

Edible Start Up Summit

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Advanced Sanitarian-Licensing

WDATCP

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WDATCP-Food Division

Our Mission:



- To ensure safe, high quality food for the consumer by:
 - Providing education, consultation and regulation to food businesses to assist them in producing safe, high quality food
 - Responding to consumer concerns and information needs
 - Advocating for the food safety needs of the public

WI Food Laws

- The type of food or process and method of sale determine which license is needed and which rules apply to your business
- One license may cover many processes or multiple licenses may be needed
- **WI Stats. Chapter 97 – Food, Lodging and Recreation**
- **ATCP 70, 71, 75, 80, 88**
- **Wisconsin Food Code**

WDATCP Licensing

- The license fee is based on:
 - Processing and/or sales of:
 - potentially hazardous food (PH)/TCS
 - OR
 - non-potentially hazardous food (NPH)/Non-TCS
- Projected annual food sales
- ***License is specific to location and legal entity**

DATCP Licensing

In general, a license is required to produce, process, store, and sell food products

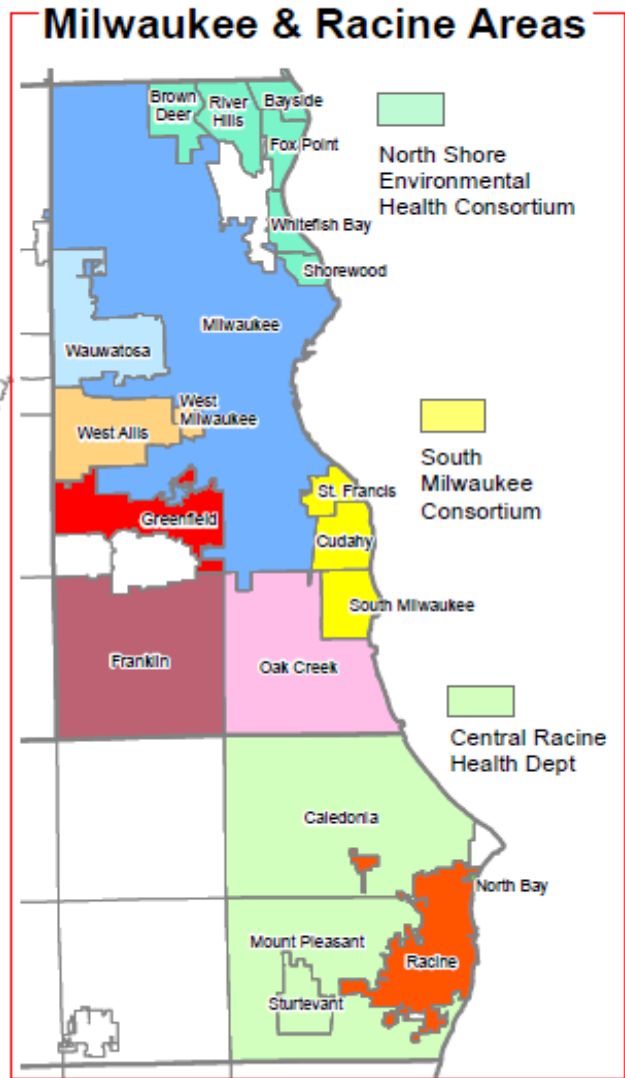
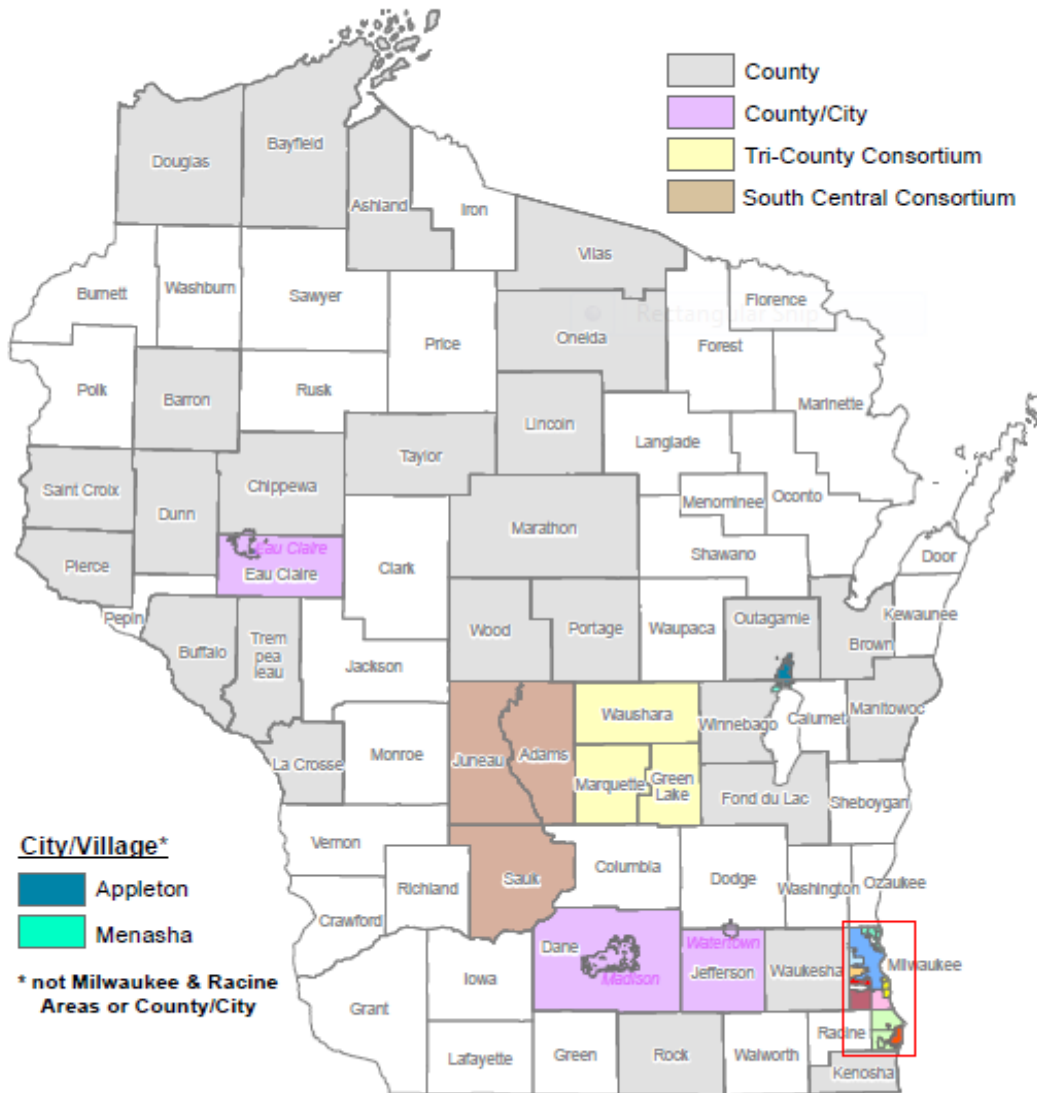
License Exemptions

- “Pickle Bill”
- Poultry
- Eggs
- Retail pre-packaged non-potentially hazardous foods
- Raw agricultural commodities
- Honey
- Exemptions generally have limitations

Types of Food Licensing

- Retail- Mobile or Permanent
- Food Processor
- Food Warehouse
- Restaurant
- Mobile Restaurant
- Dairy Plant
- Dairy Farms

Retail Food Agents



Food Processing

"Food processing" means the manufacture or preparation of food for sale through the process of canning, extracting, fermenting, distilling, pickling, freezing, baking, drying, smoking, grinding, cutting, mixing, coating, stuffing, packing, bottling, or packaging, or through any other treatment or preservation process. "Food processing" includes the activities of a bakery, confectionary, or bottling establishment, and also includes the receipt and salvaging of distressed food for sale or use as food.



Facility Requirements

- Depend on license, but generally includes:
 - Cleanable floors, walls, ceilings
 - Adequate and protected lighting
 - Safe water supply
 - Adequate Ventilation
 - Hand washing sinks
 - Equipment washing sinks
 - Plumbing meets code
 - Restroom facilities as required

Be sure to also consult local building, plumbing, zoning, fire inspectors

Physical Facility-Sinks

- Three compartment sink or warewashing machine
- Handwashing sinks, restroom and processing
- A service sink (mop sink)
- Floor Drains maybe required

Physical Facility-Smooth and Easily cleanable

- Floor material
 - Commercial grade vinyl (sheet or tile), sealed concrete, quarry tiles, must be coved
- Wall covering
 - Painted drywall*, Dairy Board, Stainless steel
- Ceiling
 - Vinyl clad acoustic tile, painted drywall

Equipment

- Equipment and utensils shall be of sanitary design and construction.
- Equipment and utensils shall be constructed so that they can be easily cleaned.
- Equipment and utensils shall be kept clean and in good repair.

FOOD CONTACT SURFACES

Food contact surfaces of equipment and utensils shall be constructed of stainless steel or other materials which are smooth, impervious, nontoxic, noncorrosive, nonabsorbent, and durable under normal use conditions.

Recall Plan – 70.117

- Written plan provided and updated as needed
- Keep it Simple!
- Contents:
 - Key Individuals responsible for recalls
 - Contacts
 - Procedures for:
 - tracking processing lots and shipments
 - determining scope and nature of recall
 - Identifying and communicating recall information to further processors, customers, gov. agencies

Plans and Construction

Potential operator can submit plans to the department for review.

- Equipment specification sheets or cut sheets
- Floor, wall and ceiling finishes
- Layout of the facility with equipment placements
- Water source
- Products that you plan to manufacture

Restrooms

- Employee restrooms are required
 - Completely enclosed
 - Well lighted
 - Self-closing tight fitting door
- Constructed after June 30th, 1989
 - Separately vented outside
 - Exhaust fan capable of creating negative pressure
 - Does not open directly into the food process area

Food Ingredients

- Food ingredients shall be safe, wholesome, and unadulterated, and shall comply with applicable standards of identity under s. 97.09, Stats.
- Raw agricultural commodities and other food ingredients shall be segregated and examined as necessary to determine whether they are clean and fit for processing.

Statement of Identity/Name of Food

Nutrition Facts



Ingredients

Allergen

Name and address

Net weight or volume



Reasons for Accurate Labeling

- To ensure informative labeling
- To prevent false or misleading labels
- Food safety
- To ensure adherence to a standard of identity
- To prevent unfair trade practices

Pest and Rodents

- Have a pest control program in place
- Eliminate areas where they can harbor
- Consider a pest control company

Food Handling and Storage

- Food shall be protected from contamination and decomposition while being processed, handled, conveyed, or held at a food processing plant.
- Food shall be processed and held in a manner which keeps the food in a safe, wholesome, and unadulterated condition.

Is it Safe?

70.09 (3) FOOD PROCESSING. (a) Food processing shall be conducted under appropriate conditions and controls to minimize the potential for growth of undesirable microorganisms, or the contamination of food.

We encourage operators to use a HACCP plan in their facility.



FDA Facility Registration

- Bioterrorism Act –
 - Register
 - Prior notice of imported foods

- FSMA
 - Permission to inspect facility
 - Must renew every other year
 - Gives FDA authority to suspend registration

Shared Kitchens

- Sanitarians must be able to inspect the facility, equipment, ingredients, storage, required records and cleanliness at any time the general facility is open.
- The following shall be stored at the licensed location:
 - Ingredients
 - Utensils
 - Equipment
 - Packaging Material
 - Records
 - Finished Products*

Temporary/ Mobile Food

- Three license categories
 - Mobile Restaurant
 - Temporary Restaurant
 - Mobile Retail

Which One am I?

Please answer the following questions to determine the type of license needed.

1. Will you be serving a meal item? (Meal items ex: pasties, corn dogs, hot dogs, brats, hamburgers, pizza, cooked fruits and vegetables)

Yes No

2. Will you operate **ONLY** at special events? (Special events ex: fair, carnival, circus, public exhibitions and farmer's markets)

Yes No

3. Do you require a mobile service base? (These facilities operate independently of special events. These operators process food, sanitize equipment and store food.) **A mobile base is not required for operators selling **only** prepackaged items.

Yes No

ANSWER KEY

1. Yes

2. Yes

3. Yes or No

License Needed:

Temporary Restaurant

1. Yes

2. No

3. Yes

License Needed:

Mobile Restaurant with Mobile Service Base

1. No

2. No

3. No

License Needed:

Mobile Retail Food Establishment

1. No

2. Yes or No

3. Yes

License Needed:

Mobile Retail with Mobile Service Base

Please find appropriate license fee(s) on back of application according to the answer key.

What regulation applies?

- Operating at a Special Event
 - The stand meets the requirements of WFC Chapter 10
- Operating as a Mobile Food Facility
 - The unit meets the requirements of WFC Chapter 9

Temporary Food Stands

- A restaurant that serves one or more meals at a fixed location only in conjunction with a single event or celebration such as a fair, carnival, circus, public exhibition, or anniversary sale for a period of no more than 14 consecutive days or in conjunction with an occasional sales promotion. A temporary restaurant is not required to operate in conjunction with a licensed service base.

Plan the Stand

- The DEPARTMENT or its AGENT may limit and/or modify the nature of the FOOD service operation and/or the type of FOOD served at a TEMPORARY FOOD ESTABLISHMENT to protect the health and safety of the GENERAL PUBLIC. TEMPORARY FOOD ESTABLISHMENT operations may be limited in terms of the number of persons served, methods of PREPARATION and storage, the kinds of utensils used or the type of FOOD served.

WFC Chapter 10

When water under pressure is not available, handwashing facilities shall consist of a covered insulated container of at least five-gallon capacity with a non-self-closing spigot or valve that allows a continuous flow of water over the hands.



Provide:

- 5+ Gallon Food Grade Container
- Hand Soap
- Free Flow Spigot
- Paper Towels
- Catch Bucket
- Trash Bin

Stand Construction

- Roof and Sidewalls: Unless otherwise approved, a temporary restaurant may not operate without an approved roof and sidewalls.
- Kitchen Enclosure: All food preparation and utensil washing areas with extensive food preparation maintained in connection with temporary food establishments shall be effectively enclosed or screened.
- Cooking and Serving Areas: All cooking and serving areas shall be protected from contamination.
- Cooking/grill areas: shall be roped off or otherwise segregated from the public.
- Floors: Floors shall be maintained in sanitary condition. Dirt floors shall be covered with approved material, which will provide protection from splash and dust. Approved materials may include concrete, asphalt, wood racks or duckboards, plywood, etc. The use of sawdust or similar dust producing materials is prohibited.
- Location: No temporary restaurant may be located within 100 feet of a barn or enclosure housing animals or other source of odors or flies.

Mobile Restaurant

- A restaurant that serves at least one meal from at least one temporary location that is not in conjunction with a special event. Mobile restaurants must operate in conjunction with a licensed service base.

All Mobile Food Establishments Shall...

- Return to its service base not less than once every 24 hours for servicing and maintenance. **Note: A variance from the department may be obtained to eliminate the requirement for a service base.**
- Have equipment that is commercial grade
- Have adequate non-hand operated hand wash facilities supplied with soap and single use toweling
- Have adequate ventilation and fire extinguishing equipment
- Have a properly air gapped, commercial grade food preparation sink, if food preparation is occurring on the unit
- Have smooth, non-absorbent, and easy to clean surfaces
- Have commercial approved utensil washing facilities if not conducted at the service base.

Service Base Requirements

- Shall be an enclosed building of sufficient size to accommodate the mobile unit
- Approved water supply and hoses used for handling drinking water shall be made of food grade material
- Equipped to properly dispose of liquid waste through the use of an approved septic system or through connection to a municipal sewer
- Shall have commercial equipment for food preparation and storage.
- Adequate non-hand operated handwashing facilities and commercial ware washing facilities shall be provided when food preparation and utensil washing is conducted
- A properly air gapped food preparation sink is required when food preparation is being conducted
- All surfaces shall be smooth, non-absorbent, and easy to clean

Water Requirements

- The mobile establishment shall be equipped with a gravity or pressurized water storage tank that provides hot and cold water under pressure, and is constructed of 14-gauge metal or other durable food grade material
- All mobile food establishments shall have a waste storage tank that is; at least 15% larger than the water supply tank and constructed of at least 14 - gauge thick metal or another durable smooth surface material.

Ongoing Inspections

- May be unannounced
- Samples may be taken
- Includes review of:
 - Facility
 - Sanitation Procedures
 - Processing Parameters
 - Records
- Frequency varies with risk, volume of sales, and compliance history



Before you contact DATCP

- Know :
 - what products you will produce
 - how they will be sold
 - Location of processing/sales
- More than 1 license may be required

Licensing Process

- Email licensing question/intent to operate
- Licensing specialists provide information on the facility requirements in addition to required training, certifications, etc. and mail paper license application
- Application returned completed with license fee
- Inspector receives application via mail and schedules licensing to occur within a short period of time
- Facility is officially licensed

The “Do’s”

- Contact agency early in process
- Understand and stay updated on the rules and regulations that apply to you
- Ask questions

DATCP Licensing Contacts

- Email
 - datcpdfslicensing@wisconsin.gov
- Phone
 - 608-224-4923

Questions?

