



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Department of Agriculture

- Permanent Rule
 Emergency Rule

(1) Date of adoption: December 17, 1991

(2) Purpose: Adds sections to existing rules within WAC 16-104, outlining minimum standards for facilities, equipment, sanitation, refrigeration and personnel requirements for shell egg grading and packing facilities.

(3) Citation of existing rules affected by this order:

Repealed:

Amended: WAC 16-104

Suspended:

(4) Authority for adoption:

Statute: 69.25.030 RCW

Other Authority: 42.30 RCW, 35.05 RCW

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 91-21-125 on October 23, 1991 (date).

Describe any changes other than editing from proposed to adopted version:

WAC 16-104-310 (8) Clarifies and simplifies cleanliness requirements of plant personnel coming into contact with shell eggs and move to a more appropriate section of the rule (previously 16-104-370 (2)) (continued on attached sheet)

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

31 days after filing

Other (specify) _____ *

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Emergency Rules

Immediately

Later (specify) _____

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

DEC 17 1991

TIME 2:30
YSR 92-01-091

NAME (TYPE OR PRINT)

E. Alan Pettibone

SIGNATURE

E. Alan Pettibone, Deputy Director

TITLE

Director

DATE

12/17/91

WAC 16-104-330 (1) Establishes implementation date of June 1, 1992 in order to allow for a reasonable transition and re-printing time for suppliers of industry cartons/packaging.

WAC 16-104-330 (3) Provides that hygrometer, psychrometer and humidifying requirements not apply to refrigerated vehicles used to transport shell eggs.

WAC 16-104-330 (8) Changes time limit from one to two hours.

WAC 16-104-360 Terminology changed to more clearly reflect current industry terminology; and prohibits re-use of cartons or flats once distributed to consumer outlets, provides that flats may be re-used for holding nest run and/or restricted eggs (non-consumer uses).

WAC 16-104-37 (2nd paragraph) adds term "sanitizing".

NEW SECTION

WAC 16-104-310 MINIMUM FACILITY AND OPERATING REQUIREMENTS FOR SHELL EGG GRADING AND PACKING PLANTS. General requirements for buildings and plant facilities.

(1) Buildings shall be of sound construction so as to prevent, insofar as practicable, the entrance or harboring of vermin, including all domestic pets, insects, rodents, birds, etc. This applies to:

(a) All grading room areas.

(b) Any storage areas for eggs or cases and cartons. Egg case and carton storage shall be clean and dry, free from dust or any odorous material that could be absorbed by cases or cartons.

(2) Grading and packing rooms shall be of sufficient size to permit installation of necessary equipment and the conduct of grading and packing in a sanitary manner. These rooms shall be kept reasonably clean during grading and packing operations and shall be thoroughly cleaned at the end of each operating day.

(a) Floor shall be constructed of washable materials, tight, reasonably smooth, and in good repair.

(b) Floor drains shall be provided where floors are subjected to flood type cleaning or where normal operations release or discharge water or liquid wastes onto the floor.

(c) All floor areas shall be kept clean.

(3) Adequate lavatory/toilet (rest room) accommodations shall be provided. Lavatory/toilet and locker rooms shall be maintained in a clean and sanitary condition. Hot and cold running water shall be provided. Rooms shall be ventilated to the outside of the building. Signs shall be posted in the rest rooms instructing employees to wash their hands before returning to work. Lavatory/toilet rooms shall be equipped with handwashing facilities including soap and sanitary towels.

(4) A separate refuse room or a separate designated area for the accumulation of trash must be provided in plants which do not have a system for the daily removal or destruction of such trash.

(5) Areas subjected to moisture:

(a) Wood benches, platforms, etc., in areas which are subjected to moisture shall be maintained in good repair or made from other construction materials impervious to moisture and odors.

(b) Wood walls or partitions shall be maintained in good repair or be replaced with materials impervious to moisture and odor build up.

(c) Newly constructed plants should be equipped with nonporous material benches, platforms, etc., in areas which are subjected to moisture. Wood benches, platforms, etc., are allowed when maintained in a sanitary, odor free condition.

(6) Walls and ceilings:

(a) Walls and ceilings shall be kept clean, in good repair and free of cobwebs and dust.

(b) Ceiling shall be dust tight if space overhead is used for storage or other purposes.

(7) Doors and windows: Effective means shall be provided to prevent entrance insofar as practicable of insects, rodents, birds or other vermin and dust.

(8) Hygiene of personnel. Plant personnel coming into contact with shell eggs shall wear clean clothing, free from animal waste, dust, loose dirt or prohibited chemical contamination.

NEW SECTION

WAC 16-104-320 GRADING ROOM REQUIREMENTS. (1) The grading room candling area shall be adequately darkened to make possible accurate quality determination of the candled appearances of eggs.

(2) There shall be no crossbeams of light, and light reflection from candling lights shall be kept at a minimum.

(3) Candling area/equipment shall be constructed so as to permit cleaning and provide ample shelf space for convenient placement of the different grades to be packed.

(4) The candling lights shall be capable of delivering reasonably uniform intensity of light at the candling aperture to facilitate accurate quality determinations. In operations utilizing mechanical grading equipment, adequate light shall be provided to facilitate necessary quality determinations, including the detection and removal of stained and dirty shells and the condition of the packing material.

(5) Individual egg scales shall be provided to check accuracy of weight classing.

(6) Weighing equipment, whether manual or automatic, shall be kept clean and maintained in a manner to assure accurate operation.

(7) Ventilation and lighting:

(a) Adequate lighting shall be provided to assure accurate and safe grading room operations.

(b) Adequate ventilation shall be maintained to keep the area free from undesirable odors, dust, and condensation.

NEW SECTION

WAC 16-104-330 COOLER ROOM REQUIREMENTS. (1) After processing and grading, shell eggs packed in consumer containers shall be refrigerated at maximum of forty-five degrees Fahrenheit, ambient air temperature. All containers shall be clearly labeled with the words "keep refrigerated," in lettering as follows:

Cartons:	1/8 inch minimum
Cases:	1 inch minimum
Baskets and racks:	1 inch minimum

This provision shall apply to baskets, racks, cases and cartons acquired after June 1, 1992.

(2) Accurate thermometers shall be provided in egg coolers and egg storage facilities to monitor required ambient air temperatures.

(3) All shell egg coolers shall be equipped with a hygrometer or portable equipment such as a psychrometer to determine that relative humidity is at least seventy percent. When necessary, humidifying equipment capable of maintaining seventy percent relative humidity, to minimize shrinkage, shall be provided: PROVIDED, That this requirement shall not apply to refrigerated vehicles used to transport shell eggs.

(4) Egg coolers and egg storage facilities shall be free from objectionable odors and mold, and shall be maintained in a sanitary condition.

(5) All facilities where eggs are offered for sale to consumers, shall be maintained in a clean and sanitary condition. Display and storage temperatures shall be maintained at a maximum of forty-five degrees Fahrenheit ambient air temperature.

(6) Shell eggs stored prior to grading shall be refrigerated at a maximum of fifty-five degrees Fahrenheit ambient air temperature, when time prior to processing/grading exceeds twenty-four hours. When time during transport of ungraded eggs will exceed three hours, refrigeration at fifty-five degrees Fahrenheit maximum is required. Transport time of shell eggs prior to processing/grading of three hours or less in unrefrigerated vehicles is allowed, however, that time shall be included as part of the twenty-four hours.

(7) Inedibles shall be held under refrigeration in covered containers, clearly labeled and stored to prevent possible odor contamination of graded or ungraded eggs.

(8) Refrigeration is required during all transit of graded product when transit time will require an excess of two hours. Temperatures during all transit of graded product shall be maintained at a maximum of forty-five degrees Fahrenheit ambient air temperature.

NEW SECTION

WAC 16-104-340 SHELL EGG PROTECTING OPERATIONS. Shell egg protecting (oil processing) operations shall be conducted in a manner to avoid contamination of the product and maximize conservation of its quality.

- (1) Eggs with moisture on the shell shall not be shell protected.
- (2) Oil having any off odor, or that is obviously rancid or contaminated, shall not be used in shell egg protection.
- (3) Processing oil that has been previously used and which has become contaminated shall be filtered and heat treated at one hundred eighty degrees Fahrenheit for three minutes prior to re-use.
- (4) Shell egg protecting equipment shall be washed, rinsed, and treated with a bactericidal agent each time the oil is removed. It is preferable to filter and heat treat processing oil and clean processing equipment daily when in use.
- (5) Adequate coverage and protection against dust and dirt shall be provided when the equipment is not in use.

NEW SECTION

WAC 16-104-350 SHELL EGG CLEANING OPERATIONS. (1) Shell egg cleaning equipment shall be kept in good repair and shall be cleaned after each day's use or more frequently, if necessary.

(2) The temperature of the wash water shall be maintained at ninety degrees Fahrenheit or higher, and shall be at least twenty degrees Fahrenheit warmer than the temperature of the eggs to be washed. Rinse water temperature shall be at least ten degrees Fahrenheit warmer than the final wash water temperature. These temperatures shall be maintained throughout the cleaning cycle.

(3) An approved cleaning compound shall be used in the wash water. It must be approved by the United States Department of Agriculture or the Washington state department of agriculture. The use of metered equipment for dispensing the compound into solution is recommended.

(4) Wash water shall be changed approximately every four hours, or more often if needed, to maintain cleanliness and sanitary conditions, and at the end of each shift. Measures shall be taken to prevent excess foaming during the egg washing operation.

(5) Replacement water shall be added continuously to the wash water of washers to maintain a continuous overflow. Rinse water, chlorine, or quaternary sanitizing rinse may be used as part or all of the replacement water: PROVIDED, That they are compatible with the washing compound. Iodine sanitizing rinse may not be used as part of the replacement water.

(6) Water supply shall be of a safe sanitary quality. Only potable water under two parts per million iron content shall be used, without equipment to correct the excess. Water under pressure shall be available to grading and candling area or room for cleaning purposes. Frequency of testing for potability of the water supply shall be determined by the director, however, must also comply with state and local health department requirements. When the water source is changed, new tests are required.

(7) Waste water from the egg washing operation shall be continuously removed through appropriate drains to prevent standing water from accumulating.

(8) The washing and drying operation shall be continuous and shall be completed as rapidly as possible. Eggs shall not be allowed to stand or soak in water. Immersion-type washers shall not be used.

(9) Pre-wetting shell eggs prior to washing may be accomplished by spraying a continuous flow of water over the eggs in a manner which permits the water to drain away, or other methods which may be approved by the director. The temperature of the water shall be the same as prescribed in subsection (2) of this section.

(10) Washed eggs shall be spray rinsed with warm water containing an approved sanitizer of not less than 50 p/m nor more than 200 p/m of available chlorine or its equivalent.

(11) Test kits shall be available and used to determine the strength of the sanitizing solution.

(12) During any rest period or other line shutdown, preventative measures shall be taken to prevent overheating and/or partial cooking of eggs in the washing, rinsing, and scanning areas.

(13) Washed eggs shall be dry before cartoning or casing.

(14) When steam or vapors originate from the washing operation, they shall be continuously and directly removed to the outside of the building.

(15) Every reasonable precaution should be exercised to prevent "sweating" of eggs.

(16) Eggs may be dry cleaned or washed. If eggs are dry cleaned, the equipment shall be of a sanitary type, and kept clean and in good repair.

(17) Cloth or wash rags shall not be used for cleaning eggs unless they are of a sanitary single service type. Single service paper toweling may be used.

NEW SECTION

WAC 16-104-360 SHIPPING CONTAINERS, EGG CARTONS, AND PACKING MATERIALS. Eggs which are to be distributed with consumer grademarks shall be packaged only in new or good used cases, baskets or racks. They shall be clean, and have sufficient strength and durability to protect the eggs during normal distribution. Re-use of egg cartons or flats after distribution to a consumer outlet shall not be allowed. Used flats may be used for transporting and/or holding nest-run or restricted eggs prior to grading or breaking.

NEW SECTION

WAC 16-104-370 CHEMICALS AND COMPOUNDS. The following list of compounds shall be handled in accordance with the manufacturers' instructions. They shall be stored away from the grading area and not be allowed to come in contact with the shell eggs being processed, or with egg cases or cartons: Pesticides including herbicides, insecticides, fungicides and rodenticides; inks, oils, cleaning compounds, foam control agents, sanitizers, and any common cleaners used in the plant.

This paragraph is not intended to prohibit eggs being contacted by certain materials when those materials are used in the normal shell egg cleaning and sanitizing process and the materials have been authorized for such usage in the "List of Proprietary Substance and Non-Food Compounds Authorized for Use Under USDA Inspection And Grading Program."