

February 23, 1951.  
Public Health, Pharmacy.

**House File 582**  
By KOSEK (Doud).

Passed House, Date .....  
Vote: Ayes..... Nays.....  
Passed Senate, Date .....  
Vote: Ayes..... Nays.....  
Approved.....

## A BILL FOR

An Act to repeal chapter one hundred seventy-two (172), Code 1950, relating to the operation of frozen food locker plants within the state of Iowa and inserting a new chapter in lieu thereof.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. Chapter one hundred seventy-two (172), Code  
2 1950, is hereby repealed and the following enacted in lieu  
3 thereof.

1 Sec. 2. When used in this Act, unless the context  
2 otherwise requires,

3 1. "Food" means all articles used for food, drink,  
4 confectionary or condiment by man, whether simple, mixed or  
5 compound and any substance used as a constituent in the  
6 manufacture thereof.

7 2. "Locker" means the individual sections or compartments  
8 of a capacity of not to exceed nine (9) cubic feet in the  
9 locker room of a locker plant or branch locker plant.

10 3. "Locker Plant" means a location or establishment  
11 in which space an individual locker is rented to individuals  
12 for the storage of food at or below a temperature of forty-

13 five (45) degrees above zero fahrenheit and having a chillroom,  
14 and sharp freezing facilities and facilities for cutting,  
15 preparing, wrapping, and packaging meats and meat products,  
16 fruits and vegetables, and slaughter house accommodations.

17 4. "Branch Locker Plant" means any location or  
18 establishment in which space an individual locker is rented  
19 to individuals for the storage of food and at or below a  
20 temperature of forty-five (45) degrees above zero fahrenheit  
21 after preparation for storage at a central plant.

22 5. "Processor" shall mean any individual, partnership,  
23 cooperation or any group or combine of persons engaging in  
24 the business of cutting, and wrapping carcasses of fresh  
25 meat for delivery to customers to be either frozen by them  
26 or frozen in a sharp freezer owned by the individual,  
27 partnership, corporation, or combine or collection of persons  
28 doing the cutting and wrapping.

29 6. "Sharp frozen" means the freezing of food in a room  
30 in which the temperature is zero degrees fahrenheit or lower.

31 7. "Slaughter House" shall mean that portion of a  
32 locker plant set aside and used by the operator of the  
33 locker plant for the slaughtering of livestock for processing  
34 in his locker plant, or for trade.

35 8. "Department" shall mean the department of agriculture.

1 Sec. 3. No person shall engage in the operation of a  
2 frozen food locker plant or a branch food locker plant until  
3 he has obtained a separate license from the department per

4 each such location or establishment. Neither shall he operate  
5 a slaughter house either in connection with said locker plant  
6 or as a custom slaughter until he has made application and  
7 received a license from the department for such slaughtering  
8 activities. Applications for such license or licenses shall  
9 be made upon forms furnished by the department and shall  
10 contain the items required by it as to ownership, management,  
11 location, equipment and other data concerning the business  
12 for which each license is desired.

13 Each application for license shall contain the following  
14 information:

- 15 1. The name and address of the applicant.
- 16 2. The location of the plant for which the license is  
17 sought and the type of operation on such location.
- 18 3. The size of the plant for which the license is  
19 sought and the number of lockers operated or to be operated  
20 there.
- 21 4. The system of refrigeration used and capacity of  
22 the refrigeration machinery.

1 Sec. 4. In case the license is sought for slaughter  
2 house or a custom slaughter the information contained in the  
3 application shall be as follows:

- 4 1. The name and address of the applicant.
- 5 2. The location of the slaughter house for which the  
6 license is sought and if a custom slaughterer, his address  
7 and the location where the custom slaughtering will be done.

8        3. The size of the slaughter house, its facilities,  
9        which must include hot and cold running water, proper drainage  
10       facilities, the size and number of holding pens for the keeping  
11       of live animals, the type of construction of the floor which  
12       must be of cement, tile or other suitable substance approved  
13       by the department, but under no circumstances can be of wood,  
14       the type of drainage, and whether said drainage is connected  
15       to a private cess pool or septic tank, or town sewage system,  
16       the nature and type of equipment to be used by the applicant  
17       for slaughter purposes, and such other information concerning  
18       the slaughter house as may be deemed necessary by the  
19       department for sanitary purposes for the protection of the  
20       public health.

21       4. Said application must also state if in case of a  
22       custom slaughter the type of refrigeration to be used by said  
23       custom slaughterer for the purpose of chilling the carcasses  
24       of animals slaughtered, its size, and the capacity of the  
25       refrigeration and machinery. Said information also to  
26       contain the size of the chill room.

1       Sec. 5. Upon receipt of an application of license for  
2       a new plant accompanied by the required fee, or an application  
3       for an old plant in operation, or holding plant in operation,  
4       or a slaughter house, or a custom slaughter house permit, the  
5       department shall inspect within thirty (30) days the plant  
6       or branch plants, the slaughter house or the custom slaughter  
7       house, its equipment, the facilities, surrounding premises,

8 and if its operations, or purposed operations, its facilities,  
9 and contemplated facilities, comply with the provisions of  
10 the law and the authorized rules and regulations of the  
11 department applicable to such plants, slaughter houses and  
12 custom slaughter houses, the department shall issue such  
13 license.

1 Sec. 6. The license fee for each plant or branch plant  
2 shall be ten dollars (\$10.00) for two hundred (200) or less  
3 individual lockers with an additional two dollars (\$2.00)  
4 for each additional one hundred (100) individual lockers  
5 or major fraction thereof in either a frozen food locker  
6 plant or a branch frozen food locker plant.

7 The license for each slaughter house if connected with  
8 a cold storage locker plant shall be one dollar (\$1.00), and  
9 the license fee for a custom slaughter house shall be fifty  
10 dollars (\$50.00) per year.

11 Each such license shall expire on December 31, of each  
12 year, following the date of issue and no such license shall  
13 be transferable.

1 Sec. 7. No individual or corporations licensed  
2 exclusively under the provisions of chapter one hundred  
3 seventy-one (171) and engaging in the storing of frozen  
4 foods for individual consumption shall be exempt from the  
5 requirements of this Act.

1 Sec. 8. Any individual, partnership or corporation  
2 engaged in the processing of fresh meats, as defined in this

3 Act shall before engaging in such business, obtain from the  
4 department of agriculture of the state of Iowa, a license  
5 authorizing the licensee to engage in such business, and  
6 the application for such license shall obtain such informa-  
7 tion as the department may require.

8 The license fee for each place of business in which  
9 said processing is carried on shall be seventy-five  
10 dollars (\$75.00) per year, and if the applicant operates  
11 more than one place of business in which processing is  
12 done a separate license for each place of business in  
13 which processing is done shall be required.

14 All fresh meats or cured meats prepared and wrapped  
15 by a processor as defined in this Act, shall be wrapped  
16 in a non-absorbent wrap, adapted to the frozen food  
17 industry.

1 Sec. 9. The floors, walls and ceiling of locker plants  
2 and branch locker plants shall be of such construction and  
3 finish that they can be conveniently maintained in a  
4 clean and sanitary condition. Walls and ceilings of  
5 the processing rooms of locker plants shall be well  
6 painted or finished in some other approved manner and  
7 shall be repainted as often as necessary. The lockers  
8 in any plant shall be so constructed as to protect the  
9 contents from contamination, deterioration or injury.  
10 In any new construction lockers with perforated bottoms  
11 shall be provided with suitable unperforated liner or

12 tray.

1     Sec. 10. All rooms of a locker plant or branch  
2 locker plant shall at all times be maintained in a clean  
3 and sanitary condition. All equipment and utensils shall  
4 be clean when put into use and shall be thoroughly cleaned  
5 after each day's use and shall be so stored or protected as  
6 not to become contaminated. Lockers shall be thoroughly  
7 cleaned before they are leased or put into possession of  
8 any patron. The premises and surroundings of any locker  
9 plant and branch locker plant shall be maintained in a clean  
10 and sanitary condition. The food stored shall be protected  
11 from filth, flies, dust, dirt, insects, vermin and other  
12 contamination of any unclean or filthy practice in the  
13 handling thereof or caring thereof. No food shall be  
14 stored in such condition or in such manner as to cause  
15 injury to or deterioration of articles of food in adjacent  
16 lockers. Waste or offal incident to the cleaning, storing  
17 or preparation of any food for storage shall be promptly  
18 removed from the premises and disposed of in a sanitary manner.

19     No room or rooms used for the preparation, storage,  
20 display or sale of food or for the processing of foods shall  
21 be used as a living room or sleeping room nor shall dogs,  
22 cats, or other domestic animals be permitted in such rooms.

1     Sec. 11. Locker plants shall have an ample water supply  
2 readily available and the water that comes in contact with  
3 any food product or the equipment shall be uncontaminated.

4 No cross-connections are permitted in plants in which there  
5 are both contaminated and non-contaminated water systems.  
6 All plants must comply with state plumbing code provisions.  
7 Locker plants shall be provided with adequate toilets so  
8 located as to be readily accessible to the employees and  
9 equipped with adequate washing fixtures or facilities or have  
10 such fixtures or facilities convenient thereto and shall be  
11 supplied with water, single soap and single towel service.  
12 The doors of all toilet rooms shall be full length and  
13 self-closing and no toilet room shall open directly into  
14 any room in which foods are prepared, processed, chilled,  
15 frozen or stored. Toilet facilities and rooms shall be  
16 kept in a clean and sanitary condition.

1 Sec. 12. No locker operator shall employ or permit in  
2 his employ any person suffering from any communicable  
3 disease, including any communicable skin disease or with  
4 infected wounds, and no person who is a carrier of a  
5 communicable disease shall be employed in any capacity in  
6 a locker plant or branch locker plant. No person shall work  
7 or be employed in or about a locker plant or branch locker  
8 plant during which time as a communicable disease exists  
9 in the home in which he resides unless he has obtained a  
10 certificate from the state or local board of health stating  
11 that no danger of public infection will result from the  
12 employment of such person in such establishment. Every person  
13 employed by the locker plant and engaged in direct physical

14 contact of food during its preparation, processing, or storage,  
15 shall be clean in person, wear clean washable outer garments  
16 and a suitable cap or overhead covering, said garment to be  
17 used for that purpose only. Only persons specifically  
18 designated by the operator shall be permitted to touch food  
19 products with their hands and the persons so designated shall  
20 keep their hands scrupulously clean.

1     Sec. 13. The refrigeration system of a locker plant or  
2 branch locker plant shall be equipped with accurate and reliable  
3 controls for the automatic maintenance of uniform temperature  
4 which is required in the various refrigerated rooms and shall  
5 be of adequate capacity to provide under extreme conditions of  
6 outside temperature and under peak load conditions in the  
7 normal operation of said plant, the following temperature in  
8 the several rooms, respectively:

9     1. Chillroom. Temperatures within two (2) degrees  
10 fahrenheit plus or minus of thirty-four (34) degrees below  
11 fahrenheit with a tolerance of ten (10) degrees fahrenheit for  
12 a reasonable time after fresh food is put in for chilling.

13     2. Sharp freeze room, sharp freezing compartments.  
14 Temperatures of ten (10) degrees below zero fahrenheit or  
15 lower or temperatures of zero (0) degrees fahrenheit or lower  
16 of ten (10) degrees fahrenheit for either type of installation  
17 for a reasonable time after fresh food is put in for freezing.

18     3. Locker room—Temperatures of not to exceed ten (10)  
19 degrees fahrenheit with a tolerance of five (5) degrees

20 fahrenheit higher.

21 The foregoing temperatures shall not be construed as  
22 prohibiting such variations, as may occur during short period  
23 of time incidental to defrosting, for experimental purposes,  
24 the department, upon application in writing, may authorize  
25 for a limited and prescribed period, the installation and use  
26 of a refrigeration system or method which in the opinion of  
27 the department shall result in improvement over present methods.

28 An accurate direct reading thermometer shall be provided  
29 in the chillroom, in the sharp freeze room, or compartment.

30 The thermometer in the locker rooms shall be placed in a  
31 position where it is readily observable by the patrons.

1 Sec. 14. No food shall be placed in a locker for storage  
2 unless it has been sharp frozen. No food shall be placed in  
3 a locker unless such food has been inspected by the operator.  
4 Food which appears to be of questionable quality by the operator  
5 shall be referred to the state dairy and food department or a  
6 representative thereof. No food shall be placed in the locker  
7 by the patron personally whether the same be in a frozen or  
8 unfrozen state. No unwrapped meat or unwrapped unpacked  
9 fruits or vegetables shall be placed in any locker. Only  
10 paper suitable for the wrapping of meat that is to be frozen and  
11 stored, shall be used. Each wrapped portion shall be marked or  
12 stamped with the correct locker number and the date of wrapping.

13 All fresh carcass meats coming into the custody or  
14 possession of the operator shall be identified with a suitable

15 tag or stamp and if not clean, shall be washed with cold water  
16 or otherwise suitably cleaned, and shall then be placed in the  
17 chillroom sufficiently long to lose body heat, unless previously  
18 chilled and in no case less than twenty-four (24) hours before  
19 removal to the cutting room. In applying marks directly to  
20 meats or food products, the operator shall use only non-toxic  
21 ink or other harmless substances. The same provisions as  
22 applied to a slaughter house connected with a locker plant shall  
23 also apply to a custom slaughterer, subject to such additional  
24 rules and regulations as made or may be prescribed by the  
25 department for public health and safety.

1 Sec. 15. No fish shall be stored in any locker unless  
2 properly frozen and wrapped. All fish shall be so handled as  
3 to protect equipment and other foods stored from fish flavors  
4 and fish odors. All unfrozen fish coming into the custody or  
5 possession of the operator shall be properly and promptly  
6 washed with clean water and frozen, wrapped and marked with  
7 the date and the patron's locker number.

8 Before being frozen, vegetables shall be clean, blanched  
9 and immediately thereafter cooled with cold water and packed  
10 in suitable containers before freezing. Patrons preparing  
11 their own vegetables and fruits for freezing must deliver  
12 the same either in bulk or packaged to the locker operator for  
13 inspection, sharp freezing and storage.

14 Before being frozen, fruits shall be cleaned or washed and  
15 packed in suitable containers before freezing, approved by the

16 department and the locker operator.

1 Sec. 16. Any game or fish stored or handled shall only  
2 be stored or handled in conformity with the game laws of the  
3 state of Iowa, and the rules and regulations of the department  
4 of conservation applicable thereto.

1 Sec. 17. Every operator of a locker plant or branch  
2 locker plant shall keep an accurate record as set forth:

3 1. The name and address of the patron renting a locker  
4 or storing food. (In the case of patrons renting lockers who  
5 are directly or indirectly engaged in the selling of food  
6 stuffs for human consumption, such patrons shall declare this  
7 fact to the operator and a suitable entry shall be made on the  
8 records of the operator.)

9 2. Rental period of each locker rented, the charge there-  
10 fore, and the payments made thereon.

1 Sec. 18. No person shall be permitted access to other  
2 patron's locker and contents without proper authorization.  
3 Patrons shall not be permitted to handle meats or foods other  
4 than their own, which are stored in the chillroom or are in  
5 the process of preparation for freezing for storage.

1 Sec. 19. No food not for human consumption shall be  
2 stored in the chillroom, aging room, sharp freeze room or  
3 locker room of any locker plant or branch locker plant, except  
4 such items as of animal or vegetable matter as may have been  
5 inspected and approved by the bureau of the United States  
6 department of agriculture or representatives of the department

7 of agriculture of this state. Foods not intended for human  
8 consumption shall bear a label or tag showing plainly and  
9 conspicuously in letters not less than three-eighths ( $\frac{3}{8}$ )  
10 of an inch in height the words "Not for human consumption."

11 No food not for human consumption, which has not been  
12 inspected as hereinbefore provided and no hides or skins shall  
13 be stored in any locker plant or branch locker plant unless  
14 separate rooms with no opening passage leading into the  
15 locker room, chillroom, aging room or sharp freezing room,  
16 are provided with such storage.

1 Sec. 20. Every operator of a locker plant or branch  
2 locker plant shall have a lien upon all property of every  
3 kind in its possession for all locker rentals, processing,  
4 handling or other charges due from the owner of such property.  
5 Such lien may be secured and enforced in the same manner as  
6 mechanic's liens are secured and enforced.

7 Operators of locker plants or branch locker plants  
8 shall not be construed to be warehousemen or shall receipts  
9 or other instruments issued by such persons in the ordinary  
10 conduct of their business be construed to be warehouse  
11 receipts relative to the laws applicable thereto.

1 Sec. 21. The Iowa department of agriculture shall make  
2 and enforce, reasonable rules and regulations necessary to  
3 carry out provisions of this Act.

1 Sec. 22. The department, after notice of hearing, may  
2 revoke the license issued to any locker plant or branch locker

3 plant, for failure to comply with provisions of this Act or  
4 any lawful rule or regulation of the department hereunder.  
5 Before revoking any license the department shall give the  
6 licensee notice, whether personally or by registered mail,  
7 an opportunity to be heard with respect thereto at a time  
8 and place specified in such notice.

9 In the event any license is revoked the department may  
10 permit the continued operation of the plant involved upon  
11 such conditions or under such supervision as the department  
12 may prescribe for a period of not to exceed six (6) months,  
13 in order to enable patrons to remove any food stored therein,  
14 but during such period no food shall be received or stored  
15 in such plant.

16 Any patron of any locker plant storing food in his or  
17 her locker without first presenting the same to the locker  
18 operator for inspection and sharp freezing, shall in addition,  
19 to having such food seized and confiscated by the department,  
20 be guilty of a misdemeanor and subject to the same fines and  
21 penalty as a violation of this Act by a locker operator and  
22 as hereinafter set forth.

23 The violation of any provisions of this Act pertaining  
24 to a custom slaughterer shall be a misdemeanor and upon  
25 conviction shall be punished as provided for hereinafter.

1 Sec. 23. Any person violating the provisions of this Act  
2 or any lawful rule or regulation of the department hereunder,  
3 shall be guilty of a misdemeanor and upon conviction thereof

4 shall be fined not less than twenty-five dollars (\$25.00) nor  
5 more than one hundred dollars (\$100.00) or be imprisoned in  
6 the county jail not to exceed thirty (30) days. Each violation  
7 shall be a separate offense and subject said person to  
8 separate penalties.

**EXPLANATION OF H. F. 582**

**This act is to repeal chapter 172, Code 1950, relating to the operation of frozen food locker plants and to provide more complete regulations regarding sanitary conditions.**