

# SECTION 308A RETAIL INSPECTION REGULATIONS



Vermont Agency of Agriculture, Food & Markets  
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**PART 308A-PROPER HANDLING IN OFFICIAL ESTABLISHMENTS, INCLUDING ALL RETAIL ESTABLISHMENTS OF MEAT AND POULTRY PRODUCTS.**

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**Section 308A.1 Proper handling in official establishments, including all retail establishments of meat and meat products; contamination; definitions, presence of in meat handling areas.**

- A.** Each official establishment, including all retail establishments, is responsible for producing wholesome products in a clean facility using hygienic procedures.
- B.** Since meat and meat products are highly susceptible to contamination through contact, aerosol or exposure to adulterants, meat handling areas shall be so located and constructed and the meat handling practices must be such as to minimize exposure to contaminants, including rust and other overhead hazards, and further including improperly protected light bulbs.
1. Meat handling areas shall not be located beneath overhead sewer lines. The drainage of sewer systems must be adequate so that liquid wastes are properly removed and does not accumulate in work areas, around premises, or over floors and cause sanitation hazards;
  2. Temperatures of coolers in which meat and meat products, are stored or displayed shall not exceed 40 degrees F.
  3. Hangers and the like, used for suspension of meat or meat product, shall be so located as to minimize contact of product with cooler walls or other meat product and shall be maintained in a clean and sanitary manner at all times. Sufficient separation, by space or impervious material, of inspected and uninspected product, of carcasses of different species, and products of carcasses of different species, must be maintained to prevent cross-contamination.

4. Meat or meat product shall not be stored on cooler or freezer floors, whether wrapped, or otherwise covered, unless separated from the floor by a rack or similar device at least 4 inches high. Racks in cooler must be of material which is impervious to moisture.
  5. Smoking or the use of tobacco shall be prohibited in meat handling areas and where equipment and utensils are washed.
  6. Food and beverages must not be consumed or carried into product handling areas. Disposable food and beverage containers must be discarded in waste containers. Suitable rubbish containers must be conveniently located throughout the plant or store and be emptied frequently to control vermin and odors and to prevent rubbish from becoming a nuisance.
  7. When handling edible product, employees shall make an effort to refrain from scratching the head, placing the fingers in or around the nose or mouth, sneezing or coughing on product.
  8. Persons handling exposed product shall keep their fingernails clean and neatly trimmed.
  9. Hand creams and lotions shall not be used by product handlers. However, they may be used in dressing rooms and toilet rooms by persons leaving the plant or store.
  10. Employees known to be afflicted with or harboring an infectious or contagious disease are prohibited from handling meat or meat product.
  11. Sawdust may not be used in official establishments.
- C. Where more than one area in an establishment is maintained for handling, cutting, packaging or storing meat and meat product, except as provided in section 308A.3, all passageways and areas through which meat or meat product is moved from one meat handling area to the other shall be maintained in a clean and sanitary manner and shall be free of contaminants.

**Section 308A.2 Sanitation in official establishments, including all retail and custom establishments.**

- A. Coolers in which meat or meat product is stored or displayed shall be maintained in a clean and sanitary manner at all times.
- B. Washing facilities shall be provided and be appropriately located to the meat handling area for the purpose of cleaning and sanitizing equipment and utensils used in handling or the preparation of meat product.
  1. Ample amounts of hot and cold running water shall be made available under sufficient pressure, to provide proper washing and sanitizing.

2. The water supply in meat or meat product handling establishments shall be potable and, unless from a municipal supply approved by the Vermont Department of Health, arrangements shall be made by the proprietor or owner of the meat handling establishment to have the water supply tested by the Vermont Department of Health as frequently as necessary to assure a potable water supply.
- C.** Sanitizers containing chemicals, substances, or compounds capable of leaving residues harmful to human health are not permitted under these regulations, as for example, sulfites.
- D.** Equipment and utensils used in handling or preparation of meat or meat product, shall be maintained in a clean and sanitary manner at all times.
1. All equipment and utensils must be cleaned frequently or at least daily and, if necessary, before each use or between shifts to prevent organic matter accumulation.
  2. Cutting blocks, boards and tables that are pitted, cracked, or otherwise capable of retaining meat particles, blood and the like and are incapable of being properly cleaned and sanitized shall be repaired or replaced.
  3. Utensils used in handling or preparation of meat or meat product shall be constructed of non-toxic, non-chipping, and rust-resistant material. Utensils showing evidence of rusting shall not be used for cutting, or otherwise in preparing meat or meat product.
- E.** Scabbards shall be provided for the retention of knives and shall be constructed of impervious material, capable of being readily dismantled for cleaning and sanitizing.
- F.** Lubricants of petroleum origin shall not be used on parts of power equipment, used for cutting or preparing meat or meat product.
- G.** All garments (coats, frocks, etc.) shall be clean, in good repair and of readily washable material. Street clothes shall be covered while handling exposed product. Clothing that becomes soiled or contaminated during the workday shall be changed as often as necessary. White or light colored garments are desirable. All persons working where exposed product is handled must wear suitable head coverings to prevent hair falling into product. Cotton gloves worn by persons handling edible product should not have dyed cuffs that may contaminate product and should be replaced when contaminated. Adequate and appropriately located receptacles must be provided for dirty clothing.
- H.** Cloth or twine wrappings or implement handles are not permitted.

- I. Existing toilet facilities in establishments shall be maintained in a clean and sanitary manner and in good repair. Toilets and urinals must be clean and functional. Hand washing facilities must be provided with hot and cold running water, an acceptable liquid soap and single service towels. All employees shall remove their smocks or aprons, scabbards, steels, knives, guards, etc. before entering toilet and urinal rooms. Employees shall properly wash and sanitize their hands upon entering or re-entering meat processing product areas, and after contacting possible contaminated materials (mechanical equipment debris, etc.) The room shall be kept sufficiently free of steam vapors for inspection to be properly made. Equipment or substances which generate gases or odors shall not be used except as specifically permitted by the Head of Service.
- J. Outer premises shall be maintained in a clean manner and shall be free of debris and trash and conditions conducive to attracting insects, rodents, or other vermin.

**Section 308A.3 Prepackaged meat products; display of:**

Only fresh or frozen meat products prepackaged in consumer size packages, by a commercial processing plant under the supervision of a State or Federal meat inspector may be displayed with other food product; Provided, that the prepackaged units of meat products are in a sealed container and remain in such container until purchased by the consumer; Provided, further, that the temperature of the display case be maintained not higher than 40 degrees F. and in the case of frozen products the temperature be maintained under 15 degrees F.

**Section 308A.4 Carcasses of game animals; handling.**

- A. Carcasses of game animals with head, hide, or feet attached shall not be held in any area of an establishment, licensed under the Meat Inspection Act, where meat or meat product is handled, packaged, stored or otherwise prepared.
- B. Game animals with feet, heads, and hide removed may be handled in establishments required to be licensed under the Act, Provided, such carcasses have been washed and handled in a manner to prevent contact with or contamination of other meat or meat products.

**Section 308A.5 Custom cutting and wrapping at official establishments or retail establishments not under inspection as a processing establishment.**

- A. Carcasses or part carcasses bearing the official stamp of inspection when cut and wrapped without inspection are to be stamped NOT FOR SALE on each package as required in paragraph (A) for farm and custom slaughtered animals.
- B. Retail establishments doing custom processing shall keep such records as required by the Commissioner and such records shall be made available to the Head of Service.

**Section 308A.6 Handling of meat and poultry products during transportation.**

Carcasses or part carcasses when transported in intrastate commerce between official establishments or transported into the State to an official establishment shall be fully protected by a suitable covering to insure against contamination.

**Section 308A.7 Deception; practice of.**

Practices that lend to consumer deception shall not be employed. Examples of practices considered to be deception, however, not limited to the following are:

- A. The use of any device or type of artificial lighting that reflects an appearance or condition other than the actual appearance or condition of meat or meat product when viewed under natural light.
- B. Covering of inferior cuts of meat or meat products with more desirable ones, such as in family packs of pork chops, lamb combination packs, and the like.
- C. The use of colored film wrapping materials.
- D. Advertising or picture displays that do not reflect the actual appearance or condition of meat or meat products.

**Section 308A.8 Labeling and advertising.**

No person shall produce, prepare, package, advertise, sell or offer for sale at retail, any meat unless it is clearly and conspicuously labeled or advertised, as the case may be, as to its true name.

**Section 308A.9 Supply of meat advertised.**

No person shall advertise meat for sale at retail unless such person shall have available at all outlets listed in the advertisement a sufficient quantity of the advertised meat to meet reasonable anticipation of demand, unless the advertisement clearly and adequately discloses that supply is limited and/or the product is available only at designated outlets.

**Section 308A.10 Frozen meats.**

All meats other than that used in hamburger, ground beef, ground pork, ground veal or ground lamb which has been frozen at anytime prior to such meat being offered or exposed for sale shall be clearly and conspicuously labeled or advertised as "Frozen" or "Frozen and thawed", whichever is appropriate and such term shall be contiguous to and in the same size and style lettering and on the same background as the product name. In the case where frozen meat is used in the grinding of fresh hamburger, ground beef, ground pork, ground veal or ground lamb, this section shall apply only if the volume of frozen meat used exceeds 25% of the total volume of meat ground by weight.

### **Section 308A.11 Meat and Poultry Dating Policy**

- A.** Retail vendors who affix labels with a date (including any other code which is used to date the product) to meat, meat food products and/or poultry products shall clearly and conspicuously post a written statement of their dating policy behind the meat case in places where the policy may be easily read by consumers. The lettering of the policy shall be at least 3/8 inches in height, or larger if necessary for consumers to easily read the document.
- B.** The retail vendor shall attach the dating policy to sign boards which will be provided by the Department.
- C.** Any retail store which has more than 60 feet of meat and/or poultry retail sales cases shall post at least one sign board and dating policy for every 30 feet of retail cases.
- D.** In the event a retail vendor uses a dating code, the dating policy statement shall also explain how to interpret the code into a calendar date.

### **Section 308A.12 Fat and Lean Claims**

- A.** Statements describing the fat or lean content of a meat or poultry product such as “lean” and “low fat” may only be used in the labeling and advertising of meat and poultry products if the label also contains a prominently displayed statement accurately stating the percentage of fat or lean in the product.
- B.** The words “extra lean” may only be used in the labeling or advertising a meat or poultry product that contains no more than 10 percent fat and the label must also contain a prominently displayed qualifying statement accurately stating the percentage of fat or lean in the product.
- C.** No retail vendor shall use the terms “lean”, “extra lean”, or “low fat” in the labeling and advertising of meat and poultry products unless the fat percentage determination is based upon an in-store testing procedure approved by the Commissioner.