

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Processors of Fresh and Smoked Fish
- 2) Code Citation: 77 Ill. Adm. Code 735
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
735.10	Repealed
735.20	Repealed
735.30	Repealed
735.40	Repealed
735.50	Repealed
735.60	Repealed
735.70	Repealed
735.80	Repealed
- 4) Statutory Authority: Implementing and authorized by the Illinois Food, Drug and Cosmetic Act [410 ILCS 620]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being repealed because all relevant content is contained in 21 CFR 123 Fish and Fishery Products, which is incorporated by reference into the Manufacturing, Processing, Packing or Holding of Food Code (77 Ill. Adm. Code 730).

The economic effect of this proposed repealer is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this repealer approximately six to nine months after publication of the Notice in the *Illinois Register*.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No

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- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand any State mandates on units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written or e-mail comments may be submitted within 45 days after this issue of the *Illinois Register* to:

Elizabeth Paton
Assistant General Counsel/Rules Coordinator
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th floor
Springfield, Illinois 62761

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e-mail: dph.rules@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2016

The full text of the Proposed Repealer begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 735

PROCESSORS OF FRESH AND SMOKED FISH (REPEALED)

Section

735.10	Definitions
735.20	Scope
735.30	Plant and Grounds
735.40	Equipment and Utensils
735.50	Sanitary Facilities and Controls
735.60	Sanitary Operations
735.70	Processes and Controls
735.80	Personnel

AUTHORITY: Implementing and authorized by the Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1981, ch. 56½, pars. 501 et seq.).

SOURCE: Filed September 18, 1972; codified at 8 Ill. Reg. 7276; repealed at 40 Ill. Reg. _____, effective _____.

Section 735.10 Definitions

For the purpose of this Part, 77 Ill. Adm. Code 730, Subpart A, of The Manufacturing, Processing, Packing or Holding of Food applies as well as the following definitions:

"Adulterated" shall mean the condition of fish, fish products, or ingredients

if they bear or contain any poisonous or deleterious substance in a quantity which may render them injurious to health;

if they bear or contain any added poisonous or deleterious substance for which no safe tolerance has been established by regulation, or in excess of such tolerance if one has been established;

if they consist in whole or in part of any filthy, putrid or decomposed substance or are otherwise unfit for human consumption;

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if they have been processed, prepared, packaged or held under insanitary conditions whereby they may have become contaminated with filth, or whereby they may have been rendered injurious to health;

if they are in whole or in part the product of a diseased fish; or

if their container is composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

"And/or" shall mean "and" wherever possible; otherwise, the word "or" shall apply.

"Approved" shall mean acceptable to the Illinois Department of Public Health based on its determination as to conformance with appropriate standards and good public health practice.

"Closed" shall mean fitted together snugly, leaving no openings large enough to permit the entrance of vermin.

"Contact surfaces" shall mean those surfaces of equipment and utensils with which fish, fish products, or ingredients normally come in contact, and those surfaces with which fish, fish products, or ingredients may come in contact and drain back onto surfaces normally in contact with fish, fish products, or ingredients.

"Corrosion-resistant material" shall mean a material which maintains its original surface characteristics under prolonged influence of fish, fish products, or ingredients, and cleaning compounds and sanitizing solutions to which it is normally subjected.

"Easily cleanable" shall mean readily accessible and of such material and finish and so fabricated that residues may be completely removed by normal cleaning methods.

"Employee" shall mean any person working in a fish processing establishment who transports fish, fish products, or ingredients, or ingredient containers, who engages in processing, or who comes in contact with any fish, fish products, ingredients, utensils or equipment.

"Equipment" shall mean all processing machines, tables, refrigerators, sinks,

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utensil washing machines, vats, tanks, pumps, and similar items used in the operation of a fish processing establishment.

"Fish" shall mean any cold blooded, strictly aquatic animal of the class Pisces.

Whole fish are fish as captured, ungutted.

Gutted fish are fish from which the guts have been removed.

Fresh fish have either received no preserving treatment or have been preserved only by chilling.

"Fish product" shall mean any fish or part thereof which, wholly or in a combination with other ingredients, is intended for further processing for human consumption.

"Fish-smoking establishment (plant)" shall mean the premises, buildings, structures, and equipment employed or used in connection with the processing, storage, or handling of fish, fish products, or ingredients for smoking and/or the smoking and subsequent processing, storage, or handling of the smoked fish, fish products, or fish ingredients within the plant.

"Hot-process smoked or hot-process smoked-flavored fish" shall mean the finished food prepared by subjecting forms of smoked fish referred to in the definitions of "smoked fish" and "smoked-flavored fish" to heat as prescribed in Section 735.70(f).

"Loin muscle" shall mean the longitudinal quarter of the great lateral muscle freed from skin, scales, visible blood clots, bones, gills, and viscera and from the nonstriated part of such muscle, which part is known anatomically as the median superficial muscle.

"Person" shall mean an individual, or a firm, partnership, company, corporation, trustee, association, or any public or private entity.

"Potable water" shall mean water which complies with USPHS Drinking Water Standards.

"Regulatory authority" shall mean the Illinois Department of Public Health.

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"Sealed" shall mean free from cracks or other openings which permit the entry or passage of moisture.

"Single-service articles" shall mean cups, containers, lids or closures, trays, knives, spoons, stirrers, wrapping materials, and similar articles which are constructed wholly or in part of paper, paperboard, plastic, molded pulp, foil, wood, synthetic, or other readily destroyable materials, and which are intended by the manufacturers for one use only and then to be discarded.

"Smoked fish" shall mean any fish that is prepared by treating it with salt (sodium chloride) and then subjecting it to the direct action of smoke from burning wood, sawdust, or similar material.

"Smoked-flavored fish" shall mean any fish that is prepared by treating it with salt (sodium chloride) and then imparting to it the flavor of smoke by other than the direct action of smoke.

"Utensils" shall mean any hand implements or multi-use portable containers used in the preparation, processing, conveying and storage of fish, fish products, or ingredients.

"Water phase salt" shall mean the percent salt (sodium chloride) in the finished product as determined by the method described in the "Official Methods of Analysis of the Association of Agricultural Chemists," multiplied by 100 and divided by the percent salt (sodium chloride) plus the percent moisture in the finished product.

"Wholesome" shall mean in sound condition, clean, free from adulteration, and otherwise suitable for use as human food.

Section 735.20 Scope

This Part is intended to explain how The Manufacturing, Processing, Packing or Holding of Food (77 Ill. Adm. Code 730) may be satisfactorily complied with by processors of fresh fish and smoked fish. This Part is not intended to be all inclusive and it may be possible to satisfactorily comply by using other means. If other means are used, they must be approved by the Illinois Department of Public Health prior to their use. Proof of such approval shall be maintained by the firm for presentation to a representative of the Illinois Department of Public Health during an inspection of the establishment.

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Section 735.30 Plant and Grounds

- a) Grounds.
 - 1) The area surrounding the processing plant shall be free of discarded truck bodies, discarded equipment, litter, uncut weeds and uncut grass and any other condition that may constitute an attractant, breeding place or harborage for rodents, insects and other pests. This also shall include the proper storage of waste in sound containers with tight fitting lids and shall prohibit open sewage ditches.
 - 2) Roads and parking lots shall be constructed or surfaced in such a manner as to minimize dust and dirt. All adjacent yards shall have sufficient growth or be surfaced so as to prevent an excess of dirt and dust.
 - 3) The premises shall be sufficiently well drained to prevent pooling or an accumulation of liquids. This shall include proper grading so that drainage is away from the processing plant so as to preclude the possibility of surface water pooling or seeping or draining into the plant. Vehicle washing areas shall be constructed of concrete or equivalent material, shall be properly drained, and graded so that any runoff flows away from the plant.
- b) Plant Construction and Design.
 - 1) Adequate Size: The processing plant shall be of sufficient size for the purpose intended without crowding of equipment or personnel.
 - 2) Proper Construction: The building and surrounding area should be such as can be kept reasonably clean of objectionable odors, smoke, dust, or other contamination. The building shall be of such construction as to protect against the entrance and harborage of insects or birds or vermin.
 - 3) Clean and In Good Repair:
 - A) Interior walls and ceilings shall be constructed of a smooth, nonabsorbent material, easily cleanable, free of cracks, ledges or shelves where dust and debris may collect. Floors shall be smooth and kept in good repair. Floors in all rooms or areas where fish, fish products, or ingredients are processed or stored, or where

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utensils and equipment are washed, and floors in refuse rooms, and other floors which are not kept dry, shall be constructed of good quality concrete, or of equally impervious and easily cleanable material. Floor and wall junctures shall be covered and sealed in all new construction. In all cases, the juncture between the floor and wall shall be closed.

- B) All surfaces of such floors shall be graded to drain and floor drains shall be equipped with traps and grills, and shall be so located as to drain all waste liquids.
 - C) Gutters, if used to conduct such drainage, shall be so constructed and located as to be easily cleanable.
 - D) All floors shall be kept clean.
- 4) Partitioned as Required: Areas where raw materials are received or stored should be so separated from areas in which final product preparation or packaging is conducted as to preclude contamination of the finished product. Areas used for storage, manufacture or handling of edible products should be separate and distinct from those used for inedible materials. The fish handling area shall be completely separated from any part of the premises used as living quarters.
- 5) Lighting:
- A) All areas in which fish, fish products, or fish ingredients are processed, examined, or stored, or equipment and utensils are washed, handwashing areas, dressing and locker rooms and toilet rooms shall be well lighted.
 - B) At least 50 foot-candles of light shall be provided on work surfaces, in areas where fish and fish products are examined for cleanliness or wholesomeness; at least 30 foot-candles of light on all other working surfaces; and at least 5 foot-candles of light at a distance of 30 inches above the floor in all other areas of the plant. Toilet facilities shall have a minimum of 10 foot-candles of light.
 - C) Light bulbs or fixtures suspended over food in any step of preparation shall be of the safety type or otherwise protected to

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prevent food contamination in the case of breakage.

- 6) Ventilation: All rooms in which fish or fish products are processed, or equipment and utensils are washed, dressing or locker rooms, toilet rooms and refuse storage rooms, shall be well ventilated. Equipment giving off noxious odors, fumes or vapors shall be ventilated to the outside air. Ventilation systems shall not create conditions whereby fish or fish products are subjected to contamination.
- 7) Screened as Required: All outside doors, windows, and open skylights shall be kept in good repair and, whenever flying insects are prevalent, be provided with tight screens of 16-mesh or equivalent to prevent the entrance of such insects; provided that fans or other devices which prevent the entrance of flying insects may be used in lieu of screen doors. If such equipment is used, tight fitting doors shall be installed and, whenever such insects are prevalent, doors shall be kept closed at all times when such devices are not in operation. Conveyor, air-vent, and other special outside openings shall be effectively protected at all times against the entrance of insects, rodents, and other vermin by the use of doors, flaps, fans, screens, or other means.

Section 735.40 Equipment and Utensils

- a) Suitable for Intended Use: Equipment and product containers should not constitute a hazard to health. Containers which are reused should be of such material and construction as will facilitate thorough cleaning, and should be so cleaned and maintained as not to constitute a source of contamination to the product.
- b) Cleanable:
 - 1) Design: Equipment and utensils shall be so designed as to prevent contamination of the food and permit easy and thorough cleaning.
 - 2) Construction: All equipment and utensils shall be so designed and of such material and so fabricated as to be smooth, easily cleanable and durable, and shall be in good repair.
 - 3) Food Contact Surfaces: All food contact surfaces shall be smooth; free from pits, crevices, and loose seals; nontoxic; unaffected by food products;

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capable of withstanding repeated exposure to normal cleaning.

- 4) Nonfood Contact Surfaces:
 - A) Surfaces of equipment and utensils not intended for contact with fish or fish products but which are exposed to splash, fish debris, or otherwise require frequent cleaning, shall be reasonably smooth, washable, free of unnecessary ledges, projections, or crevices; readily accessible for cleaning; and of such material and in such repair as to be readily maintained in a clean and sanitary condition.
 - B) Equipment and utensils used for inedible or contaminating materials should be so identified and should not be used for handling edible products.
- c) Clean and In Good Repair: All utensils and product-contact surfaces of equipment shall be thoroughly cleaned to sight and touch immediately following the day's operations and at such time during operations as may be required to prevent contamination of fish and fish products. All product contact surfaces of all equipment and utensils shall be sanitized by a method acceptable to the Illinois Department of Public Health.

Section 735.50 Sanitary Facilities and Controls

- a) Water Supply: The water supply shall be adequate, of a safe, sanitary quality and from a source approved by the Illinois Department of Public Health. Hot and cold running water, under pressure, shall be provided at hand washing lavatories and in all areas where fish and fish products are processed, or equipment, utensils or containers are washed.
- b) Sewage Disposal: All sewage and water carried wastes shall be disposed of in a public sewerage system when one is available. When a public sewerage system is not available, all sewage and water carried wastes shall be disposed of in an approved sewage disposal system which is constructed and operated in conformance with applicable state and local laws, ordinances and regulations.
- c) Plumbing: Plumbing shall be so sized, installed and maintained as to carry adequate quantities of water to required locations throughout the establishment; as to prevent contamination of the water supply; as to properly convey sewage and liquid wastes from the establishment to the sewerage system; and so that it does

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not constitute a source of contamination of fish, fish products, or fish ingredients, equipment, or utensils, or create an insanitary condition or a nuisance, shall comply with the Illinois State Plumbing Code (77 Ill. Adm. Code 890).

- d) Toilet Rooms and Facilities: Adequate and convenient toilets should be provided and toilet areas should be equipped with self-closing doors and be vented to the outside. Toilet rooms should not open into a food handling area. They shall be kept in a sanitary condition at all times. There should be associated hand-washing facilities within the toilet area and notices shall be posted requiring personnel to wash their hands after using the toilet.
- e) Hand Washing Facilities: Adequate and convenient facilities for employees to wash and dry their hands should be provided wherever the process demands. Single-use towels are recommended, or such satisfactory method for hand drying as approved by the Illinois Department of Public Health. The facilities shall be kept in a sanitary condition at all times.
- f) Offal and Solid Waste Disposal: All offal and rubbish containing fish wastes shall, prior to disposal, be kept in leakproof, nonabsorbent containers which shall be kept covered with tight fitting lids when filled or stored or not in continuous use; provided that such containers need not be covered when stored in a special vermin-proofed room or enclosure, or in a fish-waste refrigerator. All other rubbish shall be stored in container rooms, or areas, in an approved manner. The rooms, enclosures, areas, and containers used shall be adequate for the storage of all fish waste and rubbish accumulating on the premises. Adequate cleaning facilities shall be provided, and each container room, or area, shall be thoroughly cleaned after the emptying or removal of offal and rubbish. All offal shall be disposed of with sufficient frequency and in such a manner as to prevent a nuisance.

Section 735.60 Sanitary Operations

- a) General Maintenance.
 - 1) Physical Facilities: The building, equipment, utensils, and all other physical facilities of the plant shall be kept in good repair and shall be kept clean and maintained in an orderly, sanitary condition. Waste materials shall be frequently removed from the working area during plant operation and adequate waste receptacles shall be provided. Detergents and disinfectants employed should be appropriate to the purpose and should be

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so used as to present no hazard to public health.

- 2) Toxic Materials: All rodenticides, fumigants, insecticides or other toxic substances shall be stored in separate locked rooms or cabinets and handled only by or under the supervision of personnel with a thorough understanding of the hazards involved, including the possibility of contamination of the product.
- b) Animal and Vermin Control.
- 1) The fish processing plant shall be free of rodents, rodent harborages, insects and insect breeding places. Effective measures shall be used to control and eliminate insects, rodents, other vermin, dogs, cats and other domestic animals from the plant at all times.
 - 2) Insecticides and rodenticides shall be used in a manner which precludes the possibility of contamination of a food product. In the case of rodenticides this shall mean the use of an enclosed bait station of sufficient strength and so fastened to prevent its being crushed or tipped over, thereby allowing the rodenticide to become scattered outside of the bait station. Insecticides shall be used in a manner approved by the Illinois Department of Public Health.
- c) Sanitation of Equipment and Utensils.
- 1) General: All utensils and product contact surfaces of equipment used in a fish smoking establishment shall be sanitized prior to each use, and following any interruption of operations during which contamination of such utensils and contact surfaces of equipment is likely to have occurred. When such equipment and utensils are used on a continuous or production line basis in a fish smoking plant, the contact surfaces of such equipment and utensils shall be cleaned and sanitized at approved intervals throughout the processing day on an approved schedule.
 - 2) Single-Service Articles: All single-service articles shall be stored, handled and dispensed in a sanitary manner, and shall be used only once.
- d) Storage of Cleaned Equipment and Utensils: After cleaning and until use, all utensils and product contact surfaces of equipment shall be so stored and handled as to be protected from contamination.

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Section 735.70 Processes and Controls

- a) Raw Material:
 - 1) Fish, fish products, and ingredients shall be from sources approved by the Illinois Department of Public Health and shall have been protected from contamination and spoilage at all times during handling, packaging and storage and while in transit to the processing plant.
 - 2) All fish shall be adequately refrigerated from the time of catch to the time of processing.
 - 3) Ice shall be obtained from a source approved by the Illinois Department of Public Health and shall be stored and handled in a clean manner and used only once.
 - 4) All fish, fish products, and ingredients in the fish processing establishment shall be wholesome and free of spoilage and adulteration, and shall not be misbranded.
- b) Carriers: All carriers delivering raw materials and/or ingredients shall be subject to inspection prior to acceptance of the materials to determine if any toxic materials such as pesticides or other poisons have been carried with the fish or ingredients, to check for the presence of insects or rodents or any other type of contamination which may be caused by the carrier and which would render the fish or ingredients unfit for human consumption.
- c) Potable Ice: Ice shall be made from water of potable quality and manufactured, handled, stored and used so as to protect it from contamination.
- d) Cross Contamination: Only such poisonous and toxic materials as are required to maintain sanitary conditions and for sanitization purposes may be used or stored in fish processing establishments. Poisonous and toxic materials shall be identified, and shall be used only in such a manner and under such conditions as will not contaminate fish, fish products, or ingredients, or constitute a hazard to employees or customers.
- e) Product Handling: Fish, fish products, and ingredients shall be processed, stored, packaged, transported and displayed for sale in such a manner and under such

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conditions as to be protected from unnecessary handling and against sources of contamination, such as dust, vermin, unclean utensils, and work surfaces, coughs and sneezes, flooding drainage and overhead leaking.

- f) Proper Processing (hot-process smoked or hot-process smoked-flavored fish):
 - 1) Raw Materials.
 - A) Fresh fish received shall be inspected and adequately washed before processing. Only sound, wholesome fish free from adulteration and organoleptically detectable spoilage shall be processed.
 - B) Every lot of fish that has been partially processed in another plant, including frozen fish, shall be adequately inspected, and only clean, wholesome fish shall be processed.
 - C) Fresh or partially processed fish, except those to be immediately processed, shall be iced or otherwise refrigerated to an internal temperature of 38°F. or below upon receipt and shall be maintained at that temperature until the fish are to be processed.
 - D) All fish received in a frozen state shall be either thawed promptly and processed, or stored at a temperature that will maintain it in a frozen state.
 - 2) Defrosting of Frozen Fish.
 - A) Defrosting shall be carried out in a sanitary manner and by such methods that the wholesomeness of the fish is not adversely affected. Frozen fish shall be defrosted:
 - i) In air at 45°F. or below until other than hard frozen; or
 - ii) In air so that the temperature in any part of the fish does not exceed 45°F.; or
 - iii) In a continuous water-overflow thaw tank or spray system in such a manner that the temperature in any part of the fish does not exceed 45°F.

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- B) When a thaw tank is used, fish should not remain in the tank longer than one-half hour after they are completely defrosted.
 - C) Fish entering the thaw tanks shall be free of exterior packaging material and substantially free of liner material.
 - D) After thawing, fish shall be washed thoroughly with a vigorous water spray or a continuous water flow system.
- 3) Presmoking Operation.
- A) Evisceration of fish shall be performed with minimum disturbance of intestinal tract contents. Removal of viscera shall be complete.
 - B) After the evisceration process, the fish (including the body cavity) shall be thoroughly washed with a vigorous water spray or a continuous waterflow system.
 - C) All fish shall be brined in a solution that does not exceed 38°F. or dry-salted at a temperature not to exceed 38°F. throughout the fish.
 - D) Hot-process smoked or hot-process smoked-flavored fish shall be brined in such a manner that the final salt (sodium chloride) content of the loin muscle of the finished product, expressed as percent in the water phase of the loin muscle, shall not be less than:
 - i) 3.5 percent if heat-processed as prescribed under subsection (f)(4)(B)(i) of this Section; or
 - ii) 5.0 percent if heat-processed as prescribed under subsection (f)(4)(B)(i) of this Section.
 - iii) The food additive sodium nitrate may be used in combination with salt (NaCl) to aid in inhibiting the outgrowth and toxin formation from *Clostridium botulinum* type E in the commercial processing of smoked chub in accordance with the following prescribed conditions: The brining procedure is controlled in such a manner that the water phase portion of the edible portion of the finished

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smoked product has a salt (NaCl) content of not less than 3.5 percent, as measured in the loin muscle, and the sodium nitrite content of the edible portion of the finished smoked product is not less than 100 parts per million and not greater than 200 parts per million, as measured in the loin muscle.

- E) Fish shall be rinsed with fresh water after brining.
- 4) Heating, Cooking, Smoking Operation.
 - A) A point-sensitive, continuous temperature recording device shall be used to monitor both the internal temperature of the fish and the ambient temperature within the oven. Each recording device record shall be identified as to the specific oven load and date processed.
 - B) Hot-process smoked or hot-process smoked-flavored fish shall be heated by a controlled heat process that provides a monitoring system positioned in as many strategic locations in the oven as necessary to assure a continuous temperature throughout each fish of:
 - i) Not less than 180°F. for a minimum of 30 minutes for hot-process smoked or hot-process smoked-flavored fish which have been brined to contain 3.5 percent water phase salt in the finished product as prescribed in paragraph (f)(3)(D)(i) of this Section, except that smoked chub containing sodium nitrite as provided for in paragraph (f)(3)(D)(iii) of this Section shall be maintained at a continuous temperature throughout each fish of at least 160°F. for a minimum of 30 minutes.
 - ii) Not less than 150°F. for a minimum of 30 minutes for hot-process smoked or hot-process smoked-flavored fish which have been brined to contain 5.0 percent water phase salt in the finished product as prescribed in paragraph (f)(3)(D)(ii) of this Section.
- 5) Protective Equipment and Facilities.

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- A) Refrigeration, freezing, and heating equipment and facilities shall be adequately sized and conveniently located. Each such item of equipment and/or facility shall be equipped with an approved temperature indicating and/or recording device which is properly located, installed and utilized.
- B) Where necessary to prevent contamination of fish, covers shall be provided for tanks, and containers, including brining and thawing tanks.
- C) Facilities shall be provided in each fish dressing, eviscerating, and trimming room for washing the inside and outside of the fish. Such facility or equipment shall be supplied with ample quantities of potable water under sufficient pressure to wash the fish thoroughly and efficiently. Outlets or facilities providing a continuous flow or spray of potable water for the purpose of rinsing hands, and hand-operated items of equipment, or utensils, shall be located within arms' length of persons engaged in the dressing, eviscerating or trimming operations.
- D) Freezers and coolers must be maintained in a clean and orderly manner. The raw fish and the final product shall be stored off the floor in separate rooms, and in such a position that the rooms shall be readily accessible for cleaning.
- E) Each freezer and cold storage compartment used for the product shall be fitted with at least the following:
 - i) An automatic control for regulating temperature;
 - ii) An indicating thermometer so installed as to show accurately the temperature within the compartment;
 - iii) A recording thermometer so installed as to indicate accurately at all times the temperature within the compartment.
- F) Thermometers or other temperature-measuring devices shall have an accuracy of plus or minus 2°F.

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- G) Packaging rooms shall be kept scrupulously clean. Raw fish shall never be permitted in smoked fish and smoked fish product cooling, packing or storage rooms. Smoked fish or smoked fish products shall be handled only with clean hands or sanitized rubber or plastic gloves, and such handling shall be kept to a minimum.
 - H) Personnel changing from raw product areas to processed areas or operations shall thoroughly wash their hands before handling smoked fish or smoked fish products. Every reasonable precaution shall be employed to prevent contamination of smoked fish, smoked fish products, ingredients, and equipment and utensils by raw fish or raw fish products.
 - I) Smoked fish and smoked fish products shall not be moved through the raw fish rooms or areas, or refuse rooms.
- g) Testing (hot-process smoked or hot-process smoked-flavored fish):
- 1) Microbiological examination of in-line and finished product samples should be conducted with sufficient frequency to assure that processing steps and sanitary procedures are adequate.
 - 2) The finished product shall be analyzed chemically with sufficient frequency to assure that the required salinity is obtained in every fish and that other chemical additives are present at authorized levels.
- h) Packaging (hot-process smoked or hot-process smoked-flavored fish):
- 1) The finished product shall be handled only with clean, sanitized hands, gloves or utensils.
 - 2) Manual manipulation of the finished product shall be kept to a minimum.
 - 3) The finished product shall be cooled to a temperature of 50°F. or below within 3 hours after cooking and further cooled to a temperature of 38°F. or below within 12 hours after cooking, and this temperature shall be maintained during all subsequent storage and distribution.
 - 4) The shipping containers, retail packages, and shipping records shall

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indicate by appropriate labeling the perishable nature of the product and shall specify that the product shall be shipped, stored, and/or held for sale at 38°F. or below until consumed.

- i) Products Coded and Records Retained (hot-process smoked or hot-process smoked-flavored fish): Permanently legible code marks shall be placed on the outer layer of every finished product package and master carton. Such marks shall identify at least the plant where packed, the date of packing, and the oven load. Records shall be so maintained as to provide positive identification
 - 1) of the process procedures used for the manufacture of hot-process smoked or hot-process smoked-flavored fish and
 - 2) of the distribution of the finished product.
- j) Product Storage (hot-process smoked or hot-process smoked-flavored fish): Receiving, loading, and shipping docks shall not be simultaneously used for the handling of smoked fish and smoked fish products and for the handling of raw fish or refuse unless the operations are kept separate. Docks or portions thereof, which are used for raw fish or refuse, shall be thoroughly cleaned before being used for handling of smoked fish and smoked fish products.

Section 735.80 Personnel

- a) Disease Control: No person while affected with any disease in a communicable form, or while a carrier of such disease, or while afflicted with infected wounds, sores or respiratory infection, shall work in any area of a fish processing establishment in any capacity in which there is a likelihood of such person contaminating fish, fish products, ingredients, or product contact surfaces with pathogenic organisms, or transmitting disease to other individuals; and no person known or suspected of being affected with any such disease or condition shall be employed in such an area or capacity. If the manager or person in charge of the establishment has reason to suspect that any employee has contracted any disease in a communicable form or has become a carrier of such disease, he shall notify the Illinois Department of Public Health or their representative immediately.
- b) Cleanliness:
 - 1) All employees in the fish processing plant shall wear clean outer garments, maintain a high degree of personal cleanliness and conform to hygienic

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practices while on duty. They shall wash their hands thoroughly in an approved hand-washing facility before starting or resuming work, and as often as may be necessary to remove soil and contamination. No employee shall resume work after visiting the toilet room without first washing hands.

- 2) The outer garments of all employees engaged in handling fish, fish products, ingredients, or their contact surfaces shall be reasonably clean.
 - 3) Gloves, if worn by packers, shall be sanitized as often as necessary but at least twice daily, and shall be properly stored when not in use.
 - 4) Soiled clothing and gloves shall be placed in nonabsorbent containers or laundry bags.
 - 5) Hair nets, headbands, caps, or other effective hair restraints shall be used by employees engaged in processing operations.
 - 6) Employees shall not use tobacco in any form while engaged in processing operations, or while in equipment and utensil washing or processing areas; provided that designated locations in such areas may be approved for smoking, where no contamination hazards will result.
- c) Education and Training: Personnel responsible for sanitary control in the fish processing plant shall have a sufficient background of education, experience, or combination thereof, to provide a level of competency necessary for the production of a clean and safe finished product. All employees shall have received proper indoctrination in handling techniques so as to be aware of the dangers of poor personal hygiene and insanitary conditions.
- d) Supervision: It is suggested that each fish processing plant, in its own interest, designate a single individual whose duties are preferably divorced from production, to be held responsible for the cleanliness of the plant. His staff should be a permanent part of the organization and should be well trained in the use of special cleaning tools, methods of disassembling equipment for cleaning, and in the significance of contamination and the hazards involved. Critical areas, equipment and materials should be designated for specific attention as part of a permanent sanitation schedule.