and equipment, the commissioner shall reissue a permit to the applicant.

**Statutory Authority:** *MS s 28A.10*

**History:** *17 SR 1279*

**1545.2870 REVOCATION OF PERMIT, NOTICE; REINSTATEMENT.**

After giving the person to whom a permit has been issued at least seven days notice of the date and place of hearing and an opportunity to be heard, the commissioner may by order revoke any permit when the person to whom a permit has been issued fails to comply with any of the provisions of parts 1545.2840 to 1545.3120. Such notice may be given either by personal service upon the person to whom a permit has been issued or by mailing the same to the person by registered mail. The commissioner may reinstate any permit when the person who originally held the permit has complied with the provisions of these parts.

**Statutory Authority:** *MS s 28A.10*

**History:** *17 SR 1279*

**1545.2880 INSPECTIONS AND CORRECTIVE ORDERS.**

The commissioner shall at such times as the commissioner deems necessary cause any fish processing establishment or place of business where fish are processed to be inspected and shall make such order as is necessary to correct insanitary conditions in any such plant. Each order shall specify the time within which it shall be complied with and such order shall be served in person or by registered mail. The commissioner or any of the commissioner's representatives or inspectors may enter any plant or any place of business in which fish processing operations are being conducted at any reasonable hour for inspection purposes. Free access to every part of the premises shall be offered, and aid and assistance necessary to enable the person making the inspection to make a thorough and complete examination shall be given.

**Statutory Authority:** *MS s 28A.10*

**History:** *17 SR 1279*

**1545.2890 TAGGING INSANITARY EQUIPMENT, UTENSILS, ROOMS, OR COMPARTMENTS.**

When in the opinion of an inspector any equipment, utensil, room, or compartment at a fish processing establishment is unclean or its use would be in violation of any of these rules the inspector may attach a Minnesota rejected tag or notice thereto. No equipment, utensil, room, or compartment so tagged shall again be used until made acceptable and approved for use by an inspector. Such tag or notice so placed shall not be removed from any equipment, utensil, room, or compartment by anyone other than an inspector.

**Statutory Authority:** *MS s 28A.10*

**History:** *17 SR 1279*

**1545.2900 CONDITIONS OF PREMISES.**

The premises of the fish processing establishment shall be free from conditions objectionable to food processing operations. Such conditions include, but are not limited to, the following: strong offensive odors; litter, waste, and refuse within the immediate vicinity of the plant buildings or structures; excessively dusty roads, yards, or parking lots; and poorly drained areas.

**Statutory Authority:** *MS s 28A.10*

**1545.2910 BUILDINGS AND STRUCTURES.**

The fish processing establishment buildings and structures shall be properly constructed and maintained in a sanitary condition, including, but not being limited to, the requirements in parts 1545.2920 to 1545.2970.

**Statutory Authority:** *MS s 28A.10*

**1545.2920 LIGHTING.**

There shall be sufficient light consistent with the use to which the particular portion of the building is devoted and to permit efficient cleaning. All rooms in which fish are processed shall be considered as having sufficient light if at least 30 footcandles of light intensity are provided on all working surfaces except that belts and tables on which picking, sorting, or trimming operations are carried on shall be provided with at least 50 footcandles of light intensity. In all other rooms there shall be provided at least five footcandles of light intensity when measured at a distance of 30 inches from the floor.

**Statutory Authority:** *MS s 28A.10*

**1545.2930 VENTILATION.**

If practicable there shall be sufficient ventilation in each room and compartment thereof to prevent excessive condensation of moisture and to ensure sanitary and suitable processing and operating conditions. If such ventilation does not prevent excessive condensation, the commissioner may require that suitable facilities be provided to prevent the condensate from coming in contact with equipment used in processing operations and with any ingredient used in the manufacture or production of a processed product.

**Statutory Authority:** *MS s 28A.10*

**1545.2940 WASTE DISPOSAL AND PLUMBING SYSTEM.**

There shall be an efficient waste disposal and plumbing system. All drains and gutters shall be properly installed with approved traps and vents and shall be maintained in good repair and in proper working order.

**Statutory Authority:** *MS s 28A.10*

**1545.2950 ROOFS AND OTHER PARTS OF BUILDINGS AND STRUCTURES.**

Roofs shall be weather tight. The walls, ceilings, partitions, posts, doors, and other parts of all buildings and structures shall be of such materials, construction, and finish as to permit their efficient and thorough cleaning. The floors shall be constructed of tile, concrete, or other equally impervious material, shall have good surface drainage, and shall be free from openings or rough surfaces which would interfere with maintaining the floors in a clean condition.

**Statutory Authority:** *MS s 28A.10*

**1545.2960 ROOMS AND COMPARTMENTS.**

Each room and each compartment in which any processed products are handled, processed, or stored shall be so designed and constructed as to ensure processing and operating conditions of a clean and orderly character; shall be free from objectionable odors and vapors; and shall be maintained in a clean and sanitary condition.

**Statutory Authority:** *MS s 28A.10*

**1545.2970 EXCLUSION OF DOGS, CATS, AND VERMIN.**

Every practical precaution shall be taken to exclude dogs, cats, and vermin (including, but not being limited to, rodents and insects) from the rooms in which processed products are being prepared or handled and from any rooms in which ingredients (including, but not being limited to, salt, sugar, spices, flour, syrup, and fishery products) are handled or stored. Screens or other devices adequate to prevent the passage of insects shall, where practical, be provided for all outside doors and openings. The use of poisonous cleansing agents, insecticides, bactericides, or rodent poisons shall not be permitted except under such precautions and restrictions as will prevent any possibility of their contamination of the processed product.

**Statutory Authority:** *MS s 28A.10*

**1545.2980 WATER SUPPLY.**

The water supply shall be ample, clean, and potable with adequate pressure and facilities for its distribution in the plant and its protection against contamination and pollution. The provisions of parts 1545.2980 and 1545.2990 shall be considered as having been met if the

water supply complies with the specifications set forth in section VII of the Manual of Water Supply Sanitation of the Minnesota Department of Health, which standards have been adopted by the commissioner of agriculture or the specifications set forth in section X of the Manual of Water Supply Sanitation for Small Surface Water Supply Installations of the Minnesota Department of Health, which standards are hereby adopted by the commissioner of agriculture for private surface water supplies for all fish processing plants.

**Statutory Authority:** *MS s 28A.10*

#### **1545.2990 HOT WATER.**

Hot water at a temperature not less than 180 degrees Fahrenheit shall be available for sanitation purposes. Hot water for cleaning rooms and equipment shall be delivered under pressure to sufficient convenient outlets and shall be of such temperature as to accomplish a thorough clean up.

**Statutory Authority:** *MS s 28A.10*

#### **1545.3000 FACILITIES.**

Each fish processing establishment shall be equipped with adequate sanitary facilities and accommodations, including, but not being limited to those listed in parts 1545.3010 to 1545.3050.

**Statutory Authority:** *MS s 28A.10*

#### **1545.3010 TOILET ROOMS.**

There shall be a sufficient number of adequately lighted toilet rooms ample in size and conveniently located. Such rooms shall not open directly into rooms or compartments in which processed products are being manufactured, produced, or handled. Toilet rooms shall be adequately screened and equipped with self-closing doors and shall be provided with mechanical ventilation.

**Statutory Authority:** *MS s 28A.10*

#### **1545.3020 LAVATORIES.**

Conveniently located hand-washing facilities (lavatories) shall be provided for employees and inspectors. Each lavatory must be supplied with hot and cold running water, soap, and an ample supply of sanitary towels in suitable dispensers and a suitable receptacle for used towels. The use of a common towel is prohibited. Lavatories shall be directly connected to the drainage system.

**Statutory Authority:** *MS s 28A.10*

#### **1545.3030 CONTAINERS FOR PROCESSED PRODUCTS.**

Containers intended for use as containers for processed products shall not be used for any other purpose.

**Statutory Authority:** *MS s 28A.10*

#### **1545.3040 PRODUCT OR MATERIAL CREATING OBJECTIONABLE CONDITION.**

No product or material which creates an objectionable condition shall be processed, handled, or stored in any room, compartment, or place where any processed product is manufactured, processed, or handled.

**Statutory Authority:** *MS s 28A.10*

#### **1545.3050 FACILITIES FOR CLEANING.**

Suitable facilities for cleaning (brooms, brushes, mops, clean cloths, hose, nozzles, soaps, detergent, sprayers, and steam pressure hose and guns) shall be provided at convenient locations throughout the fish processing establishment.

**Statutory Authority:** *MS s 28A.10*

#### **1545.3060 EQUIPMENT.**

All equipment used for receiving, washing, segregating, picking, processing, packaging, or storing any processed products or any ingredients used in manufacture or production

thereof shall be of such design, material, and construction as will enable the examination, segregation, preparation, packaging, and other processing operations applicable to processed products in an efficient, clean, and sanitary manner and permit easy access to all parts to ensure thorough cleaning and effective bactericidal treatment. Insofar as is practicable all such equipment shall be made of corrosion-resistant material that will not adversely affect the processed product by chemical action or physical contact. Such equipment shall be kept in good repair and sanitary condition.

**Statutory Authority:** *MS s 28A.10*

**1545.3070 OPERATIONS AND OPERATING PROCEDURES.**

All operations in the receiving, transporting, holding, segregating, preparing, processing, packaging, and storing of processed products and ingredients used as aforesaid, shall be strictly in accord with clean and sanitary methods and shall be conducted as rapidly as practicable and at temperatures that will not tend to cause any material increase in bacterial or other microorganic content or any deterioration or contamination of such processed products or ingredients.

**Statutory Authority:** *MS s 28A.10*

**1545.3080 MECHANICAL ADJUSTMENTS.**

Mechanical adjustments or practices which may cause contamination of foods by oil, dust, paint, scale, fumes, grinding materials, decomposed food, filth, chemicals, or other foreign materials shall not be conducted during any manufacturing or processing operation.

**Statutory Authority:** *MS s 28A.10*

**1545.3090 REMOVAL AND SEGREGATION OF CERTAIN PRODUCTS.**

All processed products which are not manufactured or prepared in accordance with the requirements of these parts or are not fit for human food shall be removed and segregated prior to any further processing operation.

**Statutory Authority:** *MS s 28A.10*

**1545.3100 INGREDIENTS.**

All ingredients used in the manufacture or processing of any processed product shall be clean and fit for human food.

**Statutory Authority:** *MS s 28A.10*

**1545.3110 METHODS AND PROCEDURES.**

The methods and procedures employed in the receiving, segregating, handling, transporting, and processing of ingredients in the plant shall be adequate to result in a satisfactory processed product. Such methods and procedure include, but are not limited to, the following requirements:

A. Containers, utensils, pans, and buckets used for the storage or transporting of partially processed food ingredients shall not be nested unless rewashed before each use.

B. Containers which are used for holding partially processed food ingredients shall not be stacked in such a manner as to permit contamination of the partially processed food ingredients.

C. Packages or containers for processed products shall be clean when being filled with such products, and all reasonable precautions shall be taken to avoid soiling or contaminating the surface of any package or container liner which is or will be in direct contact with such products. If, to assure a satisfactory finished product, changes in methods and procedures are required by the commissioner, such changes shall be effectuated as soon as practicable.

**Statutory Authority:** *MS s 28A.10*

**1545.3120 HEALTH OF PERSONNEL.**

In addition to such other requirements as may be prescribed by the commissioner with respect to persons in any room or compartment where exposed ingredients are prepared, processed, or otherwise handled, the following shall be complied with. No person affected with

any communicable disease (including, but not being limited to, tuberculosis) in a transmissible stage shall be permitted. Infections or cuts shall be covered with rubber gloves or other suitable covering. Clean, suitable clothing shall be worn. Hands shall be washed immediately prior to starting work and each resumption of work after each absence from the work station. Spitting and the use of tobacco are prohibited. All necessary precautions shall be taken to prevent the contamination of processed products and ingredients thereof with any foreign substance (including but not being limited to perspiration, hair, cosmetics, and medicament).

**Statutory Authority:** *MS s 28A.10*

### FISH SMOKING ESTABLISHMENTS; PROCESSING, LABELING, DISTRIBUTION, AND HANDLING OF SMOKED FISH

#### 1545.3130 DEFINITIONS.

Subpart 1. **Applicability.** For the purpose of parts 1545.3130 to 1545.3330 the following words, phrases, names, and terms shall be construed, respectively, to mean the following.

Subp. 2. **Airtight.** "Airtight" means the absence of air movement into or out of a package due to the impervious nature of the package material or the method of closure. Water impervious packages with openings less than one-fourth inch in diameter shall be considered as being airtight.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Agriculture.

Subp. 4. **Department.** "Department" means the Minnesota Department of Agriculture.

Subp. 5. **Fish.** "Fish" means any completely aquatic, water-breathing craniate vertebrates having the limbs (when present) developed as fins, with a body commonly covered with scales or plates.

Subp. 6. **Fish product.** "Fish product" means any article of food or any other article intended for or capable of being used as human food which is derived or prepared, in whole or in substantial and definite part, from any portion of any fish.

Subp. 7. **Fish smoking establishment.** "Fish smoking establishment" means the premises, building, structures, and equipment (including, but not limited to, machines, utensils, and fixtures) employed or used with respect to the smoking of fish or fish products.

Subp. 8. **Smoked fish.** "Smoked fish" means product obtained by subjecting fresh fish, frozen fish, dried fish, or cured fish to the direct action of the smoke either of burning wood, wood sawdust, or of similar burning material.

**Statutory Authority:** *MS s 28A.10*

#### 1545.3140 PERMITS.

No person shall smoke fish for sale in Minnesota without first obtaining a permit therefor from the commissioner. Applications for permits shall be made on forms provided by the commissioner, who shall cause the fish smoking establishment to be inspected before granting a permit. On finding that the applicant maintains a proper establishment and equipment all in conformity to this rule and other applicable state laws and rules, the commissioner shall issue a permit to the applicant. Permits shall expire on June 30, following their issue.

**Statutory Authority:** *MS s 28A.10*

**History:** *17 SR 1279*

#### 1545.3150 PERMITS GRANTED TO ESTABLISHMENTS NOT LOCATED IN MINNESOTA.

The commissioner may issue a permit to smoke fish for sale in Minnesota to a fish smoking establishment located outside the boundaries of the state of Minnesota provided application for such permit shall be made on forms provided by the commissioner. The application shall include a statement or letter to the commissioner from the appropriate state department of agriculture or the public health authority in the area certifying that the applicant maintains facilities and processing procedures in compliance with the requirements of parts 1545.3130 to 1545.3330. Permits issued under the provisions of this part shall expire on June 30, following their issue. Application for renewal of a permit issued under the provisions of

this part shall be in accordance with part 1545.3160 and shall include the statement or letter required by this part.

**Statutory Authority:** *MS s 28A.10*

**1545.3160 RENEWAL OF PERMITS.**

Permits shall be renewed annually on July 1. Application for renewal of permits shall be filed on or before June 30. The commissioner may cause the fish smoking establishment to be inspected before granting renewal of a permit. On finding that the applicant maintains a proper fish smoking establishment and equipment, the commissioner shall reissue a permit to the applicant.

**Statutory Authority:** *MS s 28A.10*

**History:** *17 SR 1279*

**1545.3170 FACILITIES AND EQUIPMENT.**

No person shall operate a fish smoking establishment unless it conforms to the requirements of Minnesota rules relating to fish processing establishments, parts 1545.2840 to 1545.3120; provided, however, that compliance with these parts does not excuse failure to comply with all applicable sanitary ordinances, laws, rules, and regulations of city, county, state, federal, or other agencies having jurisdiction over such plants and operations.

**Statutory Authority:** *MS s 28A.10*

**1545.3180 PROCESSING PROCEDURES.**

No person shall smoke fish for sale in Minnesota unless the flesh of all such fish is heated during the smoking operation or immediately after packaging to an internal temperature of 180 degrees Fahrenheit or higher, and maintained at 180 degrees Fahrenheit or higher, for 30 minutes or longer and then shall be cooled immediately to 40 degrees Fahrenheit or lower, and maintained at 40 degrees Fahrenheit or lower, until sold and delivered; or chilled and frozen immediately and kept in the frozen state until sold and delivered.

**Statutory Authority:** *MS s 28A.10*

**1545.3190 RECORD OF HEAT TREATMENT OF SMOKED FISH.**

Every person who engages in the business of smoking fish for sale in Minnesota shall keep and maintain a complete and accurate record of the date, time, and temperature of all fish being heat treated. This record shall be kept on the charts of a recording thermometer or shall be kept in a ledger or other suitable book of account which for the purposes of these rules shall be known as the fish smoking record. The time and temperature of each smokehouse load or batch shall be recorded as follows in parts 1545.3200 to 1545.3260.

**Statutory Authority:** *MS s 28A.10*

**1545.3200 IDENTIFICATION OF EACH SMOKEHOUSE COMPARTMENT LOAD OR BATCH.**

Each smokehouse compartment load or batch of fish shall be identified on the chart of an approved recording thermometer or in the fish smoking record at the time the fish are placed in the smokehouse which entry shall indicate the smokehouse or compartment number, the type or species of fish being smoked, and the date of smoking.

**Statutory Authority:** *MS s 28A.10*

**1545.3210 INTERNAL TEMPERATURE OF FISH BEING SMOKED.**

If the required heat treatment is performed in a smokehouse or smoking compartment, the internal temperature of the fish being smoked shall be:

A. obtained by inserting a thermocouple into the thickest flesh portion of one of the largest fish being smoked. The thermocouple shall be properly connected to a recording thermometer equipped with a timing device which will automatically indicate and summarize the total time during which the thermocouple inserted in the fish has been exposed to a temperature of 180 degrees Fahrenheit or above; or

B. obtained by inserting an accurate thermometer into the thickest flesh portion of three or more of the largest fish in the smokehouse compartment. The coldest thermometer



reading thus obtained shall be recorded in the fish smoking record as being the internal temperature of fish being smoked. The internal temperature of fish being smoked shall be obtained and recorded with the time taken at least three times during the operation of heating each load or batch of fish to an internal temperature of 180 degrees Fahrenheit or higher, for 30 minutes or longer at time intervals adequate to clearly indicate that the required heat treatment has been accomplished.

**Statutory Authority:** *MS s 28A.10*

**1545.3220 PERFORMANCE OF REQUIRED HEAT TREATMENT IMMEDIATELY AFTER PACKAGING.**

If the required heat treatment is performed immediately after packaging, during each such heat treatment operation the internal temperature of the fish being heat treated shall be determined by a method which has been submitted to and approved by the commissioner.

**Statutory Authority:** *MS s 28A.10*

**1545.3230 ENTRY OF INTERNAL TEMPERATURE IN FISH SMOKING RECORD.**

Each entry of internal temperature in the fish smoking record shall show the time the temperature was taken and shall be recorded in the fish smoking record immediately after such temperature is obtained.

**Statutory Authority:** *MS s 28A.10*

**1545.3240 CERTIFICATION OF ENTRIES.**

All entries made on the chart of an approved recording thermometer or in the fish smoking record shall be certified as being true and correct by the plant operator or the operator's representative within 12 hours after such entries are made.

**Statutory Authority:** *MS s 28A.10*

**History:** *17 SR 1279*

**1545.3250 INSPECTION OF FISH SMOKING RECORD AND TEMPERATURE RECORDING CHARTS.**

The fish smoking record and all temperature recording charts used in recording thermometers shall be kept available for inspection at the fish smoking establishment for a minimum period of six months.

**Statutory Authority:** *MS s 28A.10*

**1545.3260 INTERNAL TEMPERATURE.**

For the purposes of parts 1545.3130 to 1545.3330, the internal temperature shall be the lowest thermometer reading of accurate thermometers inserted in the thickest flesh portion of three or more of the largest fish being heat treated each time the internal temperature is taken or shall be the temperature recorded by an approved recording thermometer obtained from a thermocouple or other approved device inserted into the thickest flesh portion of one of the largest fish in the smokehouse.

**Statutory Authority:** *MS s 28A.10*

**1545.3270 HANDLING OF SMOKED FISH.**

Every person who removes smoked fish from the smoke sticks, rods, or screens and places them into packages shall, immediately before doing so, carefully wash his or her hands using soap and running water and then dry them with a single-service disposable towel. The person shall not then permit his or her hands to contact any raw fish or any container, equipment, work surface, clothing, or any other thing of any kind which has been in contact with raw fish or raw fish products until the person has completed the tasks of placing the smoked fish in packages.

**Statutory Authority:** *MS s 28A.10*

**History:** *17 SR 1279*

**1545.3280 AIRTIGHT OR VACUUM-PACK CONTAINERS.**

No smoked fish shall be stored, transported, or sold in airtight or vacuum-pack containers. Smoked fish which have been stored or transported in airtight or vacuum-pack containers shall not be sold in Minnesota.

**Statutory Authority:** *MS s 28A.10*

**1545.3290 PRODUCT TEMPERATURE REQUIREMENTS.**

No person shall store, transport, sell, offer, or expose for sale, smoked fish unless the surface and internal temperature is 40 degrees Fahrenheit or lower; provided, that frozen smoked fish shall be kept solidly frozen at a temperature of ten degrees Fahrenheit or lower during all stages of storage, transportation, and selling.

**Statutory Authority:** *MS s 28A.10*

**1545.3300 LABELING REQUIREMENTS.**

No person shall sell smoked fish which is unlabeled or improperly labeled. The wrapper, package, or other container of all smoked fish shall be prominently labeled and, except as provided for in part 1545.3310, such label shall include the following information: the word "frozen," if the fish is frozen and the word "smoked" qualified by the common name of the fish or the common name of the fish qualified by the word "smoked"; the name of the processor and the place where processed; the serial number of the fish smoking permit issued by the commissioner to the processor; the net weight; the statement: "Perishable — Keep Refrigerated at 40 degrees Fahrenheit or Lower"; except, that in the case of frozen smoked fish, the wrapper, package, or other container shall bear the statement "Perishable — Keep Frozen — Thaw in Refrigerator" in lieu of the statement "Perishable — Keep Refrigerated at 40 degrees Fahrenheit or Lower"; and the date of smoking. No code date systems shall be used unless approved in writing by the commissioner.

**Statutory Authority:** *MS s 28A.10*

**1545.3310 PACKAGING AT TIME OF RETAIL SALE.**

The provisions of part 1545.3300 do not apply to a retail dealer who removes smoked fish from a fully labeled wrapper, package, or other container at the time of retail sale provided that unfrozen smoked fish sold under the provisions of this part shall be prominently labeled or stamped: "Perishable — Keep Refrigerated at 40 degrees Fahrenheit or Lower"; frozen smoked fish sold under the provisions of this part shall be prominently labeled or stamped "Perishable — Keep Frozen — Thaw in Refrigerator."

**Statutory Authority:** *MS s 28A.10*

**1545.3320 SALE OF PROPERLY IDENTIFIED SMOKED FISH.**

Except as provided in parts 1545.3130 to 1545.3330, no person shall sell, offer for sale, or have in possession with intent to sell any smoked fish unless said product is identified as having been smoked in an establishment which has been issued a permit to smoke fish under the provisions of these parts.

**Statutory Authority:** *MS s 28A.10*

**1545.3330 EXEMPTIONS.**

Anything herein to the contrary notwithstanding, the provisions of parts 1545.3130 to 1545.3330 do not apply to the processing, labeling, distribution, and handling of:

A. smoked lox and nova (smoked salt salmon) or other smoked fish which have been dry salted and cured in a salt brine for 30 days or longer;

B. finnan haddie, smoked cod fillets, smoked Scotch kippers, or other smoked fish which are to be cooked before being consumed;

C. boneless smoked salted herring, smoked dry salted herring, or smoked "blind robins";

D. commercially sterile canned smoked fish; provided, that it has been processed in a state licensed establishment or an establishment under the direct supervision of the federal government.

**Statutory Authority:** *MS s 28A.10*

**1545.3350 VACUUM PACKAGED HOT PROCESSED SMOKED OR HOT PROCESSED SMOKE-FLAVORED SALMON.**

Subpart 1. **Applicability.** Parts 1545.3180 to 1545.3260, 1545.3280, 1545.3290, and 1545.3310 do not apply to air tight or vacuum packaged hot processed smoked or hot processed smoke-flavored salmon which has been processed and packaged in a processing facility in compliance with National Marine Fisheries Service, chapter 2; Code of Federal Regulations, title 50, part 260 and which meets the requirements of this part.

Subp. 2. **Defrosting.** Defrosting of eviscerated frozen salmon must be carried out in:

A. air at 45 degrees Fahrenheit or below until the salmon is completely thawed and the internal temperature of any part of the salmon does not exceed 45 degrees Fahrenheit; or

B. a continuous water flow tank or spray system until the salmon is thawed. Salmon may not be mixed with other species during thawing. Salmon may not remain in the tank for over four hours after they are completely defrosted and the temperature in any part of the salmon may not exceed 60 degrees Fahrenheit during this period. If longer delays are encountered, the salmon must be returned to temperatures of 38 degrees Fahrenheit or below until the salmon is brined.

Subp. 3. **Washing.** Both fresh and thawed salmon must be washed thoroughly with a vigorous chlorinated water spray or in a continuous water flow system prior to brining. The chlorine concentration in the water may not exceed 50 parts per million available chlorine.

Subp. 4. **Dry-salting; brine.** Salmon must be dry-salted at a temperature not to exceed 38 degrees Fahrenheit throughout the salmon, or if brined, the salmon may not be mixed with other species of fish in the same tank and must be brined so that the temperature of the salmon and the brine does not exceed 60 degrees Fahrenheit at the start of brining.

If the brine time exceeds four hours, the brining must take place in a refrigerated room of 42 degrees Fahrenheit or lower. The salmon may not be held above 38 degrees Fahrenheit for more than 48 hours.

Brines may not be reused unless there is an adequate process, such as ultrafiltration, to return the brine to an acceptable microbiological level. Brine tanks that have been used to brine other species of fish must be cleaned and sanitized before being used to brine salmon.

Subp. 5. **Sodium chloride, sodium nitrite content.** Hot process smoked or hot process smoke-flavored salmon must be brined so that the final sodium nitrite content of the loin muscle of the finished product is not less than 100 parts per million and is not more than 200 parts per million immediately after processing. These same products may not contain less than the minimum concentration of one of the following combinations of water phase salt and sodium nitrite in the deepest part of the loin:

A. 3.5 percent water phase salt with 100 parts per million nitrite.

B. 3.4 percent water phase salt with 120 parts per million nitrite.

C. 3.3 percent water phase salt with 140 parts per million nitrite.

D. 3.2 percent water phase salt with 160 parts per million nitrite.

E. 3.1 percent water phase salt with 180 parts per million nitrite.

Subp. 6. **Temperature monitoring.** Hot process smoked or hot process smoke-flavored salmon must be heated by a controlled heat process that provides a monitoring system, such as calibrated probes or dial thermometers, positioned in as many strategic locations in the oven as necessary to assure that all products reach the minimum internal temperature.

The temperature monitoring devices must be tested for accuracy against a known accurate standard thermometer upon installation and at least once a year thereafter, or more frequently if necessary, to ensure their accuracy. Graduations on the temperature monitoring devices may not exceed two degrees Fahrenheit within a range of ten degrees Fahrenheit of the processing temperature.

Each salmon portion must be heated to an internal temperature of 150 degrees Fahrenheit or higher and maintained at 150 degrees Fahrenheit or higher for 30 minutes or longer.

Subp. 7. **Application of smoke.** Liquid smoke, generated smoke, or a combination of liquid smoke and generated smoke must be applied to the entire product. If only liquid smoke is used in the process, it may be applied to the product prior to, at the beginning of, or during the process. Liquid smoke added during the process must be applied before the internal tem-

perature of the product exceeds 125 degrees Fahrenheit. The liquid smoke must be prepared by the aqueous process (U.S. Patent 3,106,473) and have a minimum of the following major constituents in its compositions: ten percent titratable acidity, nine milligrams phenol per gram, 12 grams carbonyls per 100 milliliter. The constituents must be used at concentrations of 50 percent or more.

When only generated smoke is used in the process, dense smoke must be applied to the salmon for at least 90 minutes at the beginning of the process. If a drying cycle is used in the smoking process, the air temperature surrounding the salmon may not exceed 110 degrees Fahrenheit and the time period may not exceed 60 minutes at temperatures between 60 degrees Fahrenheit and 110 degrees Fahrenheit before the application of smoke. If temperatures below 60 degrees Fahrenheit are used, the time period may not exceed six hours. Generated smoke must be produced from burning hardwood. If a combination of liquid smoke and generated smoke is used, the procedures for liquid smoke must be followed and the generated smoke may be applied at any stage of the process.

**Subp. 8. Cooling; storage and distribution.** The finished product must be cooled to a temperature of 50 degrees Fahrenheit or below within five hours after cooking and further cooled to a temperature of 38 degrees Fahrenheit or below within 12 hours after cooking. The finished product must be maintained at 38 degrees Fahrenheit or lower during all subsequent storage and distribution.

**Subp. 9. Labeling.** Primary packages and master cartons must be clearly marked with a statement to maintain the product below 38 degrees Fahrenheit. If salmon is frozen, the label must clearly direct users to thaw the salmon at refrigerated temperatures and to store the thawed salmon below 38 degrees Fahrenheit.

**Subp. 10. Analysis.** The finished product must be analyzed chemically with sufficient frequency to assure that the required water-phase salt and sodium nitrite is obtained and the other chemical additives are present at authorized levels. To reduce the possibility of post-processing contamination with food poisoning bacteria, the product must be vacuum-packaged only within the facility in which it was processed.

**Subp. 11. Methods.** Samples must be analyzed by the procedures described in the 14th edition of Official Methods of Analysis of the Association of Official Analytical Chemists (AOAC) (Sidney Williams (ed.), 1984), which is incorporated by reference, or by methods which have been demonstrated to be comparable to the AOAC methods. The publication incorporated in this subpart is available at the Saint Paul Public Library and is not subject to frequent change.

A. Water-phase salt analysis method. Determine sodium chloride (NaCl in the following equation) according to AOAC (14th ed.), sections 18.034 and 18.035.

Determine moisture (H<sub>2</sub>O in the following equation) according to AOAC (14th ed.), section 24.003(a).

Calculate water-phase salt as follows:

$$\frac{\text{g NaCl in sample} \times 100}{\text{g NaCl} + \text{g H}_2\text{O in sample}} = \text{percent NaCl in water phase}$$

B. Sodium nitrite analysis method. Determine sodium nitrite content according to AOAC (14th ed.) sections 24.044 and 24.045.

**Subp. 12. Code marks; records.** Permanently legible code marks must be placed on the outer layer of every finished product package and master carton. The marks must identify at least the plant where the product was packed and the date of packing. Records must be maintained at the processing facility for a minimum of six months from the date of processing to provide positive identification of (1) the process procedures, including process time, temperature, and sodium nitrite and water-phase salt levels, used for the manufacture of hot process smoked and hot process smoke-flavored salmon, and (2) the distribution of the finished product.

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Subp. 13. **Sale in other containers.** Salmon meeting the requirements of this part may also be packaged, stored, transported, sold, offered, and exposed for sale in containers which are not air-tight or vacuum-packed.

**Statutory Authority:** *MS s 31.11*

**History:** *9 SR 2341*