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WEST VIRGINIA LEGISLATIVE RULES
BOARD OF HEALTH

Grocery Store and Meat Markets

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Chapter 16-1
Series XX
(1983)

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Chapter 16-1
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Subject: Grocery Store and Meat Markets

Section 1. General

1.1. Scope - These legislative rules establish minimum sanitation requirements for grocery stores and meat markets.

1.2. Authority - These legislative rules are issued under the authority of and are related to Chapter 16, Article 1, Section 7 (1) of the West Virginia Code of 1931, as amended.

1.3. Filing Date - These legislative rules were filed on the 28th day of November, 1967, in the Secretary of State's office.

1.4. Effective Date - These legislative rules became effective on the 29th day of December, 1967.

1.5. Refiling Date - These legislative rules were refiled pursuant to Chapter 29A, Article 2, Section 5 of the West Virginia Code of 1931, as amended on the 30th day of December, 1982, in the Secretary of State's office.

Section 2. Application and Enforcement

2.1. Application - These legislative rules apply to owners and operators of grocery stores and meat markets.

2.2. Enforcement - The enforcement of these legislative rules is vested with the director of the West Virginia department of health or his lawful designee.

Section 3. Definitions

3.1. Grocery Store - For the purpose of these regulations, the term grocery store is hereby defined to mean and include any food handling establishment or food vending establishment, or any place, structure, premise, vehicle or any part thereof, in which food products are sold retail, offered for retail sale, or served, not to be consumed on the premises, except for;

3.2 Meat Market - Which is hereby defined to mean and include any food handling establishment, or food vending establishment, or any place, structure, premise, vehicle, or any part thereof in which meat and/or fish is sold retail, offered for retail sale, or served not to be consumed on the premises.

Section 4. Standards of Inspection

4.1. Floors - All floors shall be of such construction as to be easily cleaned, shall be smooth, kept clean, and in good repair. All floors shall be cleaned sufficiently often to keep them in a sanitary condition. Machinery, merchandise, and other obstacles shall be protected or elevated so that thorough cleaning is possible. The use of sawdust is prohibited. Dustless methods of cleaning shall be employed.

4.2. Walls and Ceilings - The walls and ceilings shall be kept clean and in good repair, constructed of a smooth, washable, nonabsorbent material, free from cracks, crevices, and open joints. Where painting is required, a light colored washable paint shall be used. The walls and ceilings, including storage rooms, shall be cleaned sufficiently frequent to prevent accumulation of dust, cobwebs, or other accumulating substances.

In areas where food is prepared and utensils are washed, the walls shall have a washable surface up to the level of splash. Storage rooms shall be maintained in a neat condition with no accumulation of trash; foodstuffs shall be stored at least 12 inches above the floor.

4.3. Doors and Windows - During fly season, all openings to the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies. All outside screen doors shall open outward. Properly located fans are recommended, in lieu of screen doors as a barrier against the entrance of flies where heavy traffic is encountered.

4.4. Lighting and Ventilation - In all rooms where food is stored for sale, or prepared, or in which utensils are washed, lighting equivalent to a 100 watt incandescent bulb per 100 square feet of floor area on working surfaces shall be provided. Ventilation sufficient to prevent disagreeable odors and condensation shall be provided. Whenever there is an obstruction to natural light or ventilation, artificial methods shall be employed to meet the sanitary requirements of this item. Storage rooms shall be so lighted that the darkest corner is readily visible.

4.5. Toilets and Lavatory Facilities - Conveniently located toilet and handwashing facilities including warm water, soap, and individual towels shall be provided for employees. Toilet rooms shall not open directly into food preparation rooms. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, be in good repair, well lighted, and ventilated to the outside. In the event an outside window cannot be provided, a ventilator of at least 72 square inches in cross sec-

tion shall be required for each toilet room. The toilet room floor shall be of smooth, nonabsorbent material, and easily cleanable construction. Signs shall be posted in each toilet room specifying that employees are to wash their hands after visiting the toilet room. Toilets shall comply with standards of construction and operation as specified by the state board of health.

4.6. Water Supply - Running water under pressure shall be accessible to all rooms in which food is prepared or processed, or where utensils are washed, and the standards shall conform with requirements set forth by the state board of health bulletin SE-33. This shall not apply to existing rural grocery stores where no perishable foods are stored, handled, or dispensed.

4.7. Wash Sink - A two-compartment wash sink of sufficient size to accommodate the largest utensil used, and supplied with hot and cold running water shall be installed in a convenient place for the washing of utensils, grinders, mixers, worktables, display cases, refrigerator, etc., and these items of equipment and utensils shall receive sufficient attention to maintain them in a clean and sanitary condition. In most cases a thorough cleaning will be required once each day or after each usage depending upon which is the more frequent. Bactericidal treatment to comply with state department of health standards shall be accomplished after each cleaning. Additional sinks shall be provided as necessary for the preparation of seafoods, poultry, game, and/or produce.

4.8. Construction of Utensils and Equipment - All multiple use utensils and all show and display cases or windows, counters, shelves,

worktables, refrigerating equipment, sinks, meat blocks, chopping blocks, and other equipment or utensils used in connection with the operation of the store or meat market shall be so constructed as to be easily cleaned, and kept in good repair. Containers constructed of wood, galvanized metal, granite ware, or containers plated with cadmium or lead, or containers with open seams, shall not be used for the storage or preparation of meats and other perishable foods not wrapped or packaged.

4.9. Storage and Handling of Utensils and Equipment - Immediately after cleaning, utensils and equipment shall be stored in a clean, dry place protected from flies, dust, and other contamination, and shall be handled in such a manner as to prevent contamination. Such utensils shall be stored above the floor free from splash, suspended in a clean area, protected on shelves, or in a cabinet, or other similar protective measures shall be employed. Meat grinders, meat slicers, cubers, and similar pieces of meat processing equipment shall be located in refrigerated areas, or stored under refrigeration between usage; except where this is impractical, they must be washed and sterilized after each use.

4.10. Refrigeration - All readily perishable foods shall be kept at or below 50° F except during the preparation period. Adequate refrigeration space shall be provided to conveniently accommodate the volume of business. Waste water from refrigerators and display cases shall be disposed of in a sanitary manner. Drains shall not cross connect a sanitary sewer. All refrigerated meat boxes and display cases shall be kept clean, in good repair, and free from objectionable odors. Trays, racks, false doors, meat hooks, and other appurtenant objects in the refrigerator shall be easily

removable so that the refrigerator can be readily cleaned. Accurate thermometers shall be provided in all refrigerators, shall be located near the door, and shall be easily visible.

4.11. Display and Storage of Food - Foods shall be displayed and stored in a manner which will preserve the wholesomeness of the product. Meat and similar products shall be kept refrigerated in all cases except for cured meats which shall be stored and/or displayed so as to be protected from excessive handling by the public and other sources of contamination. Fruits, vegetables, and similar items shall be stored off the floor to a height of at least 12 inches. Refrigerated display cases are recommended as the most desirable type of vegetable storage for display. Bottled beverages including milk and milk products, if stored in water, shall be stored so that the top of the bottles are not submerged. Perishable foods not requiring refrigeration shall be stored off the floor, for ease of cleaning, and shall be protected from contamination by dust, flooding, overhead drippings, insects, rodents, extraneous matter, or animals. Products such as confections, pies, cookies, breads, cakes, doughnuts, etc., shall be received wrapped or packaged from the manufacturer, and shall be stored and/or displayed in such a manner as to prevent contamination.

4.12. Wholesomeness of Food - All foods products shall be wholesome, clean, free from spoilage and evidence of contamination, adulteration and preservation in accordance with Article 7, Public Health Laws of West Virginia. No unwholesome, contaminated, or spoiled ingredients shall be used in the manufacture of any food products or confection.

4.13. Insect and Rodent Controls - The building should be rat-proofed in as far as practical. This is to consist of the elimination of breeding places, and the rat-proofing of doors, windows, ventilators, pipe and conduit holes, sewers or waste drains, and similar openings through which rats may gain entrance into the establishment. Poisonous compounds used in the control of rodents and insects should be plainly labeled as such, stored in an area where food and food products are excluded, and used only by a competent, well-informed individual. All necessary insect and rodent control measures shall be used.

4.14. Garbage and Refuse Disposal - Covered metal cans of sufficient size and number to receive all refuse, filth, sweepings, garbage, rubbish, or other waste that may originate in or around the premises shall be provided. Such cans shall be kept covered at all times so that the contents are protected from flies, rodents, vermin, and domestic animals, and shall be stored in such a manner as to not become a nuisance or public health menace. The contents of these cans shall be removed from the premises at least every 24 hours, or as often as necessary to prevent a nuisance condition from flies, rats, odors, etc. The cans shall be thoroughly washed inside and out with hot water and a detergent, and disinfected with steam, hot water, or chlorine solution or other approved methods. Cans shall be maintained in an easily cleanable condition and the lids tightly fitted. When necessary, screened, rat-proofed, easily cleanable platforms, or similarly protected storage devices shall be provided. Waste meat scraps, bones, and similar putrescible waste material should be kept refrigerated until disposal.

4.15. Premises and Surroundings - All waste material, obsolete and unnecessary articles and rubbish of any kind shall be prohibited from accumulating in or immediately around the store or market. Basements, storerooms, closets, shelves, corners, or other parts of the building and premises shall be maintained in an orderly, neat and sanitary condition.

Pens and coops for poultry or live animals shall be kept clean, free from objectionable odors, and maintained so that fly breeding is minimized and shall not be kept within the establishment. Manure shall be removed daily and disposed of in such a manner as to prevent fly breeding.

4.16. Employees - Employees shall wear clean outer garments and keep their hands and person clean at all times while engaged in routine activities, and shall be free of any communicable disease. Those persons who handle groceries, meats, or confections, not packaged, shall have, where required by the local health officer, a permit to handle such articles, which permit shall be on the working premises at all times.

4.17. Miscellaneous - No animals or fowls shall be kept or housed in any grocery store or meat market; except that fowls or game for immediate slaughter, dressing, or processing may be housed in the room provided for this purpose. This is not to be continuous, or to exceed the length of time necessary to accomplish their processing. Separate room and facilities shall be provided for the slaughtering of poultry and game.